
Representations received on the Kirklees Publication Draft Local Plan PDLP - Strategies and Policies

Paragraph/Site: 1.1	Consultee: 942682	Mike Hogarth	Agent:	Rep ID: PDLP_SP617
Soundness - Positively Prepared	There needs to be more progressive future based thinking and a review of the way groups of councillors are working, and a need for more consideration about working cohesion between political groups and independent councillors in relation to developing the new local plan.			
Soundness - Justified	The draft Plan needs greater clarity with regard to the EU Directive - Strategic Environmental Assessment (SEA) 2001/42/EC and its integration with sustainable appraisal and the synergistic impacts it will have on the two pillars of environmental and social cohesion that is ultimately needed in creating a truly visionary Local Plan. There is a need for change and a more collaborative style of working in the Council.			
Council Response	No Change Meetings with members have taken place throughout the preparation of the local plan. These are listed in SD12 Kirklees Council Statement of pre-Submission Consultation November 2016 section 3.6. This was in addition to Cabinet and Council meetings to formally agree the plan for consultation and Publication/Submission (Background Papers BP5, BP6 and BP7). Details of consultation with businesses is outlined at 3.5.10 of SD12 together with a summary of the issues raised and the impact on the plan With regard to Strategic Environmental Assessment, this is addressed in SD5 Sustainability Appraisal. Paragraph 1.22 Table 1.1 sets out the SEA requirements and where in the document these have been addressed. Further concerns were raised within the representation which refer to the need for a vision/plan which is balanced, holistic, promotes inclusive flexibility, takes into account connectivity and the need to promote investment, supports advanced manufacturing and Huddersfield University and protects Rural Kirklees, Holmfirth, Holme and Colne Valley protection. It is considered that the Vision set out at 4.2/page 21 of the Kirklees Publication Local Plan sets out a vision/framework which addresses these issues. The recognition of place shaping within Section 5 which considers strengths/opportunities and challenges to growth sets out key considerations which will shape this vision. 5.1 refers specifically to cohesiveness of the community. Additional information on the role and support for advanced manufacturing and the University is set out in SD22 Employment Technical Paper at 2. and 3.3. The role of infrastructure to support the strategy is set out in the Infrastructure Delivery Plan and policy PLP4.			
Paragraph/Site: 1.1	Consultee: 942682	Mike Hogarth	Agent:	Rep ID: PDLP_SP630
Soundness - Positively Prepared	There needs to be much more cooperation between, not just the political parties, but also between individual councillors, who know their areas well, and planners			
Council Response	No Change Comment noted. Meetings with members have taken place throughout the preparation of the local plan. These are listed in SD12 Kirklees Council Statement of pre-Submission Consultation November 2016 section 3.6. This was in addition to Cabinet and Council meetings to formally agree the plan for consultation and Publication/Submission (Background Papers BP5, BP6 and BP7).			
Paragraph/Site: 1.1	Consultee: 943608	Mr Robert Bamforth	Agent:	Rep ID: PDLP_SP588
Soundness - Justified	The plan is incapable of adapting to significant changes in requirements which are likely to occur over a 15 year period.			
Council Response	No Change Section 20 of the Kirklees Publication Draft local plan sets out the council's monitoring and implementation framework for the Plan. This is supported by Appendix 2 - which identifies targets and indicators. One of the purposes of monitoring is to identify whether a review or partial review of the plan is required and will allow the council to adapt to change. Further both the housing (SD23) and employment (SD22) technical papers sets out how the local plans has met its objectively assessed needs with sufficient flexibility to adapt to rapid change in accordance with NPPF paragraph 14.			
Paragraph/Site: 1.1	Consultee: 947700	Mr G Maxwell	Agent:	Rep ID: PDLP_SP21
Soundness - Positively Prepared	The Local Plan is so different to the plan consulted upon has not followed a similar consultation route to the first plan. The differences are so many that in essence it is a new plan.			
Soundness - Consistent with National Policy	That the plan should be properly consulted upon - so that it can truly reflect the views of the local communities and would then comply with the NPPF in relation to plan formulation			
Proposed Change Requested	That the plan should be properly consulted upon - so that it can truly reflect the views of the local communities and would then comply with the NPPF in relation to plan formulation			
Council Response	No Change The differences between the draft and publication draft Local Plan are as a result of consultation, the changes are identified in SD12, Statement of			

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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.

Paragraph/Site: 1.1	Consultee: 963361	Mrs Jacey Bedford	Agent:	Rep ID: PDLP_SP708	
Soundness - Positively Prepared	23. Worrying anomalies in Kirklees Metropolitan Council's mineral strategy d. Around half of the published policies (32) have had significant amendments and 2 have been completely removed from the Local Plan - without being properly consulted upon				
Council Response	No Change Comment noted. The differences between the draft and publication draft Local Plan 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.				
Paragraph/Site: 1.1	Consultee: 1057349	Mr Peter Jones	Agent:	Rep ID: PDLP_SP139	
Soundness - Positively Prepared	There is no purpose in having a Local Plan as it is ignored by central government.				
Council Response	No Change The government is committed to all areas having up to date local plans to guide planning decisions. The council also remains committed to have a plan in place in order to provide for objectively assessed needs, provide a five year land supply and an up to date policy framework to determine planning applications. The Local Plan is also integral to helping deliver wider Leeds City Region objectives and the objectives of the Council's Economic Strategy and Health and Well-being Plan.				
Paragraph/Site: 1.2	Consultee: 942501	unknown	Agent: 962102	Robert Deanwood	Rep ID: PDLP_SP615
Council Response	No Change Noted that National Grid has no comments to make.				
Paragraph/Site: 1.2	Consultee: 943906	Jeff Carr	Agent:	Rep ID: PDLP_SP505	
Legally Compliant	The Council could have produced a much shorter and more general simplified booklet outlining the general principles applied to whole of district, supplemented by information on a ward based level.				
Council Response	No Change Comment noted. The council produced three summary books during the preparation of the Local Plan: 1. Kirklees the place to grow Shaping our Local Plan - this set out an introduction to the local plan process, ambitions for Kirklees future, key statistics, facts and information and options for where new development should go 2. Shaping a Local Plan for Kirklees Consultation Summary November 2015 - this set out proposed locations for development, objectives for how land can be used, policy development and details of open space and specific sites to be protected. 3. Commenting on the Publication draft local plan - this set out how comments had shaped the plan and sites with the most interest, sites which had been taken out and new sites suggested, information about the community infrastructure levy and how to make comments on legal compliance and soundness. The aim of the documents were to produce a summary of the local plan position and provide guidance on how to get involved or where to go for further information.				
Paragraph/Site: 1.2	Consultee: 945214	Mr and Mrs J Ryden	Agent:	Rep ID: PDLP_SP188	
Legally Compliant	Objects to the way in which the current consultation on the draft of the Kirklees Local Plan is being carried out. Kirklees Council has provided a short consultation period which coincides, for many people, with preparations for Christmas holidays over major changes to our environment. With very little publicity or public debate major additions have been made to the original draft plan which will greatly increase its impact on the Kirklees population and environment. Most people do not know that this is being done and have had very little opportunity to debate or question the impact which the plan will have on them. Kirklees Council should extend the consultation period for the draft Local Plan and carry out a planned publication and discussion strategy. If this is not done, I feel that it will leave itself open to demands for judicial review of the lack of PROPER public consultation on these plans.				
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. SD12 Statement of Pre-Submission Consultation and SD13 Statement of Publication Consultation set out who, when and how communities and stakeholders were consulted. A summary of responses is provided and how these have shaped the preparation of the local plan.				

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Paragraph/Site: **1.2** Consultee: **946946** **Robert A Craggs** Agent: Rep ID: **PDLP_SP189**

Legally Compliant Whole website consultation process totally confusing, undemocratic. Website appears to show that no comments have been received at all, or at least registered and available for others to see.

Council Response No Change The council's consultee letter on the Draft Local Plan which was sent to everyone on the database contained information on how to use the council's on-line planning consultation system. User notes were also produced which were available at the Local Plan drop in sessions held during the draft local plan consultation and computer terminals were also available where officers could assist users to undertake the on-line system. The council also monitored the use of the on-line system.

Paragraph/Site: **1.2** Consultee: **978506** **Cllr Nigel Patrick** Agent: Rep ID: **PDLP_SP583**

Legally Compliant .

Soundness - Positively Prepared The public consultation for the Draft Local Plan and the Publication Local Plan and the Community Infrastructure Levy has been very poor in terms of making the detail of the proposals available to the public.

Council Response No Change. Comment noted. 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 and undertaken as part of the preparation of the local plan are compliant with regulatory and NPPF requirements. SD12 Statement of Pre-Submission Consultation sets out how the council engaged with communities and stakeholders in the preparation of the Local Plan. SD13 Statement of Publication Consultation sets out the later stages of consultation.

Paragraph/Site: **1.2** Consultee: **988923** **Mrs Valerie Parkin** Agent: Rep ID: **PDLP_SP685**

Soundness - Positively Prepared This consultation feels like a sham - ask members of the council to do their utmost to listen to and carry out the wishes of the electorate. Sees little evidence of a genuine desire to heed the wishes of the people. Who listens to when local people write letters of objection and attend meetings to protest about huge housing developments in their area?

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. SD12 Statement of Pre-Submission Consultation and SD13 Statement of Publication Consultation set out who, when and how communities and stakeholders were consulted. A summary of responses is provided and how these have shaped the preparation of the local plan.

Paragraph/Site: **1.2** Consultee: **1050803** **Cllr Kenneth Sims** Agent: Rep ID: **PDLP_SP718**

Legally Compliant .

Soundness - Positively Prepared The public consultation for the Draft Local Plan and the Publication Local Plan and the Community Infrastructure Levy has been very poor in terms of making the detail of the proposals available to the public

Council Response No Change. Comment noted. 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 and undertaken as part of the preparation of the local plan are compliant with regulatory and NPPF requirements. SD12 Statement of Pre-Submission Consultation sets out how the council engaged with communities and stakeholders in the preparation of the Local Plan. SD13 Statement of Publication Consultation sets out the later stages of consultation.

Paragraph/Site: **1.2** Consultee: **1050805** **Cllr Donald Firth** Agent: Rep ID: **PDLP_SP717**

Soundness - Positively Prepared The public consultation for the Draft Local Plan and the Publication Local Plan and the Community Infrastructure Levy has been very poor in terms of making the detail of the proposals available to the public.

Council Response No Change. Comment noted. 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 and undertaken as part of the preparation of the local plan are compliant with regulatory and NPPF requirements. SD12 Statement of Pre-Submission Consultation sets out how the council engaged with communities and stakeholders in the

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preparation of the Local Plan. SD13 Statement of Publication Consultation sets out the later stages of consultation.

Paragraph/Site: 1.3

Consultee: 988923

Mrs Valerie Parkin

Agent:

Rep ID: PDLP_SP684

Soundness - Positively Prepared

In reference to the Core Strategy - why were the guidelines not followed when preparing this plan. This plan was rejected on the grounds that the Council had failed to take into consideration the possible requirements of neighbouring authorities. The failure by the Council to do the job properly has resulted in a hiatus in the protection of greenfield land across the borough. The gap between the expiry of the old plan and the acceptance of a follow on plan has provided opportunity for inappropriate development in many villages.

Council Response

No Change Following the withdrawal of the Kirklees Core Strategy a decision was made to proceed with a Local Plan (Cabinet - 28th January 2104). SD14 Duty to Co-operate statement sets out how the council has worked with DtC bodies and the outcomes of this work and how it has shaped the local plan. A new/revised evidence base has been compiled to support the Local Plan and early engagement and statutory consultation undertaken. 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. SD12 Statement of Pre-Submission Consultation and SD13 Statement of Publication Consultation set out who, when and how communities and stakeholders were consulted. A summary of responses is provided and how these have shaped the preparation of the local plan.

Paragraph/Site: 1.4

Consultee: 943894

Mrs Beverley Lambert

Agent:

Rep ID: PDLP_SP522

Council Response

No Change Support from the Environment Agency for the plan policies is noted.

Paragraph/Site: 1.4

Consultee: 968497

Erica Amende

Agent:

Rep ID: PDLP_SP90

Legally Compliant

Awareness raising never reached the majority of people in Kirklees. Even the Sustainability Appraisal refers to consultation fatigue. In the core strategy consultation in 2011/12 a number of local workshops were held. Publicity material was even distributed door to door. But in these Local Plan consultation has been kept low key rather than attempting to raise its game to address plan confusion and consultation fatigue. Awareness raising about the consultation Local Plan and the submission Local Plan has been near none existent. In the Heavy Woollen Area. The full set of documents has only been available at a single location, in Dewsbury. The local press is now as effective as previously or thorough enough to pick up on planning consultations and their significance. Disputes in the council have been reported. There has been an attempt to unseat the council leader over the site allocations saga. The whip has been used repeatedly to get the Local Plan and sites through the process. Cynicism has been rife among campaigners that no-one is listening and it makes no difference what you say to the council no matter how true it is. Sites such as Three Nuns (Cooper Bridge) have been immune to criticism, as securing an allocation became a political objective at the highest level well ahead of even the core strategy. Officers have not dared do otherwise for many years. The inspector should be aware that in this Local Plan where a proposal does not seem to square with logic and is proposed contrary to common sense, it is because this common sense will have been subordinated to conviction politics. And quite definitely little notice will have been taken of the public.

Proposed Change Requested

The council should be required to carry out proper consultation. Leaflet every house. Pay special attention to feedback with regard to where new sites have been introduced and changes made. Then listen to what people say and don't make the whole thing a matter of party politics.

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. SD12 Statement of Pre-Submission Consultation and SD13 Statement of Publication Consultation set out who, when and how communities and stakeholders were consulted. A summary of responses is provided and how these have shaped the preparation of the local plan.

Paragraph/Site: 1.4

Consultee: 968497

Erica Amende

Agent:

Rep ID: PDLP_SP93

Duty to Co-operate

Concern that despite what the council says, that duty to co-operate has not/isn't happening effectively. An example is provided of waste management to demonstrate concerns. People are no longer allowed to take household waste to their nearest facilities if it lies outside of Kirklees and is adjoining local authorities. This is increasing journey time to dispose of waste.

Proposed Change Requested

The Inspector closely examines the evidence provided on duty to co-operate.

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Council Response	No Change DTC Response: SD14 (Duty to Co-operate Statement) sets out how the council has discharged its duty to co-operate in relation to 'waste' (please see paragraphs 5.35 to 5.38).			
Paragraph/Site: 1.5	Consultee: 942154	unknown	Agent: 941891	Paul Leeming
Rep ID: PDLP_SP420				
Soundness - Consistent with National Policy	Plan does not conform to the framework insofar as the time period is concerned. Plans should be drawn over an appropriate time frame - 15 years. This is pertinent to Kirklees where a review of the Green Belt is required, where any review must ensure the permanence of the Green Belt boundaries, so that they are not perpetually challenged.			
Proposed Change Requested	Timeframe should be 2033 or further, not 2031 as proposed.			
Council Response	No Change The period of time covered by the Kirklees Local plan is consistent with the requirements of national planning policy.			
Paragraph/Site: 1.22	Consultee: 943445	Cllr John Taylor	Agent:	Rep ID: PDLP_SP578
Legally Compliant	The information provided to Councillors prior to the Full Council meeting 12th October 2016 was inaccurate and inaccessible.			
Council Response	No Change A series of member briefings were held prior to the Full Council meeting on 12th October. All correct papers for this meeting were made available in accordance with governance protocols.			
Paragraph/Site: 1.22	Consultee: 1050199	Paula Sherriff	Agent:	Rep ID: PDLP_SP649
Soundness - Positively Prepared	- Constituents Local knowledge and insight should be highly valued.			
Council Response	No Change 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. SD12 Statement of Pre-Submission Consultation and SD13 Statement of Publication Consultation set out who, when and how communities and stakeholders were consulted. A summary of responses is provided and how these have shaped the preparation of the local plan.			
Paragraph/Site: 1.26	Consultee: 943608	Mr Robert Bamforth	Agent:	Rep ID: PDLP_SP585
Duty to Co-operate	The council have failed to satisfy the required duty of co-operation with neighbouring authorities. Overall housing and industrial development projects across West Yorkshire have been excessively aspirational, to a point where aggregate total of planned development is manifestly unrealistic and undeliverable. Large scale green belt releases will effectively merge settlements in Kirklees with those on other side of district boundaries. The employment release at Clayton West will compete with existing, unimplemented and better positioned sites adjacent to M1 in Wakefield and Barnsley.			
Council Response	No Change The council's Employment Technical Paper (SD22) and the Housing Technical Paper provide further evidence of the process for defining the council's objectively assessed needs. DTC Response: None of Kirklees's neighbouring local planning authorities consider that the council has failed to comply with the duty to co-operate. Meaningful cooperation has taken place and evidence to that effect is documented in SD14 (Duty to Cooperate Statement). Natural England is content with the conclusions of the HRA (SD10), i.e. that the plan will not have adverse effects on the integrity of the South Pennine Moors Phase 2 Special Protection Area (SPA) or the Peak District Moors (South Pennine Moors Phase 1) SPA as a result of the loss of functionally connected land for SPA birds. Their letter dated 3rd April 2017 confirms this (see BP28). Kirklees Council met with Peak Park on 5th Feb 2016. Furthermore SD14 identifies at paragraph 3.3 that the council has reflected Yorkshire West Local Nature Partnership's statement of principles and priorities at paragraph 13.20 of the Strategy and Policies document and that the Council also discussed the South Pennine Moors Special Protection Area (SPA) with YWLNP at their meeting on January 5th 2016. SD14 demonstrates how Kirklees Council has undertaken the required level of co-operation with neighbouring authorities (such as the Peak Park Planning Authority) and other agencies concerned with the protection and conservation of the South Pennine moorlands (such as Natural England and YWLNP).			
Paragraph/Site: 1.26	Consultee: 943894	Mrs Beverley Lambert	Agent:	Rep ID: PDLP_SP523
Council Response	No Change Support for the plan policies from Environment Agency is noted.			

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Paragraph/Site: **1.27** Consultee: **970990** **Church Commissioners for England** Agent: **941839** **Nolan Tucker** Rep ID: **PDLP_SP466**

Council Response No Change Support noted. The Church Commissioners for England welcomes the acknowledgement in the introduction that the Leeds City Region Local Enterprise Partnership (LEP) Strategic Economic Plan (SEP) sets out the spatial priority areas in order to maximise growth potential and ensure prosperity across the whole City Region.

Paragraph/Site: **1.31** Consultee: **942682** **Mike Hogarth** Agent: Rep ID: **PDLP_SP628**

Soundness - Justified This combined authority model is moving at a pace and if the Kirklees new Local Plan does not interact with the present momentum of change it will either have its planning done for it or it will be left as a parochial backwater.

Council Response No Change The comments relating to the progress of the Combined Authority are noted. The council is working towards the adoption of its Local Plan through the submission of its Local plan on 25th April 2017.

Paragraph/Site: **1.33** Consultee: **942682** **Mike Hogarth** Agent: Rep ID: **PDLP_SP620**

Soundness - Justified Councils now share in the success and failure of local businesses through the Business Rate Retention Scheme. Kirklees Council clearly has got to be even more business friendly and specific in the future. The plan needs to take account of NHS England's strategic review. Different models could be looked at to create a better health and social care model in Kirklees. Need to be aware of bigger picture for future developments with regard to hospital provision in Huddersfield and Calderdale NHS trust.

Council Response No Change SD12 Statement of Consultation 2.6 sets out the health bodies consulted as part of the development of the Local Plan. SD13 Statement of Publication consultation Appendix 1 sets out health bodies consulted on the Publication plan. The site allocations have been subject to health assessments by technical consultees. The Infrastructure Delivery Plan sets out health provision requirements.

Paragraph/Site: **1.38** Consultee: **944688** **Mr John Dalton** Agent: Rep ID: **PDLP_SP706**

Legally Compliant In the HRA report completed for the draft Local Plan, Natural England agreed that should the site come forward in the next plan period for development, further Appropriate Assessment would be required. The Council should have instigated the next stage of the HRA process as agreed with Natural England. Kirklees only responded following validation of planning application on the site, which was too late in 2016 so a bird survey will have to be scheduled in March to August 2017. The HRA report 2016 updated from the 2015 report has put forward the results of a desk study on only one of the birds from those listed as qualifying features of the protected sites, as sufficient measure of mitigation for retaining the proposed reallocation. This measure is insufficient and does not consider the extensive body of research on bird foraging which the Bradford Core Strategy has used in its HRA. It is important to take a precautionary approach to such assessment and only countenance a conclusion of no adverse effect where there is strong evidence to show that the condition (conservation status) of a site will not be reduced.

Council Response No Change Following comments received at the Publication stage, the council has continued to work with Natural England to resolve the issues identified. Their further response is set out in BP28 Correspondence received from statutory consultees after the Regulation 19 Publication Draft Local Plan Consultation. It is considered that this addresses Hade Edge Fight for Fields concerns.

Paragraph/Site: **1.38** Consultee: **969134** **Mr Merlin Ash** Agent: Rep ID: **PDLP_SP797**

Legally Compliant Natural England disagrees with the screening assessments in table 4.4 of the Habitats Regulations Assessment (HRA) report with regards to the following sites as we do not consider that there is sufficient certainty or evidence to rule out likely significant effects on the South Pennine Moors Phase 2 Special Protection Area (SPA) and Peak District Moors (South Pennine Moors Phase 1) SPA with regards to loss of functionally linked land for golden plover and curlew. Appendix 4 identifies habitat on site suitable for golden plover. Natural England advise Allocations should be screened through the Appropriate Assessment stage. 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 Following the Regulation 19 Publication Draft Local Plan Consultation which closed on 19th December 2016, further engagement has taken place between the council and Natural England and these issues have now been resolved. NE now consider the HRA is legally compliant. Further details are set out

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in Correspondence Received from Statutory Consultees after the Regulation 19 Publication Draft Local Plan Consultation April 2017 (BP28) Appendix B, and the revised Publication Draft Local Plan Habitats Regulation Assessment March 2017 (SD10), including Appendix 1 of the report setting out a schedule of comments and responses. In summary, Natural England's revised response welcomes the clarifications made in the Habitats Regulations Assessment March 2017 and the modification to the supporting text of policy PLP 30. Natural England is content with the conclusions of the HRA, i.e. that the plan will not have adverse effects on the integrity of the South Pennine Moors Phase 2 Special Protection Area (SPA) or the Peak District Moors (South Pennine Moors Phase 1) SPA as a result of the loss of functionally connected land for SPA birds.

Paragraph/Site: **Policy PLP 1**

Consultee: **942142 unknown**

Agent: **950095**

Mr Jonathan Dunbavin

Rep ID: **PDLP_SP209**

Proposed Change Requested

Whilst sound, the policy should be deleted as it replicates advice in national policy

Council Response

No Change The NPPF outlines its position with regard to the presumption in favour of sustainable development at paragraphs 11 - 16 and in particular on policies at paragraph 15 where it states that "Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally". This message is reinforced in the PINs Soundness Self-assessment checklist which identifies the PINs model policy as evidence that the plan has undertaken this. The policy supports sustainable development where it accords with other plan policies and the NPPF and all proposals will need to be assessed against these frameworks in order to prevent inappropriate development. For these reasons, it is considered necessary and appropriate to retain Policy PLP1 Presumption in favour of sustainable development.

Paragraph/Site: **Policy PLP 1**

Consultee: **942144 unknown**

Agent: **941843**

Mr James Hobson

Rep ID: **PDLP_SP775**

Council Response

No Change Support for PLP1 is noted as it is considered to comply with NPPF. The reference to working with applicants is particularly welcomed.

Paragraph/Site: **Policy PLP 1**

Consultee: **942154 unknown**

Agent: **941891**

Paul Leeming

Rep ID: **PDLP_SP421**

Council Response

No Change Support for Policy PLP1 is noted.

Paragraph/Site: **Policy PLP 1**

Consultee: **942301 Mr Sarah and Peter Hall**

Agent: **942076**

Mr Richard Irving

Rep ID: **PDLP_SP203**

Proposed Change Requested

Whilst sound, the policy should be deleted as it replicates advice in national policy

Council Response

No Change The NPPF outlines its position with regard to the presumption in favour of sustainable development at paragraphs 11 - 16 and in particular on policies at paragraph 15 where it states that "Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally". This message is reinforced in the PINs Soundness Self-assessment checklist which identifies the PINs model policy as evidence that the plan has undertaken this. The policy supports sustainable development where it accords with other plan policies and the NPPF and all proposals will need to be assessed against these frameworks in order to prevent inappropriate development. For these reasons, it is considered necessary and appropriate to retain Policy PLP1 Presumption in favour of sustainable development.

Paragraph/Site: **Policy PLP 1**

Consultee: **942405 unknown**

Agent: **941889**

Mr Alistair Flatman

Rep ID: **PDLP_SP207**

Proposed Change Requested

Whilst sound, the policy should be deleted as it replicates advice in national policy

Council Response

No Change The NPPF outlines its position with regard to the presumption in favour of sustainable development at paragraphs 11 - 16 and in particular on policies at paragraph 15 where it states that "Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally". This message is reinforced in the PINs Soundness Self-assessment checklist which identifies the PINs model policy as evidence that the plan has undertaken this. The policy supports sustainable development where it accords with other plan policies and the NPPF and all proposals will need to be assessed against these frameworks in order to prevent inappropriate development. For these reasons, it is considered necessary and appropriate to retain Policy PLP1 Presumption in favour of sustainable development.

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Paragraph/Site: Policy PLP 1	Consultee: 942409	Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP208	
Proposed Change Requested	Whilst sound, the policy should be deleted as it replicates advice in national policy				
Council Response	No Change The NPPF outlines its position with regard to the presumption in favour of sustainable development at paragraphs 11 - 16 and in particular on policies at paragraph 15 where it states that "Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally". This message is reinforced in the PINs Soundness Self-assessment checklist which identifies the PINs model policy as evidence that the plan has undertaken this. The policy supports sustainable development where it accords with other plan policies and the NPPF and all proposals will need to be assessed against these frameworks in order to prevent inappropriate development. For these reasons, it is considered necessary and appropriate to retain Policy PLP1 Presumption in favour of sustainable development.				
Paragraph/Site: Policy PLP 1	Consultee: 942409	Agent: 993144	Mr Jon Brier	Rep ID: PDLP_SP190	
Soundness - Consistent with National Policy	The policy repeats NPPF. In accordance with NPPG it should be deleted.				
Proposed Change Requested	Delete policy				
Council Response	No Change The NPPF outlines its position with regard to the presumption in favour of sustainable development at paragraphs 11 - 16 and in particular on policies at paragraph 15 where it states that "Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally". This message is reinforced in the PINs Soundness Self-assessment checklist which identifies the PINs model policy as evidence that the plan has undertaken this. The policy supports sustainable development where it accords with other plan policies and the NPPF and all proposals will need to be assessed against these frameworks in order to prevent inappropriate development. For these reasons, it is considered necessary and appropriate to retain Policy PLP1 Presumption in favour of sustainable development.				
Paragraph/Site: Policy PLP 1	Consultee: 942410	Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP206	
Proposed Change Requested	Whilst sound, the policy should be deleted as it replicates advice in national policy				
Council Response	No Change The NPPF outlines its position with regard to the presumption in favour of sustainable development at paragraphs 11 - 16 and in particular on policies at paragraph 15 where it states that "Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally". This message is reinforced in the PINs Soundness Self-assessment checklist which identifies the PINs model policy as evidence that the plan has undertaken this. The policy supports sustainable development where it accords with other plan policies and the NPPF and all proposals will need to be assessed against these frameworks in order to prevent inappropriate development. For these reasons, it is considered necessary and appropriate to retain Policy PLP1 Presumption in favour of sustainable development.				
Paragraph/Site: Policy PLP 1	Consultee: 942462	Bellway Homes (Yorkshire) Ltd	Agent: 993144	Mr Jon Brier	Rep ID: PDLP_SP191
Soundness - Consistent with National Policy	The policy repeats NPPF. In accordance with NPPG it should be deleted.				
Proposed Change Requested	Delete policy.				
Council Response	No Change The NPPF outlines its position with regard to the presumption in favour of sustainable development at paragraphs 11 - 16 and in particular on policies at paragraph 15 where it states that "Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally". This message is reinforced in the PINs Soundness Self-assessment checklist which identifies the PINs model policy as evidence that the plan has undertaken this. The policy supports sustainable development				

Representations received on the Kirklees Publication Draft Local Plan PDL - Strategies and Policies

where it accords with other plan policies and the NPPF and all proposals will need to be assessed against these frameworks in order to prevent inappropriate development. For these reasons, it is considered necessary and appropriate to retain Policy PLP1 Presumption in favour of sustainable development.

Paragraph/Site: **Policy PLP 1** Consultee: **942469 Messrs Brierley, Hirst and Nevin** Agent: **941849 Iain Bath** Rep ID: **PDLP_SP417**

Council Response No Change Support for PLP1 noted.

Paragraph/Site: **Policy PLP 1** Consultee: **942768 Mr Andrew Wood** Agent: Rep ID: **PDLP_SP345**

Soundness - Positively Prepared Key policies for employment, housing and transport as proposed cannot be implemented without harming air quality.

Soundness - Consistent with National Policy The presumption in favour of sustainable development in the NPPF has been used to secure planning permissions that are contrary to the policies of a Local Plan. Recent case law has determined that policies that are out of date at the time of a decision are still relevant, though they may not carry full weight. This is crucial to the test of soundness, because if policies happen to be out of date at the time of a decision, that decision could undermine the relevance of the plan, for example if a development took place that was not consistent with the settlement hierarchy.

Proposed Change Requested Add a clause to state: the degree to which out-of-date policies should carry appropriate weight as material considerations in order to maintain the integrity of the Local Plan as a whole.

Council Response No Change The Policy is drafted from the Planning Inspectorate's model policy.

Paragraph/Site: **Policy PLP 1** Consultee: **970990 Church Commissioners for England** Agent: **941839 Nolan Tucker** Rep ID: **PDLP_SP467**

Council Response No Change Support noted. The CCfE supports the wording of PLP1 in particular reference where it states that the Council will always work pro-actively with applicants jointly to find solutions which means that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. 3.1.2 This reflects paragraphs 8 and 187 of the NPPF which state

Paragraph/Site: **Policy PLP 1** Consultee: **972565** Agent: **1059531 Rachael Martin** Rep ID: **PDLP_SP204**

Proposed Change Requested Whilst sound, the policy should be deleted as it replicates advice in national policy

Council Response No Change The NPPF outlines its position with regard to the presumption in favour of sustainable development at paragraphs 11 - 16 and in particular on policies at paragraph 15 where it states that "Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally". This message is reinforced in the PINs Soundness Self-assessment checklist which identifies the PINs model policy as evidence that the plan has undertaken this. The policy supports sustainable development where it accords with other plan policies and the NPPF and all proposals will need to be assessed against these frameworks in order to prevent inappropriate development. For these reasons, it is considered necessary and appropriate to retain Policy PLP1 Presumption in favour of sustainable development.

Paragraph/Site: **Policy PLP 1** Consultee: **973538** Agent: **950095 Mr Jonathan Dunbavin** Rep ID: **PDLP_SP205**

Proposed Change Requested Whilst sound, the policy should be deleted as it replicates advice in national policy

Council Response No Change The NPPF outlines its position with regard to the presumption in favour of sustainable development at paragraphs 11 - 16 and in particular on policies at paragraph 15 where it states that "Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally". This message is reinforced in the PINs Soundness Self-assessment checklist which identifies the PINs model policy as evidence that the plan has undertaken this. The policy supports sustainable development where it accords with other plan policies and the NPPF and all proposals will need to be assessed against these frameworks in order to prevent inappropriate development. For these reasons, it is considered necessary and appropriate to retain Policy PLP1 Presumption in favour of sustainable development.

Paragraph/Site: **Policy PLP 1** Consultee: **975384** Agent: **975382 Mike O'Brien** Rep ID: **PDLP_SP463**

Representations received on the Kirklees Publication Draft Local Plan PDLP - Strategies and Policies

Council Response	No Change Support noted. The representation considers that PLP1 reflects the golden thread which runs through the heart of the National Planning Policy Framework (NPPF) which is the presumption in favour of sustainable development. The Council's promise to work with applicants is also welcomed and it is suggested that this reflects NPPF policies 186 and 187 of the Framework.			
Paragraph/Site: Policy PLP 1	Consultee: 1057797	Agent: 1057794	Mrs Tessa Fletcher	Rep ID: PDLP_SP169
Council Response	No Change Support for PLP1 Presumption in favour of sustainable development is noted.			
Paragraph/Site: Policy PLP 1	Consultee: 1057821	Agent: 1057794	Mrs Tessa Fletcher	Rep ID: PDLP_SP172
Council Response	No Change Support for the Council's approach to Policy PLP1 and that this complies with the aspirations of the NPPF and will support sustainable development across the Plan period is noted.			
Paragraph/Site: Policy PLP 1	Consultee: 1059536	Agent: 942076	Mr Richard Irving	Rep ID: PDLP_SP211
Proposed Change Requested	Whilst sound, the policy should be deleted as it replicates advice in national policy			
Council Response	No Change The NPPF outlines its position with regard to the presumption in favour of sustainable development at paragraphs 11 - 16 and in particular on policies at paragraph 15 where it states that "Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally". This message is reinforced in the PINs Soundness Self-assessment checklist which identifies the PINs model policy as evidence that the plan has undertaken this. The policy supports sustainable development where it accords with other plan policies and the NPPF and all proposals will need to be assessed against these frameworks in order to prevent inappropriate development. For these reasons, it is considered necessary and appropriate to retain Policy PLP1 Presumption in favour of sustainable development.			
Paragraph/Site: Policy PLP 1	Consultee: 1059538	Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP210
Proposed Change Requested	Whilst sound, the policy should be deleted as it replicates advice in national policy			
Council Response	No Change The NPPF outlines its position with regard to the presumption in favour of sustainable development at paragraphs 11 - 16 and in particular on policies at paragraph 15 where it states that "Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally". This message is reinforced in the PINs Soundness Self-assessment checklist which identifies the PINs model policy as evidence that the plan has undertaken this. The policy supports sustainable development where it accords with other plan policies and the NPPF and all proposals will need to be assessed against these frameworks in order to prevent inappropriate development. For these reasons, it is considered necessary and appropriate to retain Policy PLP1 Presumption in favour of sustainable development.			
Paragraph/Site: Policy PLP 1	Consultee: 1061347	Mr John Fleming	Agent: 941808	John Fleming Rep ID: PDLP_SP514
Proposed Change Requested	No change.			
Council Response	No Change Support noted. Welcome the inclusion of Policy PLP1 which reflects the presumption in favour of sustainable development which should be seen as the golden thread through plan making and decision making. Including a model policy reflecting the requirements of paragraph 14 of the Framework is widely accepted in Local Plans across the country and ensures that the planning balance exercise will be undertaken through the decision making process at all times consistent with the requirements of the Framework.			
Paragraph/Site: 3.1	Consultee: 942154	unknown	Agent: 941891	Paul Leeming Rep ID: PDLP_SP423
Council Response	No Change Support is noted for addition of Issue 13 which refers to technology and communications.			
Paragraph/Site: 3.2	Consultee: 943957	Mr Ian Smith	Agent:	Rep ID: PDLP_SP742

Representations received on the Kirklees Publication Draft Local Plan PDLP - Strategies and Policies

Council Response	No Change Support from Historic England noted. Support the protection of the distinctive character of Kirklees as an issue that the plan needs to address.			
Paragraph/Site: 3.5	Consultee: 972595	Mrs Cheryl Tyler	Agent:	Rep ID: PDLP_SP137
Soundness - Positively Prepared	Para 3.5 recognises that there will be differences over parts of Kirklees but we have not found any ward-based predictions. Presumably the information is available and if so we would like to see it. We are also aware that there are challenges to the housing figures.			
Council Response	No change. SD23 Housing Technical paper (paragraphs 4.2 - 4.7) set out that Kirklees is a self-contained housing market area for the purposes of Local Plan making. As such, it is important to identify the housing needs of Kirklees on that basis. The calculation of the housing requirement is explained in SD23 (paragraphs 4.8 - 4.13) including using the national household projections as a starting point which are published at a district scale.			
Paragraph/Site: 3.7	Consultee: 943957	Mr Ian Smith	Agent:	Rep ID: PDLP_SP743
Council Response	No Change Support from historic England noted. Support the recognition of the role of brownfield land and its contribution to the plan. PLP35 addresses the issue of the re-use of historic buildings which are vacant or disused.			
Paragraph/Site: 3.8	Consultee: 942682	Mike Hogarth	Agent:	Rep ID: PDLP_SP624
Soundness - Justified	The plan needs to take account of NHS England's strategic review. Different models could be looked at to create a better health and social care model in Kirklees. Need to be aware of bigger picture for future developments with regard to hospital provision in Huddersfield and Calderdale NHS trust.			
Council Response	No Change SD12 Statement of Consultation 2.6 sets out the health bodies consulted as part of the development of the Local Plan. SD13 Statement of Publication consultation Appendix 1 sets out health bodies consulted on the Publication plan. The site allocations have been subject to health assessments by technical consultees. The Infrastructure Delivery Plan sets out health provision requirements.			
Paragraph/Site: 3.13	Consultee: 1045848	Mrs Toni Rios	Agent: 1045846	Mr Christopher Yapp Rep ID: PDLP_SP69
Council Response	No Change Support from Highways England for new reference to levels of out-commuting in Kirklees and the need to create more and better paid jobs is noted.			
Paragraph/Site: 3.14	Consultee: 942682	Mike Hogarth	Agent:	Rep ID: PDLP_SP629
Soundness - Justified	There needs to be more joined up thinking as the pieces of the Northern Powerhouse jigsaw are being placed is effective planning is to take place.			
Council Response	No Change Reference to the Northern Powerhouse and its relationship to the Local Plan is identified in the Kirklees Publication Draft at Section 3 Issue 12 and 4.2.			
Paragraph/Site: 3.14	Consultee: 943612	Helen France	Agent:	Rep ID: PDLP_SP670
Soundness - Justified	- Paragraph 3.14 of the strategies and policies document is simply not true. There is a large amount of out-commuting from Kirklees Rural - There is an increased level of congestion and pollution - often outside schools - The road (A636) is highly dangero			
Council Response	Change Proposed Modification SP-MM1 proposed to delete the reference from paragraph 3.14 of the Kirklees Publication Draft Local Plan. Delete text: "Huddersfield and Kirklees Rural (Colne, Holme and Dearne Valley) are more self-contained than north Kirklees - there is less out commuting and residents spend less in centres outside Kirklees. Huddersfield has a stronger asset base provided by Huddersfield University, several advanced manufacturing companies, growing creative industries and a relatively robust retail offer. In contrast..."			
Paragraph/Site: 3.17	Consultee: 943957	Mr Ian Smith	Agent:	Rep ID: PDLP_SP744
Council Response	No Change The support from Historic England is noted. Support town centres as destinations as well as shopping areas.			
Paragraph/Site: 3.19	Consultee: 943957	Mr Ian Smith	Agent:	Rep ID: PDLP_SP745
Council Response	No Change Support from Historic England noted. Support the identification of mineral extraction as an issue that the plan needs to address.			

Representations received on the Kirklees Publication Draft Local Plan PDLP - Strategies and Policies

Paragraph/Site: 4.2	Consultee: 942768	Mr Andrew Wood	Agent:	Rep ID: PDLP_SP335
Soundness - Positively Prepared	Paragraph 4.2 is not a spatial vision but a wish-list of broad, generic outcomes. PLP 2 is meaningless and therefore ineffective. It is linked to the sub-area boxes which list the strengths and weaknesses found in those sub-areas. There is a total absence of any sense of how the type, location or design of new developments will be place-specific and will contribute to the improvement of those places. The Spatial Development Strategy says nothing about how new development will enable the settlement pattern to become more sustainable. The plan is a more of the same approach to motorway-based employment development, low-density car-dependent neighbourhoods, an undermining of the regeneration and revitalisation of town centres and a failure to address the challenges of climate change and air quality.			
Soundness - Justified	Policies for employment, housing and transport as proposed cannot be implemented without harming air quality			
Proposed Change Requested	Revise the employment land strategy to be appropriate to the needs and opportunities of each settlement, especially with regard to opportunity sectors that are not currently well represented in the plan, such as tourism and creative industries. Re-categorise the majority of employment sites along the river corridors as mixed-use, so that business and residential development can both be concentrated in central, accessible locations and can support town and local service centres. Revise the spatial distribution to increase the urban focus and reduce allocations to Kirklees Rural, especially reducing the scale of development of Clayton West. Housing and employment growth in rural settlements should be directly targeted to the needs and opportunities of those settlements and should not be part of the general allocations. Significantly increase the minimum and average net density for new housing, to at least 40 dpha, thereby facilitating more sustainable patterns of development as well as reducing the pressure to remove land from the Green Belt for development. Significantly reduce the scale of motorway-junction clusters of development, especially where these will tend to encourage coalescence with adjacent towns. Give urban green spaces strategic strength in policy, by affording them equivalent protection from inappropriate development to that enjoyed by Green Belt land.			
Council Response	No Change SD22 Employment Technical Paper sets out the locational requirements for employment and BP23 Local Plan Methodology Statement Part 2 sets out how individual employment allocations have been assessed. The density is based on past completion data, as set out in SD23 Housing Technical Paper. PLP61 Urban green space provides the policy context for protection of UGS.			

Paragraph/Site: 4.3	Consultee: 943608	Mr Robert Bamforth	Agent:	Rep ID: PDLP_SP614
Legally Compliant	Concerned the Local Plan has been subject to little meaningful consultation. The online consultation system is constrained and difficult to use and free format responses have been discouraged.			
Soundness - Positively Prepared	The plan claims in section 4.3 that A series of early engagement activities were undertaken to allow individuals to contribute to the vision€. This is simply not true!! One half-day workshop was held in June 2014, involving members of the public, landowners and developers. Follow-up workshops and other opportunities for input were promised but never materialised. Every formal Council meeting involving the Local Plan has been heavily stage managed to constrain political opposition and public debate.			
Council Response	No Change Early engagement activities are outlined at 3.1 of the SD12 Statement of Pre-submission consultation. Activities included: Containing consulttees on the Planning policy database to inform them of the withdrawal of the core strategy and asking views on what a new plan should contain; A questionnaire (see SD12 Appendix 1) was sent to everyone on the database in April 2014 to invite comments on the vision, objectives and priorities for the local plan and issues to be addressed. A summary of responses can be found at Sd12 Table 2 A workshop was held on 2nd July 2014 for community groups, businesses and other local organisations to consider building stronger communities and housing growth, business growth and jobs and protection of the environment and local character (See SD12 Section 3.2) A summary leaflet was published and consulted on in November 2014 seeking views on the vision and strategic objectives and options for development (See SD12 Section 3.3.). The council considers that it has fully complied with requirements for early engagement. Feedback reports were made available on the web			

Paragraph/Site: 4.2	Consultee: 943957	Mr Ian Smith	Agent:	Rep ID: PDLP_SP746
Council Response	No Change Support from Historic England for vision noted.			

Paragraph/Site: Vision for Kirklees	Consultee: 942154	unknown	Agent: 941891	Paul Leeming	Rep ID: PDLP_SP422
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Representations received on the Kirklees Publication Draft Local Plan PDLP - Strategies and Policies

Proposed Change Requested Vision supported if time period of Local Plan is extended to 2033. The vision may be strengthened through direct statements which state that the Local Plan will meet the objectively assessed development and infrastructure requirements needs of the District in full.

Council Response No Change The council considers that the plan period complies with advice in national planning guidance. Its position on meeting objectively assessed needs is set out in SD23 Housing Technical Paper. Further it is considered that the council's approach to infrastructure is clearly set out in PLP4 Providing Infrastructure and the council's Infrastructure Technical paper BP11.

Paragraph/Site: **Vision for Kirklees** Consultee: **942337 unknown** Agent: **941775 Mr Paul Butler** Rep ID: **PDLP_SP532**

Soundness - Consistent with National Policy NPPF identifies that Local Plans should be drawn over an appropriate timescale and preferably a 15 year time horizon. The PDLP proposes a plan period of 2013 - 2031 and an adoption date which is anticipated to be 2018. In addition, given that the Local Plan seeks to redefine the green belt boundary to accommodate new development, the Council needs to be sure that the green belt boundary will endure well beyond the life of the plan through the designation of safeguarded land.

Proposed Change Requested The Local Plan's proposed plan period should be increased to 2033/2034 to enable a 15 year time horizon from the proposed adoption date of 2018. An additional 10 years' worth of safeguarded land should be designated in order to provide a total 25 year period from adoption to ensure green belt permanency.

Council Response No Change The council considers that the plan period complies with advice in national planning guidance. Its position on safeguarding land is set out in SD23 Housing Technical Paper paragraphs 6.10 and 6.11.

Paragraph/Site: **Vision for Kirklees** Consultee: **943608 Mr Robert Bamforth** Agent: Rep ID: **PDLP_SP592**

Soundness - Justified The vision is rather long and verbose. It is difficult to understand, remember, support and 'flow through' into more detailed aspects of the plan. Vision should be a simple clear vision or single strap-line.

Council Response No Change Section 4/4.2 of the Kirklees Publication Draft Local Plan sets out the context of the vision which includes NPPF, Duty to Co-operate, Leeds City Region objectives, the Northern Powerhouse and the council's strategies including the Kirklees Economic Strategy and its Health and Well-being Strategy. 4.3 further sets out that the vision was shaped by a series of early engagement activities. These are outlined together with outcomes in SD12 Statement of Pre-submission Consultation.

Paragraph/Site: **Vision for Kirklees** Consultee: **943608 Mr Robert Bamforth** Agent: Rep ID: **PDLP_SP587**

Soundness - Effective There is often a huge gulf between high level statements in vision and interpretation of them elsewhere in the plan. There is a difference between strategy and implementation

Council Response No Change To demonstrate how the policies relate back to the overall plan vision, each policy is followed by a section on links to strategic objectives which are seen as key to delivering the vision. Each policy also has a delivery and implementation section. It is considered that together this demonstrates how the vision/policies will be delivered.

Paragraph/Site: **Vision for Kirklees** Consultee: **943612 Helen France** Agent: Rep ID: **PDLP_SP664**

Soundness - Positively Prepared - Current land allocations fail to meet the requirements of the proposed policies in the Council's policies and strategies document

Soundness - Justified - too little throughout the document within Delivery and Implementation sections about how the Council/Planning Department will monitor and control their policies and developers activities

Soundness - Effective - Plan will not meet assessed requirements and stated policies will be undeliverable - policies too loosely worded and open to interpretation to deliver stated visions and Objectives for the Area

Proposed Change Requested - policies need to be more structured and specifically worded to ensure Policy and vision, Objectives and identified needs match and will be fulfilled - masterplanning needs to be led by the Council, not the developers

Council Response No Change It is considered that the Kirklees Publication Draft Local Plan contains a suite of policies against which sustainable development can be achieved.

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Each policy has a delivery and implementation section and this is supported by the monitoring framework set out in Section 20 and Appendix 2. The indicators in Appendix 2 will be monitored on an annual basis through the council's Annual Monitoring Report to ensure that the plan policies are effective. With regard to masterplanning, it is considered that by close working between the council, developers and local communities, high levels of design can be achieved.

Paragraph/Site: **Vision for Kirklees** Consultee: **943892** **Mr Matthew Good** Agent: Rep ID: **PDLP_SP502**

Council Response No Change Support from the House Builders Federation for the Local Plan Vision noted.

Paragraph/Site: **Vision for Kirklees** Consultee: **968336** **Holme Valley Vision** Agent: Rep ID: **PDLP_SP572**

Soundness - Effective The vision is laudable but the plan as it stands contradicts this.

Council Response No Change It is considered that the vision is supported by the strategy and suite of development management policies which seek to deliver sustainable development.

Paragraph/Site: **Vision for Kirklees** Consultee: **970990** **Church Commissioners for England** Agent: **941839** **Nolan Tucker** Rep ID: **PDLP_SP468**

Council Response No change Support noted.

Paragraph/Site: **Vision for Kirklees** Consultee: **972762** **Brian Mortimer Esq** Agent: **1060394** **Mr Josh Brear** Rep ID: **PDLP_SP694**

Council Response No Change Support noted.

Paragraph/Site: **Vision for Kirklees** Consultee: **1045848** **Mrs Toni Rios** Agent: **1045846** **Mr Christopher Yapp** Rep ID: **PDLP_SP70**

Council Response No Change Support from Highways England for new reference to levels of out-commuting in Kirklees and the need to create more and better paid jobs noted.

Paragraph/Site: **Vision for Kirklees** Consultee: **1049845** **Ms Jane Scott** Agent: Rep ID: **PDLP_SP117**

Soundness - Justified The current skewed and perverse overall approach of the plan is not properly justified as the most appropriate strategy and is not supported by evidence.

Soundness - Effective The plan is not effective.

Soundness - Consistent with National Policy It is not consistent with national policy.

Council Response No Change The vision has been written in the context of the National Planning Policy Framework, Duty to Co-operate, Leeds City Region Local Enterprise Partnership, Leeds City Region Strategic Economic Plan, the Northern Powerhouse, the council's Economic Strategy and its Health and Well-being Strategy. It has been further informed through early engagement on the local plan. the issues facing Kirklees set out in section 2 and Place shaping set out in section 5.

Paragraph/Site: **4.3** Consultee: **943957** **Mr Ian Smith** Agent: Rep ID: **PDLP_SP747**

Council Response No Change Support for Strategic objectives and in particular Strategic objectives 2, 8, 9 and 10 by Historic England is noted.

Paragraph/Site: **4.5** Consultee: **942337** **unknown** Agent: **941775** **Mr Paul Butler** Rep ID: **PDLP_SP533**

Soundness - Positively Prepared Specific reference should be made to the ability of new housing developments to deliver a number of other economic, social and environmental objectives. These should include creating sustainable communities, increased delivery of affordable homes, delivering significant financial contributions and employment opportunities through capital expenditure, sustaining and improving the labour market, provision of funding towards public services through new homes bonuses & council tax payments and safeguarding and enhancing areas of environmental quality through management schemes.

Proposed Change Requested The Strategic Objectives should be amended to state the following in respect of the delivery of new homes: - "Fully meet the objectively identified market and affordable housing needs of the District in order to deliver the needs of the community, offering a range of size, tenure and affordability, with good access to employment, public transport, shops and services and as a driver to stimulate economic growth facilitating the creation of jobs and the provision of the Districts infrastructure requirements, including social and green infrastructure."

Representations received on the Kirklees Publication Draft Local Plan PDLP - Strategies and Policies

Council Response No change. The justification text for policy PLP 1 (Presumption in favour of sustainable development) in SD1 (Strategy and Policies, paragraph 2.4) already states the intention that "The Local Plan will positively seek opportunities to meet the development needs of the district and meet objectively assessed needs unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits".

Paragraph/Site: 4.5

Consultee: 943608

Mr Robert Bamforth

Agent:

Rep ID: PDLP_SP593

Soundness - Positively Prepared The list should include clear strategic commitments to: Urban regeneration . The plan does mention urban regeneration in Huddersfield and Dewsbury, but it is not currently a strategic objective and there is a general lack of hard, practical commitment to urban regeneration throughout the plan. In essence we feel that the Plan only pays "lip-service" to urban regeneration, even though, in our view, URBAN REGENERATION IS THE SINGLE MOST IMPORTANT PLANNING ISSUE IN KIRKLEES TODAY. WE ARE DISMAYED THAT IT IS ALMOST RELEGATED TO A FOOTNOTE IN THE LOCAL PLAN. It is worth noting that figures published by the Council in December 2016 show that "footfall" in Huddersfield town centre has declined by an average 13% since 2013 (up to 59% in a single year in some specific key areas of the town centre). In some other areas of Kirklees the need for urban regeneration, not just retail regeneration, is even more obvious. Urban Regeneration is, quite literally, the critical key to attracting new businesses (and therefore jobs) to Kirklees. Protection of the South Pennine moorland plateau and moorland fringe areas, which are key defining characteristics of Kirklees as a whole and are a uniquely valuable leisure, tourism, economic and environmental resource for Councils on both sides of the Pennines. Recent Council surveys have shown that "environment" is one of the key attractors for business and is significantly more important than land availability. Yet it is not recognised as such within the Council and within this plan. Community building. The plan hardly mentions the negative impact that aspects of the plan, such as green field urban extensions, will have on local communities. We believe that reinforcing and building communities should be at the heart of any successful wellbeing strategy. It is a serious omission from the Local Plan. Place shaping. As the physical alter-ego of community building "place shaping" is a key role for Local Authorities. Yet place shaping, although included as a section in the document, is not a strategic objective(s) in the plan

Council Response No Change Both the vision at 4.2 and the strategic objectives 4.3 of the Kirklees Publication Draft local plan make reference to strengthening the roles and focussing development in Huddersfield, Dewsbury and Batley which will support urban regeneration. Section 5 also places a focus on strengthens/opportunities for growth in these areas to support urban regeneration. No further changes are considered necessary.

Paragraph/Site: 4.5

Consultee: 943612

Helen France

Agent:

Rep ID: PDLP_SP666

Soundness - Positively Prepared - Current land allocations fail to meet the requirements of the proposed policies in the Council's policies and strategies document

Soundness - Justified - too little throughout the document within Delivery and Implementation sections about how the Council/Planning Department will monitor and control their policies and developers activities

Soundness - Effective - Plan will not meet assessed requirements and stated policies will be undeliverable - policies too loosely worded and open to interpretation to deliver stated visions and Objectives for the Area

Proposed Change Requested - policies need to be more structured and specifically worded to ensure Policy and vision, Objectives and identified needs match and will be fulfilled - masterplanning needs to be led by the Council, not the developers

Council Response No Change It is considered that the Kirklees Publication Draft Local Plan contains a suite of policies against which sustainable development can be achieved. Each policy has a delivery and implementation section and this is supported by the monitoring framework set out in Section 20 and Appendix 2. The indicators in Appendix 2 will be monitored on an annual basis through the council's Annual Monitoring Report to ensure that the plan policies are effective. With regard to masterplanning, it is considered that by close working between the council, developers and local communities, high levels of design can be achieved.

Paragraph/Site: 4.5

Consultee: 943892

Mr Matthew Good

Agent:

Rep ID: PDLP_SP503

Council Response No Change Support from the House Builders Federation is noted with regard to vision and strategic objectives.

Paragraph/Site: 4.5

Consultee: 943973

Mr David Newby

Agent:

Rep ID: PDLP_SP175

Soundness - Justified The Plan as drafted does not set out how it will deliver the Strategic Objectives set out the Draft Plan.

Council Response No Change Links with strategic objectives and delivery and implementation details are set out against each plan policy. In addition, the monitoring indicators

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	set out at Appendix 2 provide a framework against which the effectiveness of the plan can be assessed on an annual basis through the council's Annual Monitoring Report.				
Paragraph/Site: 4.5	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker	Rep ID: PDLP_SP469
Council Response	No Change Support for Strategic objectives and particularly Strategic objective 1 and 4 from Church Commissioners for England is noted.				
Paragraph/Site: 4.5	Consultee: 975384		Agent: 975382	Mike OBrien	Rep ID: PDLP_SP462
Soundness - Justified	Strategic Objective 4 sets out the aim to provide new homes which meet the needs of the community and references the delivery of affordable housing. It is suggested that this objective is expanded to include elderly housing in order to reflect the need identified within the evidence base and to ensure the interests of Kirklees residents are clear within the Local Plan.				
Proposed Change Requested	It is suggested that this objective is expanded to include elderly housing.				
Council Response	No Change It is considered that strategic objective 4 as drafted includes the needs of all the community which includes elderly housing.				
Paragraph/Site: 4.5	Consultee: 1045848	Mrs Toni Rios	Agent: 1045846	Mr Christopher Yapp	Rep ID: PDLP_SP71
Council Response	No Change Support for Strategic Objective 3 from Highways England is noted. Strategic Objective 3 aims to provide an efficient highway network.				
Paragraph/Site: 5.1	Consultee: 942154	unknown	Agent: 941891	Paul Leeming	Rep ID: PDLP_SP424
Council Response	No Change Support for the revised layout of the plan noted.				
Paragraph/Site: 5.1	Consultee: 943608	Mr Robert Bamforth	Agent:		Rep ID: PDLP_SP594
Soundness - Justified	The plan fails to set out a clear vision for each of the 'planning district' and/or the many discrete and diverse communities within those districts. In some cases the identified districts, the place shaping vision needs to be taken down to a more detailed level. A place shaping vision needs to be set out clearly in the plan.				
Council Response	No change. Consideration is given to the different places that make up the character areas. It is considered that the Local Plan addresses this at an appropriate level of geography.				
Paragraph/Site: 5.5	Consultee: 942142	unknown	Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP218
Soundness - Justified	The boundaries of the sub-areas are district committee areas, rather than being determined by size, character, role or function. There is a lack of detail as to how these relate to distribution of development.				
Proposed Change Requested	The Place Shaping Strategy should set out why using the District Committee Areas is the most appropriate approach to guiding development. The strategy should set out how development is allocated based on character / constraints / opportunities				
Council Response	No change. It is considered that these areas are appropriate to be used as a basis for informing the plans spatial strategy.				
Paragraph/Site: 5.5	Consultee: 942301	Mr Sarah and Peter Hall	Agent: 942076	Mr Richard Irving	Rep ID: PDLP_SP212
Soundness - Justified	The boundaries of the sub-areas are district committee areas, rather than being determined by size, character, role or function. There is a lack of detail as to how these relate to distribution of development.				
Proposed Change Requested	The Place Shaping Strategy should set out why using the District Committee Areas is the most appropriate approach to guiding development. The strategy should set out how development is allocated based on character / constraints / opportunities				
Council Response	No change. It is considered that these areas are appropriate to be used as a basis for informing the plans spatial strategy.				
Paragraph/Site: 5.5	Consultee: 942405	unknown	Agent: 941889	Mr Alistair Flatman	Rep ID: PDLP_SP216
Soundness - Justified	The boundaries of the sub-areas are district committee areas, rather than being determined by size, character, role or function. There is a lack of detail as to				

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	how these relate to distribution of development.
Proposed Change Requested	The Place Shaping Strategy should set out why using the District Committee Areas is the most appropriate approach to guiding development. The strategy should set out how development is allocated based on character / constraints / opportunities
Council Response	No change. It is considered that these areas are appropriate to be used as a basis for informing the plans spatial strategy.
Paragraph/Site: 5.5	Consultee: 942409 Agent: 950095 Mr Jonathan Dunbavin Rep ID: PDLP_SP217
Soundness - Justified	The boundaries of the sub-areas are district committee areas, rather than being determined by size, character, role or function. There is a lack of detail as to how these relate to distribution of development.
Proposed Change Requested	The Place Shaping Strategy should set out why using the District Committee Areas is the most appropriate approach to guiding development. The strategy should set out how development is allocated based on character / constraints / opportunities
Council Response	No change. It is considered that these areas are appropriate to be used as a basis for informing the plans spatial strategy.
Paragraph/Site: 5.5	Consultee: 942410 Agent: 950095 Mr Jonathan Dunbavin Rep ID: PDLP_SP215
Soundness - Justified	The boundaries of the sub-areas are district committee areas, rather than being determined by size, character, role or function. There is a lack of detail as to how these relate to distribution of development.
Proposed Change Requested	The Place Shaping Strategy should set out why using the District Committee Areas is the most appropriate approach to guiding development. The strategy should set out how development is allocated based on character / constraints / opportunities
Council Response	No change. It is considered that these areas are appropriate to be used as a basis for informing the plans spatial strategy.
Paragraph/Site: 5.5	Consultee: 942682 Mike Hogarth Agent: Rep ID: PDLP_SP622
Soundness - Justified	Each character area needs a different planning style and approach
Council Response	No change. The local characteristics, strength/opportunities and challenges are identified for each area
Paragraph/Site: 5.5	Consultee: 943608 Mr Robert Bamforth Agent: Rep ID: PDLP_SP596
Soundness - Justified	The areas used are too large and not sufficiently homogenous to be used as a planning district. They bear no relation to Natural England's Natural Character areas. They contain areas with contrasting social, environmental and economic characteristics.
Proposed Change Requested	The relatively small areas of the South Pennines National Character Area (NCA36) in the Upper Colne Valley and the Dark Peak National Character Area (NCA 51) in the Holme Valley should be recognised as discrete planning areas within the Local Plan, because of their distinctive planning requirements and strong relationship with the South Pennine & Peak Park Special Protection Areas.
Council Response	No change. It is considered that these areas are appropriate to be used as a basis for informing the plans spatial strategy. It is recognised that, particularly in Kirklees Rural, that landscape character varies and this does not affect the broad roles, strengths and constraints.
Paragraph/Site: 5.5	Consultee: 972565 Agent: 1059531 Rachael Martin Rep ID: PDLP_SP213
Soundness - Justified	The boundaries of the sub-areas are district committee areas, rather than being determined by size, character, role or function. There is a lack of detail as to how these relate to distribution of development.
Proposed Change Requested	The Place Shaping Strategy should set out why using the District Committee Areas is the most appropriate approach to guiding development. The strategy should set out how development is allocated based on character / constraints / opportunities
Council Response	No change. It is considered that these areas are appropriate to be used as a basis for informing the plans spatial strategy.
Paragraph/Site: 5.5	Consultee: 973538 Agent: 950095 Mr Jonathan Dunbavin Rep ID: PDLP_SP214
Soundness - Justified	The boundaries of the sub-areas are district committee areas, rather than being determined by size, character, role or function. There is a lack of detail as to

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	how these relate to distribution of development.
Proposed Change Requested	The Place Shaping Strategy should set out why using the District Committee Areas is the most appropriate approach to guiding development. The strategy should set out how development is allocated based on character / constraints / opportunities
Council Response	No change. It is considered that these areas are appropriate to be used as a basis for informing the plans spatial strategy.
Paragraph/Site: 5.5	Consultee: 1059536 Agent: 942076 Mr Richard Irving Rep ID: PDLP_SP220
Soundness - Justified	The boundaries of the sub-areas are district committee areas, rather than being determined by size, character, role or function. There is a lack of detail as to how these relate to distribution of development.
Proposed Change Requested	The Place Shaping Strategy should set out why using the District Committee Areas is the most appropriate approach to guiding development. The strategy should set out how development is allocated based on character / constraints / opportunities
Council Response	No change. It is considered that these areas are appropriate to be used as a basis for informing the plans spatial strategy.
Paragraph/Site: 5.5	Consultee: 1059538 Agent: 950095 Mr Jonathan Dunbavin Rep ID: PDLP_SP219
Soundness - Justified	The boundaries of the sub-areas are district committee areas, rather than being determined by size, character, role or function. There is a lack of detail as to how these relate to distribution of development.
Proposed Change Requested	The Place Shaping Strategy should set out why using the District Committee Areas is the most appropriate approach to guiding development. The strategy should set out how development is allocated based on character / constraints / opportunities
Council Response	No change. It is considered that these areas are appropriate to be used as a basis for informing the plans spatial strategy.
Paragraph/Site: Policy PLP 2	Consultee: 942142 unknown Agent: 950095 Mr Jonathan Dunbavin Rep ID: PDLP_SP227
Proposed Change Requested	For greater clarity and consistency, this policy should include the distribution of growth proposed in the amendments to the proposed Spatial Development Strategy
Council Response	No change. The Place Shaping policy intends to guide development to protect and enhance the qualities of each area. The spatial strategy sets out locations for growth, but it is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy.
Paragraph/Site: Policy PLP 2	Consultee: 942144 unknown Agent: 941843 Mr James Hobson Rep ID: PDLP_SP776
Council Response	No change. Support noted.
Paragraph/Site: Policy PLP 2	Consultee: 942144 unknown Agent: 970993 Anna Turton Rep ID: PDLP_SP394
Council Response	No change. Support noted.
Paragraph/Site: Policy PLP 2	Consultee: 942154 unknown Agent: 941891 Paul Leeming Rep ID: PDLP_SP425
Council Response	No change. Support welcomed.
Paragraph/Site: Policy PLP 2	Consultee: 942301 Mr Sarah and Peter Hall Agent: 942076 Mr Richard Irving Rep ID: PDLP_SP221
Proposed Change Requested	For greater clarity and consistency, this policy should include the distribution of growth proposed in the amendments to the proposed Spatial Development Strategy
Council Response	No change. The Place Shaping policy intends to guide development to protect and enhance the qualities of each area. The spatial strategy sets out locations for growth, but it is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy.
Paragraph/Site: Policy PLP 2	Consultee: 942337 unknown Agent: 941775 Mr Paul Butler Rep ID: PDLP_SP534

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Council Response	No change. Support welcomed.				
Paragraph/Site: Policy PLP 2	Consultee: 942340	unknown	Agent: 941854	Mr Mark Johnson	Rep ID: PDLP_SP654
Soundness - Positively Prepared	There is no individual sub area policy stating the amount of development required within each sub area.				
Proposed Change Requested	Specify amount of development per sub area.				
Council Response	No change. The policy provides flexibility for growth in different settlements, rather than setting out prescriptive development requirements				
Paragraph/Site: Policy PLP 2	Consultee: 942405	unknown	Agent: 941908	Mr Andrew Rose	Rep ID: PDLP_SP379
Soundness - Positively Prepared	Support place shaping approach on a sub-area basis but should recognise that the Kirklees Rural area has rail links to the south, the Dearne Valley and eastern areas have good M1 links and gentle slopes in the east provide opportunities to expand settlements. This context creates the opportunity to allocate sufficient sites in the eastern areas of Kirklees Rural.				
Proposed Change Requested	Recognise that settlements in the east are sustainable settlements and that rail links exist to the south towards Sheffield.				
Council Response	No change. The Kirklees Rural box recognises the links that the Dearne Valley has to the M1 and the rail links to South Yorkshire.				
Paragraph/Site: Policy PLP 2	Consultee: 942405	unknown	Agent: 941889	Mr Alistair Flatman	Rep ID: PDLP_SP225
Proposed Change Requested	For greater clarity and consistency, this policy should include the distribution of growth proposed in the amendments to the proposed Spatial Development Strategy				
Council Response	No change. The Place Shaping policy intends to guide development to protect and enhance the qualities of each area. The spatial strategy sets out locations for growth, but it is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy.				
Paragraph/Site: Policy PLP 2	Consultee: 942409		Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP226
Proposed Change Requested	For greater clarity and consistency, this policy should include the distribution of growth proposed in the amendments to the proposed Spatial Development Strategy				
Council Response	No change. The Place Shaping policy intends to guide development to protect and enhance the qualities of each area. The spatial strategy sets out locations for growth, but it is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy.				
Paragraph/Site: Policy PLP 2	Consultee: 942410		Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP224
Proposed Change Requested	For greater clarity and consistency, this policy should include the distribution of growth proposed in the amendments to the proposed Spatial Development Strategy				
Council Response	No change. The Place Shaping policy intends to guide development to protect and enhance the qualities of each area. The spatial strategy sets out locations for growth, but it is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy.				
Paragraph/Site: Policy PLP 2	Consultee: 942462	Bellway Homes (Yorkshire) Ltd	Agent: 993144	Mr Jon Brier	Rep ID: PDLP_SP196
Soundness - Positively Prepared	The policy provides factual information, which is not helpful to developers. May points are strategic and of little relevance to a specific development. There is scope for policy to link to other Local Plan policies.				
Soundness - Justified	The policy seeks to describe wide and diverse areas and lacks meaningful cross-referencing.				
Soundness - Consistent with National Policy	The policy does not provide a clear indication of how a decision maker should react to a proposal - para 154. of NPPF				
Proposed Change Requested	To make the policy sound we suggest that this policy should be focused on smaller geographical areas, possibly settlements within a settlement hierachy.				
Council Response	No change. The policy requires development proposals to respond to the challenges and opportunities set out in the spatial framework. Other policies in the plan provide the detail of when development will be acceptable for Development Management purposes. The character areas sections refer to settlements				

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within them and the Settlement Appraisal Technical Paper (BP17) provides further information on the settlements. The policy provides flexibility for growth in different settlements.

Paragraph/Site: **Policy PLP 2** Consultee: **942469 Messrs Brierley, Hirst and Nevin** Agent: **941849 Iain Bath** Rep ID: **PDLP_SP418**

Council Response No change. Support noted.

Paragraph/Site: **Policy PLP 2** Consultee: **942768 Mr Andrew Wood** Agent: Rep ID: **PDLP_SP447**

Soundness - Positively Prepared Paragraph 4.2 is not a spatial vision but a wish-list of broad, generic outcomes. PLP 2 is meaningless and therefore ineffective. It is linked to the sub-area boxes which list the strengths and weaknesses found in those sub-areas. There is a total absence of any sense of how the type, location or design of new developments will be place-specific and will contribute to the improvement of those places. The Spatial Development Strategy says nothing about how new development will enable the settlement pattern to become more sustainable. The plan is a more of the same approach to motorway-based employment development, low-density car-dependent neighbourhoods, an undermining of the regeneration and revitalisation of town centres and a failure to address the challenges of climate change and air quality.

Soundness - Justified Policies for employment, housing and transport as proposed cannot be implemented without harming air quality

Proposed Change Requested Revise the employment land strategy to be appropriate to the needs and opportunities of each settlement, especially with regard to opportunity sectors that are not currently well represented in the plan, such as tourism and creative industries. Re-categorise the majority of employment sites along the river corridors as mixed-use, so that business and residential development can both be concentrated in central, accessible locations and can support town and local service centres. Revise the spatial distribution to increase the urban focus and reduce allocations to Kirklees Rural, especially reducing the scale of development of Clayton West. Housing and employment growth in rural settlements should be directly targeted to the needs and opportunities of those settlements and should not be part of the general allocations. Significantly increase the minimum and average net density for new housing, to at least 40 dpha, thereby facilitating more sustainable patterns of development as well as reducing the pressure to remove land from the Green Belt for development. Significantly reduce the scale of motorway-junction clusters of development, especially where these will tend to encourage coalescence with adjacent towns. Give urban green spaces strategic strength in policy, by affording them equivalent protection from inappropriate development to that enjoyed by Green Belt land.

Council Response No change. It is considered that the sub-area boxes provide strengths, opportunities and challenges to guide the type of development that should be accommodated in those areas. Policy PLP24 requires development to have regard to the townscape, landscape and any heritage assets and to promote walkable neighbourhoods. Policy PLP51 requires development to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution would unacceptably affect or cause a nuisance to the natural and built environment or to people. Policy PLP7 requires a net density of 35 dwellings per hectare with higher densities in town centres and close to public transport interchanges. 35 per hectare is based on the average density delivered on sites in Kirklees. The thrust of the plans spatial strategy is to concentrate development on urban areas, with Huddersfield and Dewsbury accommodating over half of the plans allocated housing.

Paragraph/Site: **Policy PLP 2** Consultee: **943957 Mr Ian Smith** Agent: Rep ID: **PDLP_SP748**

Council Response No change. Support welcomed.

Paragraph/Site: **Policy PLP 2** Consultee: **947700 Mr G Maxwell** Agent: Rep ID: **PDLP_SP22**

Soundness - Positively Prepared This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current PLace Shaping Policy PLP2 to that consulted upon DLP7

Soundness - Consistent with National Policy This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current PLace Shaping Policy PLP2 to that consulted upon DLP7

Proposed Change Requested This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector.

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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

Paragraph/Site: **Policy PLP 2** Consultee: **968476** Agent: **970993** **Anna Turton** Rep ID: **PDLP_SP400**

Council Response No change. Support noted.

Paragraph/Site: **Policy PLP 2** Consultee: **970990** **Church Commissioners for England** Agent: **941839** **Nolan Tucker** Rep ID: **PDLP_SP470**

Proposed Change Requested - Recommended that the plan and supporting evidence is amended to reflect that the site is located within both sub areas, Dewsbury and Mirfield and Batley and Spen.

Council Response No change. Support noted. The Local Plan doesn't prescribe development requirements per sub-area so it is not considered necessary to put the site into two sub-areas.

Paragraph/Site: **Policy PLP 2** Consultee: **972220** Agent: **941908** **Mr Andrew Rose** Rep ID: **PDLP_SP366**

Soundness - Positively Prepared The opportunity to revitalise and rejuvenate Dewsbury has not transcended through the Plan in relation to other policies and allocations. As such, the plan is internally inconsistent.

Proposed Change Requested Ensure that the regeneration aspirations for Dewsbury are woven through the Plan into all policies and allocations and the Plans internal conflicts are removed.

Council Response No change. It is considered that this policy which requires development proposals to build on the opportunities set out in the sub-area statements, this includes opportunities to revitalise and rejuvenate Dewsbury. Other policies such as PLP9 and PLP18 support urban renaissance in Dewsbury.

Paragraph/Site: **Policy PLP 2** Consultee: **972565** Agent: **1059531** **Rachael Martin** Rep ID: **PDLP_SP222**

Proposed Change Requested For greater clarity and consistency, this policy should include the distribution of growth proposed in the amendments to the proposed Spatial Development Strategy

Council Response No change. The Place Shaping policy intends to guide development to protect and enhance the qualities of each area. The spatial strategy sets out locations for growth, but it is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy.

Paragraph/Site: **Policy PLP 2** Consultee: **973538** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP_SP223**

Proposed Change Requested For greater clarity and consistency, this policy should include the distribution of growth proposed in the amendments to the proposed Spatial Development Strategy

Council Response No change. The Place Shaping policy intends to guide development to protect and enhance the qualities of each area. The spatial strategy sets out locations for growth, but it is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy.

Paragraph/Site: **Policy PLP 2** Consultee: **1059536** Agent: **942076** **Mr Richard Irving** Rep ID: **PDLP_SP229**

Proposed Change Requested For greater clarity and consistency, this policy should include the distribution of growth proposed in the amendments to the proposed Spatial Development Strategy

Council Response No change. The Place Shaping policy intends to guide development to protect and enhance the qualities of each area. The spatial strategy sets out locations for growth, but it is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy.

Paragraph/Site: **Policy PLP 2** Consultee: **1059538** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP_SP228**

Proposed Change Requested For greater clarity and consistency, this policy should include the distribution of growth proposed in the amendments to the proposed Spatial Development Strategy

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Council Response	No change. The Place Shaping policy intends to guide development to protect and enhance the qualities of each area. The spatial strategy sets out locations for growth, but it is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy.			
Paragraph/Site: 5.1	Consultee: 943957	Mr Ian Smith	Agent:	Rep ID: PDLP_SP749
Council Response	No change. Support welcomed.			
Paragraph/Site: 5.7	Consultee: 1057951	Carol Cowgill	Agent:	Rep ID: PDLP_SP178
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	Allowed the Lindley area to decimated. Concerns about essentials such as schools, doctors etc. 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.			
Council Response	No change. Policy PLP11 requires affordable housing to be delivered on housing sites. PLP4 sets out the approach to the provision of infrastructure and PLP49 for education and healthcare needs.			
Paragraph/Site: Place Shaping - Huddersfield	Consultee: 942682	Mike Hogarth	Agent:	Rep ID: PDLP_SP621
Soundness - Justified	The cheap and nasty buildings that were built in the late 70s and 80s in Huddersfield need to be taken out and a new town developed incorporating and enhancing many of the stunning architectural gems that exist already in Huddersfield. Good, well designed contemporary buildings built in quality materials should be kept. A new town look with gardens and quality landscaping could completely change Huddersfield into a place where residents can enjoy their town space and walk to all the facilities.			
Council Response	No change. The attractive buildings and spaces of historic and architectural interest in the town centre are identified as strength for Huddersfield. Policy PLP24 considers the design and PLP17 considers the type of development to be accommodated within Huddersfield Town Centre.			
Paragraph/Site: Place Shaping - Huddersfield	Consultee: 1049595	Professor P.W. Roberts	Agent:	Rep ID: PDLP_SP693
Soundness - Positively Prepared	The plan is unsound as it does not fully reflect the characteristics of Kirkheaton as a place now or in the future. It fails to bring together all available evidence and analysis to form a spatial strategy for Kirkheaton. There is a lack of placemaking at an individual settlement level. The plan does not bring together individual proposals for Kirkheaton or assess either their cumulative impact or the overall implications for placemaking. It is unsophisticated in terms of the analysis of need for land for housing or other purposes and in relation to the identification of suitable sites. In Kirkheaton, there is a need for housing for the elderly, a greater emphasis on small sites within the built-up area of the village and release of peripheral sites. There is an absence of adequate provision for economic activities, including home-work units.			
Soundness - Justified	The plan fails to provide any analysis and assessment of the implementation of its proposals, especially in relation to the spatial integrity of Kirkheaton. The plan fails to produce a strategy for the rate of development sites, a priority order of release and development of sites and an assessment of all sites. There is no discussion of the consequences for the availability and capacity of social and economic infrastructure. As a consequence, Kirkheaton would be subject to unjustified and damaging effects. There is little or no attention to the impact of development proposals on the Green Belt, open space provision, historic and heritage features, the management of the natural environment adjacent the countryside and overall traffic management. The plan fails to provide evidence that will enable Kirkheaton to become a sustainable community as defined in national planning policy.			
Council Response	No change. It is considered that place shaping is considered at an appropriate level of geography. The plan does not include a phasing policy, it is considered that this would be too inflexible. The impact of development proposals on the Green Belt are considered in (SD) the Green Belt Review, impact on historic and heritage features is considered in PLP35 and PLP24. A range of evidence documents set out how plan-making has considered impacts on the natural and historic environment and traffic management. Policy PLP4 sets out how infrastructure will be provided.			
Paragraph/Site: Figure 3	Consultee: 1044323	Mr and Mrs Rhodes	Agent: 1041912	Mr Frazer Sandwith Rep ID: PDLP_SP97
Soundness - Positively Prepared	Golcar is within the Huddersfield settlement and should be identified as part of the Huddersfield sub-area (which is the prime focus for new homes) within			

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	the Plan. This is entirely justified by the Council's own evidence, set out in the Technical Paper: Spatial Development Strategy and Settlement Appraisal, November 2016 which specifically identifies/assesses Golcar as part of the Huddersfield settlement. The Plan should recognise the potential for Golcar to make a greater contribution to Kirklees future housing needs.				
Proposed Change Requested	Identify Golcar as part of the Huddersfield sub-area, rather than as part of Kirklees Rural.				
Council Response	No change. In considering the distribution of growth Golcar is part of Huddersfield in the settlement appraisal, as set out in BP17, the Settlement Appraisal Technical Paper.				
Paragraph/Site: 5.2	Consultee: 943957	Mr Ian Smith	Agent:	Rep ID: PDLP_SP750	
Council Response	No change - support noted.				
Paragraph/Site: Place Shaping - Dewsbury and Mirfield	Consultee: 951566	mr martyn coy	Agent:	Rep ID: PDLP_SP2	
Soundness - Positively Prepared	Support the reference to enhancing the river and canal corridor in the Dewsbury and Mirfield Place shaping section for leisure, recreation, health, mental well-being and a car free transport option.				
Council Response	No change Support noted for the reference to the river and canal corridor in the Dewsbury and Mirfield Place shaping section				
Paragraph/Site: Place Shaping - Dewsbury and Mirfield	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker	Rep ID: PDLP_SP471
Soundness - Justified	- Reference to building on A Strategic location supported, whilst referencing Dewsbury town centre as A location for development to assist in regeneration. However, benefits to Dewsbury of supporting Strategic employment sites in locations outside of town centres should be equally recognised. - existing role of centres supported through job creation, Gross Value Added generation, raising the profile and attractiveness of Area to investment. - new Housing will help to address High levels of inequality between strong and weak Housing market areas. - site represents opportunity to secure range and mix of employment units in A sustainable location, excellent Transport links, accessible to existing services in Dewsbury and Batley. - Masterplan shows how site can be brought forward, combined with Chidswell to create A new cohesive, sustainable settlement.				
Proposed Change Requested	- Site should be specifically referred to in policy. Recommends that the fifth bullet point is amended to Priority in Kirklees Economic Strategy to transform Dewsbury, building on the strategic mixed use allocation at Chidswell and driven by integrated				
Council Response	No change. This section relates to the existing strengths and opportunities for the sub-areas, to ensure that development capitalises on / responds to these and to set the context for the plans spatial strategy.				
Paragraph/Site: 5.3	Consultee: 943957	Mr Ian Smith	Agent:	Rep ID: PDLP_SP751	
Council Response	No change - support welcomed.				
Paragraph/Site: Place Shaping - Batley and Spen	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker	Rep ID: PDLP_SP472
Soundness - Justified	- location on the border between Dewsbury and Mirfield and Batley and Spen subareas.				
Proposed Change Requested	- For consistency, insert following bullet point: Priority in Kirklees Economic Strategy to transform Dewsbury, building on the strategic mixed use allocation at Chidswell and driven by integrated housing and economic development in the town centre."				
Council Response	No change. This section relates to the existing strengths and opportunities for the sub-areas, to ensure that development capitalises on / responds to these and to set the context for the plans spatial strategy.				
Paragraph/Site: Place Shaping - Batley and Spen	Consultee: 972762	Brian Mortimer Esq	Agent: 1060394	Mr Josh Brear	Rep ID: PDLP_SP695
Council Response	No change. Support welcomed.				
Paragraph/Site: 5.4	Consultee: 943957	Mr Ian Smith	Agent:	Rep ID: PDLP_SP752	
Council Response	No change. Support welcomed.				

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Paragraph/Site: Place Shaping - Kirklees Rural	Consultee: 942682	Mike Hogarth	Agent:	Rep ID: PDLP_SP619
Soundness - Justified	Greenbelt land should continue not to be built and conserved, brownfield sites should be given planning priority. Development should be through infill and small sites. Green corridors between communities should be maintained. Historic villages and farm complexes should be conserved. Combi-buils should be included. Hydro electricity units could be installed and windmills decommissioned. Links to the Sculpture Park and Hepworth Gallery could be made.			
Council Response	No change. PLP3 seeks to ensure that brownfield opportunities are realised early in the plan, PLP7 requires proposals to encourage use of brownfield land, PLP561 sets out the policy covering urban greenspace.			
Paragraph/Site: Place Shaping - Kirklees Rural	Consultee: 943847	Mrs Sally Barber	Agent:	Rep ID: PDLP_SP506
Soundness - Justified	In developing its Local Plan, Kirklees Council has made the strategic decision to combine the Holme and Colne Valleys along with Denby Dale and Kirkburton areas into one group, Kirklees Rural. In doing so, the individual identities and characteristics of these areas will be ignored.			
Council Response	No change. The plan acknowledges the different characteristics of the settlements / areas of the Kirklees Rural sub-area.			
Paragraph/Site: Place Shaping - Kirklees Rural	Consultee: 968336	Holme Valley Vision	Agent:	Rep ID: PDLP_SP563
Soundness - Positively Prepared	The land allocated for employment use in the Valley has remained the same for a considerable number of years. Very little action has been taken by council to improve employment prospects in Holme Valley. The plan seeks to allocate Bridge Mills for housing, despite it being in business use. More should be made of valley bottom sites, to provide land for mixed developments.			
Soundness - Justified	Agreed that there need to be adequate housing to meet future needs of local people, but fear Local Plan will encourage larger, more expensive houses on greenfield / green belt land. Work done as part of the development of the Holme Valley Parish Council's Neighbourhood plan described the nature of the Holme Valley: The plan will merge settlements, change small rural communities into urban environments, increase traffic and flood risk. This will alter the valley forever meaning that it will no longer be the place that is renowned internationally for its stunning beauty.			
Proposed Change Requested	No change. Policy PLP8 seeks to protect several Priority Employment Areas within the Holme Valley. There are a number of employment allocations in the Holme Valley. Policy PLP11 requires a mix of type and tenure of housing to be delivered. Policy PLP7 seeks to ensure the efficient and effective use of land and buildings. The Local Plan does not merge settlements, this is a role and function of the Green Belt which has been considered in SD19 Green Belt Review.			
Council Response	No change. Policy PLP8 seeks to protect several Priority Employment Areas within the Holme Valley. There are a number of employment allocations in the Holme Valley. Policy PLP11 requires a mix of type and tenure of housing to be delivered. Policy PLP7 seeks to ensure the efficient and effective use of land and buildings. The Local Plan does not merge settlements, this is a role and function of the Green Belt which has been considered in SD19 Green Belt Review.			
Paragraph/Site: Place Shaping - Kirklees Rural	Consultee: 978506	Cllr Nigel Patrick	Agent:	Rep ID: PDLP_SP579
Soundness - Positively Prepared	The Local Plan for Kirklees is north Kirklees centric. It is a Plan which provides no vision or real opportunity for the economic development of rural south Kirklees and the towns, villages and rural settlements located there. The Local Plan, if approved, will give rise to a net loss of employment land in Holme Valley South and a net increase in the number of new dwellings. There will be no major transport infrastructure improvements during the life time of the plan to accommodate the increase in traffic movements, for the inhabitants of this part of Kirklees are largely reliant on the use of private cars. Bus and rail services are infrequent and unreliable with poor connectivity which means those people who commute to Leeds, Manchester, Sheffield, etc are reliant on cars. The emphasis for the plan is on Huddersfield and north Kirklees and that is where the infrastructure will be concentrated. Apart from one concession to look to invest in a new congestion relief scheme in the centre of Holmfirth, there are no other infrastructure schemes in Holme Valley South or rural south Kirklees.			
Council Response	No change. The Local Plan Spatial Strategy seeks to focus growth in the main urban areas of Huddersfield and Dewsbury, with planned infrastructure to support this growth.			
Paragraph/Site: Place Shaping - Kirklees Rural	Consultee: 1050803	Cllr Kenneth Sims	Agent:	Rep ID: PDLP_SP720
Soundness - Positively Prepared	The Local Plan for Kirklees is north Kirklees centric. It is a Plan which provides no vision or real opportunity for the economic development of rural south			

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Kirklees and the towns, villages and rural settlements located there. The Local Plan, if approved, will give rise to a net loss of employment land in Holme Valley South and a net increase in the number of new dwellings. There will be no major transport infrastructure improvements during the life time of the plan to accommodate the increase in traffic movements, for the inhabitants of this part of Kirklees are largely reliant on the use of private cars. Bus and rail services are infrequent and unreliable with poor connectivity which means those people who commute to Leeds, Manchester, Sheffield, etc are reliant on cars. The emphasis for the plan is on Huddersfield and north Kirklees and that is where the infrastructure will be concentrated. Apart from one concession to look to invest in a new congestion relief scheme in the centre of Holmfirth, there are no other infrastructure schemes in Holme Valley South or rural south Kirklees.

Council Response

No change. The Local Plan Spatial Strategy seeks to focus growth in the main urban areas of Huddersfield and Dewsbury, with planned infrastructure to support this growth.

Paragraph/Site: **Place Shaping - Kirklees Rural**

Consultee: **1050805 Cllr Donald Firth**

Agent:

Rep ID: **PDLP_SP719**

Soundness - Positively Prepared

The Local Plan for Kirklees is north Kirklees centric. It is a Plan which provides no vision or real opportunity for the economic development of rural south Kirklees and the towns, villages and rural settlements located there. The Local Plan, if approved, will give rise to a net loss of employment land in Holme Valley South and a net increase in the number of new dwellings. There will be no major transport infrastructure improvements during the life time of the plan to accommodate the increase in traffic movements, for the inhabitants of this part of Kirklees are largely reliant on the use of private cars. Bus and rail services are infrequent and unreliable with poor connectivity which means those people who commute to Leeds, Manchester, Sheffield, etc are reliant on cars. The emphasis for the plan is on Huddersfield and north Kirklees and that is where the infrastructure will be concentrated. Apart from one concession to look to invest in a new congestion relief scheme in the centre of Holmfirth, there are no other infrastructure schemes in Holme Valley South or rural south Kirklees.

Council Response

No change. The Local Plan Spatial Strategy seeks to focus growth in the main urban areas of Huddersfield and Dewsbury, with planned infrastructure to support this growth.

Paragraph/Site: **Figure 6**

Consultee: **943973 Mr David Newby**

Agent:

Rep ID: **PDLP_SP176**

Soundness - Justified

The proposal to identify an industrial corridor through Scissett and Clayton West is not only inappropriate and insensitive to the local character and distinctiveness of the villages, but is in conflict with many of the objectives and policies of the Draft Local Plan and it should be removed from the Plan.

Proposed Change Requested

Remove industrial corridor identified in Scissett and Clayton West in figure 6

Council Response

No change. This is based on existing industrial uses along the A636.

Paragraph/Site: **Figure 6**

Consultee: **1044323 Mr and Mrs Rhodes**

Agent: **1041912 Mr Frazer Sandwith**

Rep ID: **PDLP_SP96**

Soundness - Positively Prepared

Golcar is within the Huddersfield settlement and should be identified as part of the Huddersfield sub-area (which is the prime focus for new homes) within the Plan. This is entirely justified by the Council's own evidence, set out in the Technical Paper: Spatial Development Strategy and Settlement Appraisal, November 2016, which specifically identifies/assesses Golcar as part of the Huddersfield settlement. No individual appraisal of Golcar has been undertaken. The Plan should recognise the potential for Golcar to make a greater contribution to Kirklees future housing needs.

Proposed Change Requested

Identify Golcar as part of the Huddersfield sub-area, rather than as part of Kirklees Rural.

Council Response

No change. In considering the distribution of growth Golcar is part of Huddersfield in the settlement appraisal, as set out in BP17, the Settlement Appraisal Technical Paper.

Paragraph/Site: **6.1**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP_SP753**

Council Response

No change Support noted.

Paragraph/Site: **Table 1**

Consultee: **942337 unknown**

Agent: **941775 Mr Paul Butler**

Rep ID: **PDLP_SP535**

Soundness - Positively Prepared

Objection to the Spatial Development Strategy's lack of emphasis in respect of the benefits of housing delivery. Support for the removal of the sequential

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	approach to the selection of appropriate housing sites but concerned that it has been removed so that the Council can seek to progress with new sites/settlements that are detached from the existing settlement areas of the District ahead of urban extensions.
Proposed Change Requested	The strategy should be amended to include the following in accordance with Paragraph 8 and 17 of the Framework:- "Fully meet the objectively identified market and affordable housing needs of the District in order to stimulate economic growth facilitating the creation of jobs and the provision of the Districts infrastructure requirements, including social and green infrastructure."
Council Response	No change. The justification text for policy PLP 1 (Presumption in favour of sustainable development) in SD1 (Strategy and Policies, paragraph 2.4) already states the intention that "The Local Plan will positively seek opportunities to meet the development needs of the district and meet objectively assessed needs unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits".

Paragraph/Site: Table 1	Consultee: 943445	Cllr John Taylor	Agent:	Rep ID: PDLP_SP577
Soundness - Positively Prepared	South Kirklees has links to Manchester, Sheffield, Wakefield & Barnsley and Leeds. Those that commute to Leeds do so via the M1 at junction 39 which provides good access to London and the South, this pattern of commuting is not recognised in the plan in terms of its infrastructure improvement proposals. Kirklees is well placed to develop itself as in the centre of the Northern Powerhouse, with its links across the three conurbations of Manchester, Leeds and Sheffield but this plan shows no ambition in this regard. The plan neglects the needs of the rural south Kirklees and will deliver in a reduction in employment land, an increase in housing but no infrastructure investment which is unsustainable.			
Soundness - Consistent with National Policy	The NPPF states that planning policies should support economic growth in rural areas in order to create jobs and prosperity. The plan would see employment opportunities diminish in south Kirklees during the plan period.			
Council Response	No Change The Kirklees Publication Draft Local Plan currently includes reference to improvements with the M1. These are listed at: paragraphs 10.36 and 10.41. under Strategic Road Network. Links to Manchester and Sheffield are referenced in Section 3/ 3.12. and Issue 12/ 3.14 and the Vision at 4.2 makes reference to the Northern Powerhouse.			

Paragraph/Site: Table 1	Consultee: 943764	Ms Margaret Dugdill	Agent:	Rep ID: PDLP_SP699
Soundness - Positively Prepared	The Council's approach fails to place sufficient emphasis on whether sites are sustainably located and could provide for sustainable development. Instead, too much emphasis is given to supposed constraints which would be addressed in a very straightforward manner at planning application stage. Despite being identified as a highly sustainable location, and having a strong housing market, a disproportionately low number of proposed dwellings is allocated to Mirfield.			
Soundness - Effective	The very limited level of housing growth that is proposed to be directed towards Mirfield would likely fail to meet locally generated housing needs and could result in increased affordability issues.			
Proposed Change Requested	Further consider site H149 and the contribution it could make to meeting housing needs.			
Council Response	No Change The council's approach to assessing site allocations is set out in BP23 Local Plan Methodology Statement Part 2. All sites have been subject to sustainability appraisal and the results of this exercise are set out in SD5 Sustainability Appraisal Annex 1.			

Paragraph/Site: Table 1	Consultee: 943892	Mr Matthew Good	Agent:	Rep ID: PDLP_SP494
Soundness - Justified	HBF welcome the increase in the housing requirement since the draft Local Plan and the overall methodology for deriving the housing need and requirement figure is generally considered appropriate. However, there are a number of concerns in relation to the assumptions applied within the methodology - see comment PDLP_SP497.			
Council Response	No Change Support from the House Builders Federation for the housing requirement and the overall methodology is noted. Assumptions relating to the methodology are set out in SD23 Housing Technical Paper Section 4 Calculating the objectively assessed housing need.			

Paragraph/Site: Table 1	Consultee: 953703	Mr David Storrie	Agent: 942001	Mr David Storrie	Rep ID: PDLP_SP707
Soundness - Positively Prepared	Plan fails to meet the needs of the district. A disproportionate amount of housing has been allocated to three large sites; insufficient housing has been allocated in smaller, sustainable locations.				
Proposed Change Requested	Consider alternative sites within settlements that are capable of providing a more appropriate scale of housing development and delivering within the plan				

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	period whilst sustaining settlements. This would include taking villages out of the Green Belt that are currently washed over.
Council Response	No Change The spatial strategy set out at 6.1 of the Kirklees Publication Draft Local Plan sets out how policies and proposals in the local plan have been developed taking into account the spatial vision, strategic objectives and the place shaping agenda for Kirklees. It is considered that the allocation of the three major sites fits with the strategy identified including the focus of development in the main urban areas of Huddersfield and Dewsbury. The deliverability of the sites is supported by Appendix 3 Housing delivery and phasing table.
Paragraph/Site: Table 1	Consultee: 969350 Mrs Charlotte McKay Agent: 969343 Mrs Charlotte McKay Rep ID: PDLP_SP109
Soundness - Positively Prepared	There has been an over-estimation of the housing requirement and under-estimation of brownfield land. The 5,000 in Dewsbury and Mirfield is a considerable increase on previous local plan.
Soundness - Consistent with National Policy	Housing requirement does not appear to be an objective assessment.
Council Response	No Change SD23 Housing Technical Paper sets out further justification of the council's approach to objectively assessed housing needs. Section 5.5 refers to the approach taken to brownfield land.
Paragraph/Site: Table 1	Consultee: 970990 Church Commissioners for England Agent: 941839 Nolan Tucker Rep ID: PDLP_SP473
Council Response	No Change Support for the spatial strategy noted. The representation considers the Council's spatial development strategy has considered a place-based approach alongside the role and function of settlements which has consequently allowed most growth to be focused in the main urban areas of Huddersfield and Dewsbury in accordance with the spatial vision. The CCfE supports this overall strategy allowing the objectively assessed needs to be met in full.
Paragraph/Site: Table 1	Consultee: 972595 Mrs Cheryl Tyler Agent: Rep ID: PDLP_SP91
Soundness - Positively Prepared	There is no evidence to provide justification for site of this size at H2089. The plan seeks to focus growth in urban areas of Huddersfield and Dewsbury. The proposal does not comply with green belt purposes in national policy. New housing will not deliver regeneration benefits to Dewsbury. No evidence to suggest alternative sites closer to Dewsbury town centre have been considered.
Soundness - Consistent with National Policy	There is no evidence to provide justification for site of this size at H2089. The plan seeks to focus growth in urban areas of Huddersfield and Dewsbury. The proposal does not comply with green belt purposes in national policy. New housing will not deliver regeneration benefits to Dewsbury. No evidence to suggest alternative sites closer to Dewsbury town centre have been considered.
Council Response	No Change The council's approach to assessing site allocations is set out in BP23 Local Plan Methodology Statement Part 2. All sites have been subject to sustainability appraisal and the results of this exercise are set out in SD5 Sustainability Appraisal Annex 1. The council's assessment of accepted sites is set out in BP29 and its assessment of rejected site options is set out in PC11.
Paragraph/Site: Table 1	Consultee: 1044323 Mr and Mrs Rhodes Agent: 1041912 Mr Frazer Sandwith Rep ID: PDLP_SP98
Soundness - Positively Prepared	The proposed housing requirement figures should be expressed as a minimum figure (i.e. using the words at least), to reflect national planning policy to boost significantly housing supply. Golcar is within the Huddersfield settlement and should be identified as part of the Huddersfield sub-area, which is the prime focus for new homes, within the Plan.
Proposed Change Requested	The approximate number of dwellings identified for Huddersfield and Dewsbury should be expressed as a minimum. Golcar is within the Huddersfield settlement and should be identified as part of the Huddersfield sub-area, which is the prime focus for new homes, within the Plan. The minimum housing requirement for Huddersfield should be revised upwards to take into consideration the development potential of Golcar.
Council Response	No change. The Spatial Development Strategy (SD1, Strategy and Policies, page 36 - 37) states the provision of "about, (but not less than) 31,140 new dwellings.." which provides sufficient flexibility. As set out in SD23 (Housing Technical Paper, paragraph 6.4), the Local Plan allocates sites for 21,919 dwellings compared to the requirement of 21,328 dwellings which provides flexibility in relation to delivery. No change. In considering the distribution of growth Golcar is part of Huddersfield in the settlement appraisal, as set out in BP17, the Settlement Appraisal Technical Paper.

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Paragraph/Site:	Table 1	Consultee:	1061347 Mr John Fleming	Agent:	941808 John Fleming	Rep ID:	PDLP_SP515
Soundness - Positively Prepared	Gladman believe that any housing figure proposed must be considered as a 'minima' rather than as a ceiling for development. While it is supported that major settlements continue to play a key role in the accommodation of future development within the borough, this should not be at the expense of ensuring that the housing and employment needs of other settlements are met. The Plan should not ignore the fact that sustainable growth can be accommodated in rural communities.						
Proposed Change Requested	Change wording to describe housing figures as minimums. Ensure that the level of growth aimed towards sustainable rural developments is sufficient.						
Council Response	No change. The Spatial Development Strategy (SD1, Strategy and Policies, page 36 - 37) states the provision of "about, (but not less than) 31,140 new dwellings.." which provides sufficient flexibility. As set out in SD23 (Housing Technical Paper, paragraph 6.4), the Local Plan allocates sites for 21,919 dwellings compared to the requirement of 21,328 dwellings which provides flexibility in relation to delivery. The Spatial Development Strategy (SD1, Strategy and Policies, pages 36 - 37 states that most growth will be met in the main urban areas of Huddersfield and Dewsbury. This allows a more flexible approach elsewhere to achieve a sustainable pattern of development. The Local Plan does not assign a housing target to each settlement. For information Appendix 2 of SD23 (Housing Technical Paper, pages 33 - 34) sets out the housing capacity proposed in the Local Plan by settlement and shows that there is a distribution of growth across a variety of settlements and locations in Kirklees.						
Paragraph/Site:	6.1	Consultee:	942142 unknown	Agent:	950095 Mr Jonathan Dunbavin	Rep ID:	PDLP_SP321
Soundness - Positively Prepared	If the review of the green belt is fundamentally flawed it indicates that the distribution strategy and the proposed site allocations are unsound. This is important as the Council's strategy is to step-over urban green space sites in preference to green belt release.						
Council Response	No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development to protect and enhance the qualities of each area. The settlement appraisal is set out in BP17 the Settlement Appraisal Technical Paper.						
Paragraph/Site:	6.1	Consultee:	942142 unknown	Agent:	950095 Mr Jonathan Dunbavin	Rep ID:	PDLP_SP236
Soundness - Justified	The Spatial Development Strategy does not set targets for distribution yet the actual distribution of the proposed allocations does not Direct Development to the Most Sustainable Locations . The Actual Housing Distribution Evidenced in the Allocations and Designations Paper appears to be based on the Location of their Identified Supply						
Soundness - Effective	There is nothing that sets out how development will be distributed across the sub-areas. The spatial development strategy does not build upon the place making strategy or provide a clear strategy for delivering development in each sub area. The Spatial Development Strategy should recognise the inherent need to review Green Belt boundaries and subsequently release Green Belt land						
Soundness - Consistent with National Policy	At the heart of the NPPF is a presumption in favour of sustainable development. The distribution of housing should accord with the approach set out within the spatial development strategy (amended to identify quantum of housing).						
Proposed Change Requested	The Spatial Development Strategy needs to clearly set out the appropriate distribution of the residual housing requirement. The distribution should be focused in more urban areas. 4.35 The Spatial Development Strategy should also give further clarity as to how open spaces in urban areas will be assessed and the relative merit and weight to be accorded to open space based on the functions it carries out.4.36 The Spatial Development Strategy should recognise the significant growth requirement for Kirklees over the plan period, including the need to review green belt boundaries.						
Council Response	No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development to protect and enhance the qualities of each area. PLP61 provides guidance on proposals on urban green space identified on the Local Plan policies map. BP13 the Urban Green Space & Local Green Space Technical Paper provides information on the methodology used to assess the allocation of urban green space. BP23 - Local Plan Methodology Part 2 sets out how development site options were considered in the Local Plan, including their impact on urban green space and the green belt. The exceptional circumstances leading to the review of the green belt boundary are set out in BP25 the Green Belt Review Supporting Document.						

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Paragraph/Site: 6.1	Consultee: 942144	unknown	Agent: 970993	Anna Turton	Rep ID: PDLP_SP395
Soundness - Positively Prepared	Concerns regarding how the Spatial Development Strategy has been interpreted in the Cleckheaton Area and the distribution of housing allocations in the Batley & Spen sub-area. Concerned at the level of housing proposed in Cleckheaton (1,291 dwellings) which does not reflect the size, status, function and sustainability of the settlement. Green belt release sites are proposed elsewhere in district ahead of non Green Belt sites such as New Lane, Cleckheaton. The council's approach does not accord with PLP2.				
Soundness - Consistent with National Policy	The approach is contrary to the Spatial Development Strategy and does not accord with PLP2 or the principles of sustainable development. The plan is considered to be internally inconsistent and does not fully address national guidance through the NPPF and PPG.				
Proposed Change Requested	Ensure housing allocations reflect the spatial strategy, review the distribution of housing in Batley and Spen and identify new allocations including H2590 in Cleckheaton.				
Council Response	No change. The Spatial Development Strategy which considers the role of open spaces in urban areas. The amount of housing in Cleckheaton is commensurate with its size, role and function. It is considered that the spatial strategy's priority for land release is appropriate. Land is allocated on the basis that it would facilitate sustainable development.				
Paragraph/Site: 6.1	Consultee: 942154	unknown	Agent: 941891	Paul Leeming	Rep ID: PDLP_SP426
Soundness - Justified	Of some concern is the statement that the Council will seek to deliver not less than 31,140 dwellings between 2013 and 2031, which equates to some 1,730 new dwellings per year (dpa). Notwithstanding comments on the Plan period covered elsewhere, it is welcomed that the figure represents an increase over the previous draft document. However it does not seek to meet the objectively assessed needs in full and is therefore unsound; the approach not justified, or positively prepared. Along with others we consider that the level of need is likely to be nearer to 2,000 dpa than the figure included within the Draft Plan.				
Proposed Change Requested	No change. The				
Council Response	No change. The Kirklees housing requirement has been calculated in accordance with NPPF including using CLG Household Projections as a starting point and considering a range of factors listed in NPPF/NPPG. This process is set out briefly in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13) and in more detail in the Kirklees SHMA (SD18, paragraphs 6.1 - 6.44).				
Paragraph/Site: 6.1	Consultee: 942169		Agent: 972788	Mr Nick Pleasant	Rep ID: PDLP_SP530
Proposed Change Requested	The strategy is supported but wording should be amended regarding delivery of additional dwellings.				
Council Response	No change. Support welcomed. It is not considered additional wording is necessary.				
Paragraph/Site: 6.1	Consultee: 942301	Mr Sarah and Peter Hall	Agent: 942076	Mr Richard Irving	Rep ID: PDLP_SP230
Soundness - Justified	The Spatial Development Strategy does not set targets for distribution yet the actual distribution of the proposed allocations does not Direct Development to the Most Sustainable Locations . The Actual Housing Distribution Evidenced in the Allocations and Designations Paper appears to be based on the Location of their Identified Supply				
Soundness - Effective	There is nothing that sets out how development will be distributed across the sub-areas. The spatial development strategy does not build upon the place making strategy or provide a clear strategy for delivering development in each sub area. The Spatial Development Strategy should recognise the inherent need to review Green Belt boundaries and subsequently release Green Belt land				
Soundness - Consistent with National Policy	At the heart of the NPPF is a presumption in favour of sustainable development. The distribution of housing should accord with the approach set out within the spatial development strategy (amended to identify quantum of housing).				
Proposed Change Requested	The Spatial Development Strategy needs to clearly set out the appropriate distribution of the residual housing requirement. The distribution should be focused in more urban areas. 4.35 The Spatial Development Strategy should also give further clarity as to how open spaces in urban areas will be assessed and the relative merit and weight to be accorded to open space based on the functions it carries out.4.36 The Spatial Development Strategy should recognise the significant growth requirement for Kirklees over the plan period, including the need to review green belt boundaries.				
Council Response	No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered				

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that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development to protect and enhance the qualities of each area. PLP61 provides guidance on proposals on urban green space identified on the Local Plan policies map. BP13 the Urban Green Space & Local Green Space Technical Paper provides information on the methodology used to assess the allocation of urban green space. BP23 - Local Plan Methodology Part 2 sets out how development site options were considered in the Local Plan, including their impact on urban green space and the green belt. The exceptional circumstances leading to the review of the green belt boundary are set out in BP25 the Green Belt Review Supporting Document.

Paragraph/Site: 6.1

Consultee: 942301 Mr Sarah and Peter Hall

Agent: 942076 Mr Richard Irving

Rep ID: PDLP_SP317

Soundness - Positively Prepared If the review of the green belt is fundamentally flawed it indicates that the distribution strategy and the proposed site allocations are unsound. This is important as the Council's strategy is to step-over urban green space sites in preference to green belt release.

Council Response No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development to protect and enhance the qualities of each area. The settlement appraisal is set out in BP17 the Settlement Appraisal Technical Paper.

Paragraph/Site: 6.1

Consultee: 942337 unknown

Agent: 941775 Mr Paul Butler

Rep ID: PDLP_SP545

Soundness - Positively Prepared Objection to the removal of specific housing distribution requirements for each of the Districts Sub-Areas. Sub-Area distribution figures need to be flexible in respect of how they are utilised in 5-year housing calculations. The identification of such targets provides the development industry with appropriate guidance in respect of identifying future development sites and provides further clarity that the housing needs of each Sub-Area (including affordable homes) can be delivered.

Council Response No change. The Place Shaping policy intends to guide development to protect and enhance the qualities of each area. The spatial strategy sets out locations for growth, but it is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy.

Paragraph/Site: 6.1

Consultee: 942405 unknown

Agent: 941908 Mr Andrew Rose

Rep ID: PDLP_SP380

Soundness - Positively Prepared Shelley has no housing allocations and two safeguarded sites which are undeliverable. Shelley is one of the larger and more sustainable settlements in the Kirklees Rural sub-area and therefore concerning that it has no new housing during the Plan period. Less sustainable settlements have Local Plan housing allocations. The spatial distribution needs to be remedied and further needs to be identified in Shelley. The approach does not accord with the Spatial Development Strategy, Policy PLP2 or the principles of sustainable development. The proposed plan is internally inconsistent.

Soundness - Consistent with National Policy The approach does not accord with the Spatial Development Strategy, Policy PLP2 or the principles of sustainable development.

Proposed Change Requested Review the distribution of housing in the Kirklees Rural Sub-Area. Identify housing allocations in Shelley, in accordance with the Spatial Development Strategy.

Council Response No change. None of the site options in Shelley that were put forward to the Council were considered to be appropriate when assessed against part 2 of the Local Plan methodology (BP23). The strategy provides flexibility for growth in smaller settlements.

Paragraph/Site: 6.1

Consultee: 942405 unknown

Agent: 941908 Mr Andrew Rose

Rep ID: PDLP_SP650

Soundness - Positively Prepared Concerns how the Spatial Development Strategy has been interpreted in the Rural area. Concern about the distribution of housing allocations in the Kirklees Rural Sub-Area. Particular concern that Shelley has no new housing for the next 15 years. Shelley is one of the larger more sustainable settlements in the Kirklees Rural area. Less sustainable settlements have sizeable allocations. Significant issues with the distribution of housing allocations in the rural area.

Soundness - Consistent with National Policy Concerns how the Spatial Development Strategy has been interpreted in the Rural area. The approach portrayed does not fully address national guidance through the Framework and PPG. The proposed spatial distribution does not accord with Local Plan Policy PLP2 or the principles of sustainable development. No exceptional circumstances have been provided for Green Belt releases in small settlements such as Upperthong, Stocksmoor, Netherthong, Holmbridge and Hade Edge.

Proposed Change Requested Ensure housing allocations reflect the Spatial Development Strategy. Review the distribution of housing in the Kirklees Rural Sub-Area. Identify housing

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allocations in Shelley, in accordance with the Spatial Development Strategy. Allocate housing site H169/H2731 off Penistone Road in Shelley.

Council Response

No change. None of the site options in Shelley that were put forward to the Council were considered to be appropriate when assessed against part 2 of the Local Plan methodology (BP23). The strategy provides flexibility for growth in smaller settlements. Of the settlements listed only Stocksmoor has land to be removed from the Green Belt.

Paragraph/Site: 6.1

Consultee: 942405 unknown

Agent: 941889 Mr Alistair Flatman

Rep ID: PDLP_SP234

Soundness - Justified

The Spatial Development Strategy does not set targets for distribution yet the actual distribution of the proposed allocations does not Direct Development to the Most Sustainable Locations . The Actual Housing Distribution Evidenced in the Allocations and Designations Paper appears to be based on the Location of their Identified Supply

Soundness - Effective

There is nothing that sets out how development will be distributed across the sub-areas. The spatial development strategy does not build upon the place making strategy or provide a clear strategy for delivering development in each sub area. The Spatial Development Strategy should recognise the inherent need to review Green Belt boundaries and subsequently release Green Belt land

Soundness - Consistent with National Policy

At the heart of the NPPF is a presumption in favour of sustainable development. The distribution of housing should accord with the approach set out within the spatial development strategy (amended to identify quantum of housing).

Proposed Change Requested

The Spatial Development Strategy needs to clearly set out the appropriate distribution of the residual housing requirement. The distribution should be focused in more urban areas. 4.35 The Spatial Development Strategy should also give further clarity as to how open spaces in urban areas will be assessed and the relative merit and weight to be accorded to open space based on the functions it carries out.4.36 The Spatial Development Strategy should recognise the significant growth requirement for Kirklees over the plan period, including the need to review green belt boundaries.

Council Response

No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development to protect and enhance the qualities of each area. PLP61 provides guidance on proposals on urban green space identified on the Local Plan policies map. BP13 the Urban Green Space & Local Green Space Technical Paper provides information on the methodology used to assess the allocation of urban green space. BP23 - Local Plan Methodology Part 2 sets out how development site options were considered in the Local Plan, including their impact on urban green space and the green belt. The exceptional circumstances leading to the review of the green belt boundary are set out in BP25 the Green Belt Review Supporting Document.

Paragraph/Site: 6.1

Consultee: 942409

Agent: 950095 Mr Jonathan Dunbavin

Rep ID: PDLP_SP235

Soundness - Justified

The Spatial Development Strategy does not set targets for distribution yet the actual distribution of the proposed allocations does not Direct Development to the Most Sustainable Locations . The Actual Housing Distribution Evidenced in the Allocations and Designations Paper appears to be based on the Location of their Identified Supply

Soundness - Effective

There is nothing that sets out how development will be distributed across the sub-areas. The spatial development strategy does not build upon the place making strategy or provide a clear strategy for delivering development in each sub area. The Spatial Development Strategy should recognise the inherent need to review Green Belt boundaries and subsequently release Green Belt land

Soundness - Consistent with National Policy

At the heart of the NPPF is a presumption in favour of sustainable development. The distribution of housing should accord with the approach set out within the spatial development strategy (amended to identify quantum of housing).

Proposed Change Requested

The Spatial Development Strategy needs to clearly set out the appropriate distribution of the residual housing requirement. The distribution should be focused in more urban areas. 4.35 The Spatial Development Strategy should also give further clarity as to how open spaces in urban areas will be assessed and the relative merit and weight to be accorded to open space based on the functions it carries out.4.36 The Spatial Development Strategy should recognise the significant growth requirement for Kirklees over the plan period, including the need to review green belt boundaries.

Council Response

No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development

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to protect and enhance the qualities of each area. PLP61 provides guidance on proposals on urban green space identified on the Local Plan policies map. BP13 the Urban Green Space & Local Green Space Technical Paper provides information on the methodology used to assess the allocation of urban green space. BP23 - Local Plan Methodology Part 2 sets out how development site options were considered in the Local Plan, including their impact on urban green space and the green belt. The exceptional circumstances leading to the review of the green belt boundary are set out in BP25 the Green Belt Review Supporting Document.

Paragraph/Site: 6.1

Consultee: 942410

Agent: 950095

Mr Jonathan Dunbavin

Rep ID: PDLP_SP320

Soundness - Positively Prepared If the review of the green belt is fundamentally flawed it indicates that the distribution strategy and the proposed site allocations are unsound. This is important as the Council's strategy is to step-over urban green space sites in preference to green belt release.

Council Response

No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development to protect and enhance the qualities of each area. The settlement appraisal is set out in BP17 the Settlement Appraisal Technical Paper.

Paragraph/Site: 6.1

Consultee: 942410

Agent: 950095

Mr Jonathan Dunbavin

Rep ID: PDLP_SP233

Soundness - Justified

The Spatial Development Strategy does not set targets for distribution yet the actual distribution of the proposed allocations does not Direct Development to the Most Sustainable Locations . The Actual Housing Distribution Evidenced in the Allocations and Designations Paper appears to be based on the Location of their Identified Supply

Soundness - Effective

There is nothing that sets out how development will be distributed across the sub-areas. The spatial development strategy does not build upon the place making strategy or provide a clear strategy for delivering development in each sub area. The Spatial Development Strategy should recognise the inherent need to review Green Belt boundaries and subsequently release Green Belt land

Soundness - Consistent with National Policy

At the heart of the NPPF is a presumption in favour of sustainable development. The distribution of housing should accord with the approach set out within the spatial development strategy (amended to identify quantum of housing).

Proposed Change Requested

The Spatial Development Strategy needs to clearly set out the appropriate distribution of the residual housing requirement. The distribution should be focused in more urban areas. 4.35 The Spatial Development Strategy should also give further clarity as to how open spaces in urban areas will be assessed and the relative merit and weight to be accorded to open space based on the functions it carries out.4.36 The Spatial Development Strategy should recognise the significant growth requirement for Kirklees over the plan period, including the need to review green belt boundaries.

Council Response

No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development to protect and enhance the qualities of each area. PLP61 provides guidance on proposals on urban green space identified on the Local Plan policies map. BP13 the Urban Green Space & Local Green Space Technical Paper provides information on the methodology used to assess the allocation of urban green space. BP23 - Local Plan Methodology Part 2 sets out how development site options were considered in the Local Plan, including their impact on urban green space and the green belt. The exceptional circumstances leading to the review of the green belt boundary are set out in BP25 the Green Belt Review Supporting Document.

Paragraph/Site: 6.1

Consultee: 942462

Bellway Homes (Yorkshire) Ltd

Agent: 993144

Mr Jon Brier

Rep ID: PDLP_SP197

Soundness - Positively Prepared There is no evidence of a settlement appraisal, therefore it is unclear how allocations have been distributed.

Soundness - Justified

It is not possible to interrogate the appropriateness of the housing requirement. This lack of transparency makes it difficult to comment.

Proposed Change Requested

The housing and employment land distribution strategy needs to be properly explained and justified.

Council Response

No change. The settlement appraisal is set out in BP17 the Settlement Appraisal Technical Paper. This informs the Place Shaping section of the Local Plan which in turn informs the Spatial Development Strategy.

Paragraph/Site: 6.1

Consultee: 942682

Mike Hogarth

Agent:

Rep ID: PDLP_SP632

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Soundness - Justified	Some suggested industrial units, especially on Greenfield Sites, should be looked again. In areas of natural beauty, the size and structure of these buildings should vary and be better placed to avoid creating eye-sores that destroy views.
Council Response	No change. Development will be subject to PLP24 (Design) and PLP32 (Landscape) which requires proposals to consider their interaction with the landscape.
Paragraph/Site: 6.1	Consultee: 942682 Mike Hogarth Agent: Rep ID: PDLP_SP618
Soundness - Justified	More future based proactive thinking is needed and should be built into the general strategy from the beginning. The Alternative Strategy Group should be an inclusive group made up of councillors, officers, doctors, business people and professionals and their ideas could be tested out in the council but also with resident opinion polls or in forum/focus groups made up of people living in the four character areas in Kirklees. The group programme could run in conjunction with the Council Steering Committees and ideas could coincide with the timing of the Annual Maintenance Report and could be used for projected future planning and appraisal of the new Local Plan.
Council Response	No change. Comment noted. The Local Plan has been produced in accordance with the Statement of Community Involvement (SD16).
Paragraph/Site: 6.1	Consultee: 942768 Mr Andrew Wood Agent: Rep ID: PDLP_SP336
Soundness - Positively Prepared	Paragraph 4.2 is not a spatial vision but a wish-list of broad, generic outcomes. PLP 2 is meaningless and therefore ineffective. It is linked to the sub-area boxes which list the strengths and weaknesses found in those sub-areas. There is a total absence of any sense of how the type, location or design of new developments will be place-specific and will contribute to the improvement of those places. The Spatial Development Strategy says nothing about how new development will enable the settlement pattern to become more sustainable. The plan is a more of the same approach to motorway-based employment development, low-density car-dependent neighbourhoods, an undermining of the regeneration and revitalisation of town centres and a failure to address the challenges of climate change and air quality. Concerned that the pattern of employment allocations may imply a drift of employment location away from urban river / rail corridors and towards the motorway. Very few of the new housing allocation could be argued to have acceptable public transport connectivity.
Soundness - Justified	Policies for employment, housing and transport as proposed cannot be implemented without harming air quality
Proposed Change Requested	Revise the employment land strategy to be appropriate to the needs and opportunities of each settlement, especially with regard to opportunity sectors that are not currently well represented in the plan, such as tourism and creative industries. Re-categorise the majority of employment sites along the river corridors as mixed-use, so that business and residential development can both be concentrated in central, accessible locations and can support town and local service centres. Revise the spatial distribution to increase the urban focus and reduce allocations to Kirklees Rural, especially reducing the scale of development of Clayton West. Housing and employment growth in rural settlements should be directly targeted to the needs and opportunities of those settlements and should not be part of the general allocations. Significantly increase the minimum and average net density for new housing, to at least 40 dpha, thereby facilitating more sustainable patterns of development as well as reducing the pressure to remove land from the Green Belt for development. Significantly reduce the scale of motorway-junction clusters of development, especially where these will tend to encourage coalescence with adjacent towns. Give urban green spaces strategic strength in policy, by affording them equivalent protection from inappropriate development to that enjoyed by Green Belt land.
Council Response	No change. The Spatial Development Strategy is based on the strengths, opportunities and challenges identified in the Place Shaping section. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. PLP 24 considers how development can be designed to take into account the townscape, landscape and heritage assets. The settlement appraisal is set out in BP17 the Settlement Appraisal Technical Paper, this considers the public transport accessibility of each settlement. Policy PLP 51 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.
Paragraph/Site: 6.1	Consultee: 943608 Mr Robert Bamforth Agent: Rep ID: PDLP_SP608
Soundness - Justified	Whilst the strategy places emphasis on the importance of greenspace, the plan uses 587 ha of green belt for housing delivery, without any further justification. The claim that the plan only sacrifices 2% of Green Belt misconstrues the place specific nature of Green Belt. Much of the Green Belt is in the

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	western part of Kirklees and protected by statutory designations, so the Green Belt designation in the rural fringes and between urban areas is more important.
Soundness - Consistent with National Policy	Placing particular importance on the role of the green belt to assist in urban regeneration, by encourage the recycling of derelict and other urban land - the plan has given grossly insufficient weight to the purposes of Green Belt set out in NPPF to meet housing targets.
Council Response	No change. The Green Belt Review (SD19) and supporting document (BP25) consider the role and function of the green belt in more detail.
Paragraph/Site: 6.1	Consultee: 943608 Mr Robert Bamforth Agent: Rep ID: PDLP_SP604
Soundness - Positively Prepared	The publication draft has 12 newly introduced sites in Dearne Valley alone and one obvious example of the site at Hade Edge. These extremely late changes are not fair or reasonable, given local residents have had little or no opportunity to have their views taken into consideration.
Soundness - Justified	Huddersfield and Dewsbury would only represent 38.5% of Local Plan housing total, this does not match rhetoric of concentrating development in Huddersfield and Dewsbury. Total for Huddersfield has reduced from 34.6% to 22.5%. Conclusion that there has been an undeclared redistribution of planned housing away from Huddersfield and Dewsbury to Kirklees Rural area.
Council Response	No change. The figures for Huddersfield and Dewsbury are for the Local Plan allocations, so account for in excess of half of the Local Plan allocations. Appendix 2 of SD23: Housing Technical Paper shows how much development each settlement will accommodate in the Local Plan.
Paragraph/Site: 6.1	Consultee: 943608 Mr Robert Bamforth Agent: Rep ID: PDLP_SP589
Soundness - Positively Prepared	The plan gives unbalanced weight to excessively aspirational economic development and is inflexible to adapt to changes, this leads to an over-estimation of objectively assessed housing need, under estimation of brownfield land supply, over estimation of green field and green belt allocations and over estimation of industrial land allocations.
Council Response	No change. The plan seeks to meet Objectively Assessed Needs for development in accordance with national planning policy.
Paragraph/Site: 6.1	Consultee: 968336 Holme Valley Vision Agent: Rep ID: PDLP_SP566
Soundness - Positively Prepared	The plan allocates large tracts of employment land to the north of Huddersfield away from where the bulk of the new housing development is expected to take place i.e. in Kirklees Rural.
Soundness - Justified	The housing allocated land is also, in many cases, remote from public transport routes and would be difficult for pedestrians and cyclists. The plans proposals therefore, appear to contradict the Council's policy intent.
Council Response	No change. Policy PLP8 seeks to protect several Priority Employment Areas within Kirklees Rural. There are a number of employment allocations in the Kirklees Rural. The Spatial Strategy is informed by BP17: Settlement Appraisal Technical Paper which considers public transport accessibility. Policy PLP 20 considers accessibility by sustainable transport for development proposals.
Paragraph/Site: 6.1	Consultee: 968476 Agent: 970993 Anna Turton Rep ID: PDLP_SP401
Soundness - Positively Prepared	Concerns regarding how the Spatial Development Strategy has been interpreted in the Batley Area and the distribution of housing allocations in the Batley & Spen sub-area. Concerned at the level of housing proposed in Batley (725 dwellings) which does not reflect the size, status, function and sustainability of the settlement. Green belt release sites are proposed elsewhere in district ahead of non Green Belt sites such as White Lee Road, Batley. The council's approach does not accord with PLP2.
Soundness - Consistent with National Policy	The approach is contrary to the Spatial Development Strategy and does not accord with PLP2 or the principles of sustainable development. The plan is considered to be internally inconsistent and does not fully address national guidance through the NPPF and PPG.
Proposed Change Requested	Ensure housing allocations reflect the spatial strategy, review the distribution of housing in Batley and Spen and identify new allocations including H523 in Batley.
Council Response	No change. The Spatial Development Strategy which considers the role of open spaces in urban areas. The amount of housing in Batley is commensurate with its size, role and function. It is considered that the spatial strategy's priority for land release is appropriate. Land is allocated on the basis that it would

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facilitate sustainable development.

Paragraph/Site: **6.1** Consultee: **972220** Agent: **941908** **Mr Andrew Rose** Rep ID: **PDLP_SP365**

Soundness - Positively Prepared Policies in the plan do not embrace the approach and Vision for Dewsbury Riverside such as the approach to minerals, employment or waste. Miller Homes suggest a more positive spatial policy encouraging regeneration and renewal.

Soundness - Consistent with National Policy The approach portrayed does not full address national guidance through the Framework and PPG.

Proposed Change Requested Review and address the approach towards regeneration and renewal throughout Dewsbury and Ravensthorpe in terms of policy and designation.

Council Response No change. It is considered that the plans approach to regeneration and the spatial development strategy support the regeneration and renewal of Dewsbury Riverside.

Paragraph/Site: **6.1** Consultee: **972565** Agent: **1059531** **Rachael Martin** Rep ID: **PDLP_SP318**

Soundness - Positively Prepared If the review of the green belt is fundamentally flawed it indicates that the distribution strategy and the proposed site allocations are unsound. This is important as the Council's strategy is to step-over urban green space sites in preference to green belt release.

Council Response No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development to protect and enhance the qualities of each area. The settlement appraisal is set out in BP17 the Settlement Appraisal Technical Paper.

Paragraph/Site: **6.1** Consultee: **972565** Agent: **1059531** **Rachael Martin** Rep ID: **PDLP_SP231**

Soundness - Justified The Spatial Development Strategy does not set targets for distribution yet the actual distribution of the proposed allocations does not Direct Development to the Most Sustainable Locations . The Actual Housing Distribution Evidenced in the Allocations and Designations Paper appears to be based on the Location of their Identified Supply

Soundness - Effective There is nothing that sets out how development will be distributed across the sub-areas. The spatial development strategy does not build upon the place making strategy or provide a clear strategy for delivering development in each sub area. The Spatial Development Strategy should recognise the inherent need to review Green Belt boundaries and subsequently release Green Belt land

Soundness - Consistent with National Policy At the heart of the NPPF is a presumption in favour of sustainable development. The distribution of housing should accord with the approach set out within the spatial development strategy (amended to identify quantum of housing).

Proposed Change Requested The Spatial Development Strategy needs to clearly set out the appropriate distribution of the residual housing requirement. The distribution should be focused in more urban areas. 4.35 The Spatial Development Strategy should also give further clarity as to how open spaces in urban areas will be assessed and the relative merit and weight to be accorded to open space based on the functions it carries out.4.36 The Spatial Development Strategy should recognise the significant growth requirement for Kirklees over the plan period, including the need to review green belt boundaries.

Council Response No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development to protect and enhance the qualities of each area. PLP61 provides guidance on proposals on urban green space identified on the Local Plan policies map. BP13 the Urban Green Space & Local Green Space Technical Paper provides information on the methodology used to assess the allocation of urban green space. BP23 - Local Plan Methodology Part 2 sets out how development site options were considered in the Local Plan, including their impact on urban green space and the green belt. The exceptional circumstances leading to the review of the green belt boundary are set out in BP25 the Green Belt Review Supporting Document.

Paragraph/Site: **6.1** Consultee: **972762** **Brian Mortimer Esq** Agent: **1060394** **Mr Josh Brear** Rep ID: **PDLP_SP696**

Soundness - Positively Prepared The approach to the distribution of housing is inconsistent with the vision. It is considered that more housing should be brought forward within Batley and Spen sub-area to support the delivery of the significant employment sites.

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Council Response No change. The Spatial Development Strategy which considers the role of open spaces in urban areas. The amount of housing in Batley is commensurate with its size, role and function. It is considered that the spatial strategy's priority for land release is appropriate. Land is allocated on the basis that it would facilitate sustainable development.

Paragraph/Site: **6.1** Consultee: **973538** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP_SP319**

Soundness - Positively Prepared If the review of the green belt is fundamentally flawed it indicates that the distribution strategy and the proposed site allocations are unsound. This is important as the Council's strategy is to step-over urban green space sites in preference to green belt release.

Council Response No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development to protect and enhance the qualities of each area. The settlement appraisal is set out in BP17 the Settlement Appraisal Technical Paper.

Paragraph/Site: **6.1** Consultee: **973538** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP_SP232**

Soundness - Justified The Spatial Development Strategy does not set targets for distribution yet the actual distribution of the proposed allocations does not Direct Development to the Most Sustainable Locations . The Actual Housing Distribution Evidenced in the Allocations and Designations Paper appears to be based on the Location of their Identified Supply

Soundness - Effective There is nothing that sets out how development will be distributed across the sub-areas. The spatial development strategy does not build upon the place making strategy or provide a clear strategy for delivering development in each sub area. The Spatial Development Strategy should recognise the inherent need to review Green Belt boundaries and subsequently release Green Belt land

Soundness - Consistent with National Policy At the heart of the NPPF is a presumption in favour of sustainable development. The distribution of housing should accord with the approach set out within the spatial development strategy (amended to identify quantum of housing).

Proposed Change Requested The Spatial Development Strategy needs to clearly set out the appropriate distribution of the residual housing requirement. The distribution should be focused in more urban areas. 4.35 The Spatial Development Strategy should also give further clarity as to how open spaces in urban areas will be assessed and the relative merit and weight to be accorded to open space based on the functions it carries out.4.36 The Spatial Development Strategy should recognise the significant growth requirement for Kirklees over the plan period, including the need to review green belt boundaries.

Council Response No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development to protect and enhance the qualities of each area. PLP61 provides guidance on proposals on urban green space identified on the Local Plan policies map. BP13 the Urban Green Space & Local Green Space Technical Paper provides information on the methodology used to assess the allocation of urban green space. BP23 - Local Plan Methodology Part 2 sets out how development site options were considered in the Local Plan, including their impact on urban green space and the green belt. The exceptional circumstances leading to the review of the green belt boundary are set out in BP25 the Green Belt Review Supporting Document.

Paragraph/Site: **6.1** Consultee: **974190** Agent: **941908** **Mr Andrew Rose** Rep ID: **PDLP_SP669**

Soundness - Justified Concerns about the Objectively Assessed Need and windfall allowance.

Soundness - Consistent with National Policy Concerned that the approach to meeting Objectively Assessed Need does not fully address national guidance through the Framework and PPG.

Proposed Change Requested Review the Objectively Assessed Need and housing requirement. Ensure sufficient housing allocations are identified to meet the OAN in full.

Council Response No change. The Local Plan period accords with the requirements of the NPPF. The Kirklees housing requirement has been calculated in accordance with NPPF including using CLG Household Projections as a starting point and considering a range of factors listed in NPPF/NPPG. This process is set out briefly in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13) and in more detail in the Kirklees SHMA (SD18, paragraphs 6.1 - 6.44).

Paragraph/Site: **6.1** Consultee: **978518** Agent: Rep ID: **PDLP_SP148**

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Council Response	No Change Support from West Yorkshire Combined Authority is noted.			
Paragraph/Site: 6.1	Consultee: 1045848	Mrs Toni Rios	Agent: 1045846	Mr Christopher Yapp
Rep ID:	PDLP_SP72			
Council Response	No change. Support noted.			
Paragraph/Site: 6.1	Consultee: 1049845	Ms Jane Scott	Agent:	Rep ID: PDLP_SP413
Soundness - Positively Prepared	- the release of significant areas of green belt land for Housing and employment in Batley and Spen and Dewsbury and Mirfield is not the most appropriate strategy, it will not be effective, judged on Evidence from the past it has not been successful. - Locating employment land and therefore providing restaurant, pub, retailing and office facilities in out of town locations, detached from existing settlements and close to motorway junctions is A failed and unsustainable strategy. this has destroyed the vitality of town centres in the north east of the District, draws people out of towns, clogs up the busiest stretches of motorway in the country and is highly unsustainable. Adding further to the congestion, relatively poor quality of life, health inequalities and disadvantages faced by residents in towns in the north east of the District is A skewed, perverse and highly unbalanced strategy, which seeks to treat the residents of Batley and Spen and Dewsbury and Mirfield contemptuously as second class citizens compared to those living in Huddersfield and the rural areas. this links with comments made on vision and green space.			
Soundness - Consistent with National Policy	- the release of significant areas of green belt land for Housing and employment in Batley and Spen and Dewsbury and Mirfield is not in accordance with National Policy in relation to the green belt, sustainability and the buoyancy of Housing markets in Huddersfield and the many sustainable settlements in the rural areas.			
Proposed Change Requested	More significant quantities of land, including green belt, should be released close to Huddersfield as the major town in the district, provider of education and skills training, generator of employment in services and industry and transport hub. To allow opportunities for people to enjoy a better quality of life and affordable housing in the buoyant housing market of the rural settlements, (the majority of which are former mill and mining towns), the majority of safeguarded land identified in the RUDP should be brought forward in preference to green belt releases in the north east of the district. Small scale green belt releases should also be brought forward here. The constraints identified in the rural areas have been significantly exaggerated and not properly addressed. Green belt releases in Batley and Spen and Dewsbury and Mirfield should be significantly scaled down.			
Council Response	No change. The Spatial Development Strategy is based on the strengths , opportunities and challenges identified in the Place Shaping section. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the spatial strategy's priority for land release is appropriate. Land is allocated on the basis that it would facilitate sustainable development. The Green Belt Review (SD19) and supporting document (BP25) consider the role and function of the green belt in more detail.			
Paragraph/Site: 6.1	Consultee: 1057797		Agent: 1057794	Mrs Tessa Fletcher
Rep ID:	PDLP_SP171			
Council Response	No Change Support noted.			
Paragraph/Site: 6.1	Consultee: 1057821		Agent: 1057794	Mrs Tessa Fletcher
Rep ID:	PDLP_SP174			
Council Response	No Change Support is noted for the Council's approach to sustainable housing growth through the Plan period.			
Paragraph/Site: 6.1	Consultee: 1059536		Agent: 942076	Mr Richard Irving
Rep ID:	PDLP_SP322			
Soundness - Positively Prepared	If the review of the green belt is fundamentally flawed it indicates that the distribution strategy and the proposed site allocations are unsound. This is important as the Council's strategy is to step-over urban green space sites in preference to green belt release.			
Council Response	No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development to protect and enhance the qualities of each area. The settlement appraisal is set out in BP17 the Settlement Appraisal Technical Paper.			
Paragraph/Site: 6.1	Consultee: 1059536		Agent: 942076	Mr Richard Irving
Rep ID:	PDLP_SP238			
Soundness - Justified	The Spatial Development Strategy does not set targets for distribution yet the actual distribution of the proposed allocations does not Direct Development to			

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	<p>the Most Sustainable Locations . The Actual Housing Distribution Evidenced in the Allocations and Designations Paper appears to be based on the Location of their Identified Supply</p>
Soundness - Effective	<p>There is nothing that sets out how development will be distributed across the sub-areas. The spatial development strategy does not build upon the place making strategy or provide a clear strategy for delivering development in each sub area. The Spatial Development Strategy should recognise the inherent need to review Green Belt boundaries and subsequently release Green Belt land</p>
Soundness - Consistent with National Policy	<p>At the heart of the NPPF is a presumption in favour of sustainable development. The distribution of housing should accord with the approach set out within the spatial development strategy (amended to identify quantum of housing).</p>
Proposed Change Requested	<p>The Spatial Development Strategy needs to clearly set out the appropriate distribution of the residual housing requirement. The distribution should be focused in more urban areas. The Spatial Development Strategy should also give further clarity as to how open spaces in urban areas will be assessed and the relative merit and weight to be accorded to open space based on the functions it carries out. The Spatial Development Strategy should recognise the significant growth requirement for Kirklees over the plan period, including the need to review green belt boundaries.</p>
Council Response	<p>No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development to protect and enhance the qualities of each area. PLP61 provides guidance on proposals on urban green space identified on the Local Plan policies map. BP13 the Urban Green Space & Local Green Space Technical Paper provides information on the methodology used to assess the allocation of urban green space. BP23 - Local Plan Methodology Part 2 sets out how development site options were considered in the Local Plan, including their impact on urban green space and the green belt. The exceptional circumstances leading to the review of the green belt boundary are set out in BP25 the Green Belt Review Supporting Document.</p>

Paragraph/Site: 6.1

Consultee: 1059538

Agent: 950095

Mr Jonathan Dunbavin

Rep ID: PDLP_SP237

Soundness - Justified	<p>The Spatial Development Strategy does not set targets for distribution yet the actual distribution of the proposed allocations does not Direct Development to the Most Sustainable Locations . The Actual Housing Distribution Evidenced in the Allocations and Designations Paper appears to be based on the Location of their Identified Supply</p>
Soundness - Effective	<p>There is nothing that sets out how development will be distributed across the sub-areas. The spatial development strategy does not build upon the place making strategy or provide a clear strategy for delivering development in each sub area. The Spatial Development Strategy should recognise the inherent need to review Green Belt boundaries and subsequently release Green Belt land</p>
Soundness - Consistent with National Policy	<p>At the heart of the NPPF is a presumption in favour of sustainable development. The distribution of housing should accord with the approach set out within the spatial development strategy (amended to identify quantum of housing).</p>
Proposed Change Requested	<p>The Spatial Development Strategy needs to clearly set out the appropriate distribution of the residual housing requirement. The distribution should be focused in more urban areas. 4.35 The Spatial Development Strategy should also give further clarity as to how open spaces in urban areas will be assessed and the relative merit and weight to be accorded to open space based on the functions it carries out.4.36 The Spatial Development Strategy should recognise the significant growth requirement for Kirklees over the plan period, including the need to review green belt boundaries.</p>
Council Response	<p>No change. The Spatial Development Strategy focuses development on Huddersfield and Dewsbury, the largest settlements in the district. It is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy. Policy PLP2 intends to guide development to protect and enhance the qualities of each area. PLP61 provides guidance on proposals on urban green space identified on the Local Plan policies map. BP13 the Urban Green Space & Local Green Space Technical Paper provides information on the methodology used to assess the allocation of urban green space. BP23 - Local Plan Methodology Part 2 sets out how development site options were considered in the Local Plan, including their impact on urban green space and the green belt. The exceptional circumstances leading to the review of the green belt boundary are set out in BP25 the Green Belt Review Supporting Document.</p>

Paragraph/Site: 6.2

Consultee: 943608

Mr Robert Bamforth

Agent:

Rep ID: PDLP_SP613

Soundness - Effective	<p>Concerned that IDP has schemes with vague extended timescales, contains unfunded and uncommitted schemes, no obvious correlation between</p>
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	development and IDP commitments, transport investment focuses too strongly on large regional schemes. The plan relies on a naïve expectation about the level of funding from CIL and S.106 contributions. Bodies not bound by Local Plan can make their own decisions that are not consistent with the plan, e.g. Huddersfield & Dewsbury hospitals.
Council Response	No change - The IDP and IDP Addendum has been produced through an on-going consultation with infrastructure providers. The levels of growth proposed in the local plan have been shared with infrastructure providers. The Infrastructure Delivery Programme outlines known infrastructure schemes identified during these discussion, including expected time frames to align with local plan growth, and potential funding sources. The IDP will be reviewed annually to align with the monitoring of the delivery of the local plan.
Paragraph/Site: 6.3	Consultee: 943608 Mr Robert Bamforth Agent: Rep ID: PDLP_SP590
Soundness - Positively Prepared	The plan gives unbalanced weight to excessively aspirational economic development and is inflexible to adapt to changes, this leads to an over-estimation of objectively assessed housing need, under estimation of brownfield land supply, over estimation of green field and green belt allocations and over estimation of industrial land allocations.
Council Response	No change. The plan seeks to meet Objectively Assessed Needs for development in accordance with national planning policy.
Paragraph/Site: 6.3	Consultee: 943608 Mr Robert Bamforth Agent: Rep ID: PDLP_SP595
Soundness - Justified	Urban green space or green belt land should only be released in the most exceptional circumstances, when the specific development is absolutely necessary and there is no other alternative. Urban regeneration offers an obvious alternative to large scale green belt land releases and is also necessary in its own right. Any proposed development must be perceived as providing something as good as, or better than, the original land use.
Soundness - Consistent with National Policy	The relatively high proportion of green belt / legally protected land in the district may offset the OAN, this would be entirely consistent with NPPF.
Proposed Change Requested	Urban regeneration is an alternative to green belt release
Council Response	No change. Sites have been identified in SHLAA and through options sent to us. These have included additional brownfield sites identified between the Draft and Publication Stages of the Local Plan. It is considered that there is insufficient supply to meet objectively assessed needs. It is considered that the approach to Green Belt release in the Local Plan is entirely consistent with paragraph 83 of NPPF.
Paragraph/Site: 6.3	Consultee: 943847 Mrs Sally Barber Agent: Rep ID: PDLP_SP513
Soundness - Positively Prepared	It is paramount that Kirklees Council limits the amount of greenfield and Green Belt land for building, in favour of brownfield sites; this is especially the case in the Holme Valley
Council Response	No change. The Spatial Development Strategy and policies PLP3 and PLP7 which deliver the strategy seek to ensure opportunities for development on previously developed land are realised early in the plan and that proposals encourage the efficient use of previously developed land
Paragraph/Site: 6.3	Consultee: 1042965 Mr Kevin Macmillan Agent: Rep ID: PDLP_SP531
Soundness - Positively Prepared	Sequential approach to the release of sites is incorrect and flawed. Sites in unsustainable locations should not be ranked ahead of urban extensions.
Proposed Change Requested	Reorganise the priority of categories of land to be released for development to make the strategy more sustainable.
Council Response	No change. It is considered that the spatial strategy's priority for land release is appropriate. Land is allocated on the basis that it would facilitate sustainable development.
Paragraph/Site: 6.3	Consultee: 1058303 Mr Alyn Nicholls Agent: Rep ID: PDLP_SP323
Soundness - Positively Prepared	The sequential approach to selecting sites for development does not provide an overview of the sustainability of locations for development. Specifically, greenfield sites within settlements have priority over urban extensions whereas the reality is that an urban extension may be a more sustainable location (considering all relevant factors), and more consistent within the overarching strategy, compared to a greenfield site in for example a rural settlement.
Proposed Change Requested	The priorities of the plan (as a whole) need to be reconsidered starting with the Settlement Appraisal within which there are significant flaws. Urban

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extensions should have equal status as greenfield sites within existing settlements in order to determine the most sustainable locations for development.

Council Response No change. The Settlement Appraisal Technical Paper (BP17) considers the role and function of settlements wholly within the green belt. It is considered that the spatial strategy's priority for land release is appropriate. Land is allocated on the basis that it would facilitate sustainable development.

Paragraph/Site: **6.3** Consultee: **1061347** **Mr John Fleming** Agent: **941808** **John Fleming** Rep ID: **PDLP_SP518**

Soundness - Justified It is unrealistic to assume that previously developed land will become available for redevelopment. The allowance made for windfall is unreasonably large.

Soundness - Consistent with National Policy The sequential approach to land release is not consistent with national policy (NPPF para.111). The Plan prioritises rather than encourages the re-use of land. Previously developed land is not always the most sustainable option and should not always be given priority over the delivery of suitable Green Belt release sites.

Proposed Change Requested Do not automatically prioritise brownfield sites over Green belt.

Council Response No change. It is considered that the sequential approach to land release is appropriate and in conformity with NPPF. Policy PLP3 seeks to ensure all brownfield sites are released early in the plan, but this does not preclude the development of greenfield sites provided.

Paragraph/Site: **Policy PLP 3** Consultee: **942142** **unknown** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP_SP245**

Council Response No change. Support noted.

Paragraph/Site: **Policy PLP 3** Consultee: **942144** **unknown** Agent: **970993** **Anna Turton** Rep ID: **PDLP_SP396**

Soundness - Positively Prepared Encouraged by the approach towards the Location of New Development however the level of housing provision in Cleckheaton does not reflect its role and function. Green Belt sites are proposed for release elsewhere in the district ahead of non Green Belt sites such as New Lane, Cleckheaton.

Proposed Change Requested Increase the level of housing in Cleckheaton

Council Response No change. The policy seeks to deliver the Spatial Development Strategy which considers the role of open spaces in urban areas. The amount of housing in Cleckheaton is commensurate with its size, role and function.

Paragraph/Site: **Policy PLP 3** Consultee: **942144** **unknown** Agent: **941843** **Mr James Hobson** Rep ID: **PDLP_SP777**

Soundness - Positively Prepared The proposed general distribution between the four sub areas is too vague. The Local Plan should identify settlements that are of a size, function and character to deliver sustainable housing and employment growth.

Council Response No change. The spatial strategy sets out locations for growth, but it is considered that the plan needs to provide flexibility, rather than setting out the distribution of growth to local areas in a policy.

Paragraph/Site: **Policy PLP 3** Consultee: **942154** **unknown** Agent: **941891** **Paul Leeming** Rep ID: **PDLP_SP427**

Council Response No change. Support noted.

Paragraph/Site: **Policy PLP 3** Consultee: **942301** **Mr Sarah and Peter Hall** Agent: **942076** **Mr Richard Irving** Rep ID: **PDLP_SP239**

Council Response No change. Support noted.

Paragraph/Site: **Policy PLP 3** Consultee: **942337** **unknown** Agent: **941775** **Mr Paul Butler** Rep ID: **PDLP_SP536**

Soundness - Positively Prepared Criterion 2(b) of policy PLP3 should make reference to the release of non-allocated sites in order to maintain a supply of specific deliverable sites in accordance with national policy. There is no certainty that all of the Council's proposed housing allocations will deliver the number of homes needed to meet the Districts identified housing requirements. The wording of Criterion 2(c) of policy PLP3 suggests that the Council will seek to phase the development of previously developed land ahead of greenfield sites. Such an approach would not enable the delivery of the Districts housing requirements. Notwithstanding this point our client supports the reference in the criterion where the wording states "subject to maintaining a five-year supply of housing land and to delivering the overall housing and jobs requirements".

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Proposed Change Requested	Flexibility is needed in PLP 3 to ensure that additional sites can be released (where appropriate) to ensure that housing needs are met.				
Council Response	No change. The policy seeks to ensure opportunities on brownfield sites in the plan are realised early, but this is not mutually exclusive from greenfield sites coming forward to meet the housing requirement in the plan.				
Paragraph/Site: Policy PLP 3	Consultee: 942340	unknown	Agent: 941854	Mr Mark Johnson	Rep ID: PDLP_SP655
Soundness - Positively Prepared	The Spatial Development Strategy text refers to the provision of 31,140 new dwellings between 2013 and 2031, this is not included within a Strategic Policy.				
Council Response	No change. National Planning Policy Framework and Planning Practice Guidance do not require the inclusion of such a policy. Policies in the Local Plan support the delivery of development to meet the districts housing requirements				
Paragraph/Site: Policy PLP 3	Consultee: 942405	unknown	Agent: 941908	Mr Andrew Rose	Rep ID: PDLP_SP381
Soundness - Positively Prepared	Encouraged by the approach towards the Location of New Development however the level of housing provision in Shelley does not reflect its role and function. The criteria allow for the potential for housing allocations in smaller settlements in the Kirklees Rural area. No new homes are proposed in Shelley in the Plan period which does not reflect the size, status and sustainability of the settlement.				
Proposed Change Requested	Increase the level of housing provision in Shelley.				
Council Response	No change. Whilst the policy provides some flexibility to allow for growth in smaller settlements such as Shelley, none of the site options in Shelley that were put forward to the Council were considered to be appropriate when assessed against part 2 of the Local Plan methodology (BP23).				
Paragraph/Site: Policy PLP 3	Consultee: 942405	unknown	Agent: 941889	Mr Alistair Flatman	Rep ID: PDLP_SP243
Council Response	No change. Support noted.				
Paragraph/Site: Policy PLP 3	Consultee: 942409		Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP244
Council Response	No change. Support noted.				
Paragraph/Site: Policy PLP 3	Consultee: 942409		Agent: 993144	Mr Jon Brier	Rep ID: PDLP_SP192
Council Response	No change. Support noted.				
Paragraph/Site: Policy PLP 3	Consultee: 942410		Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP242
Council Response	No change. Support noted.				
Paragraph/Site: Policy PLP 3	Consultee: 942462	Bellway Homes (Yorkshire) Ltd	Agent: 993144	Mr Jon Brier	Rep ID: PDLP_SP198
Soundness - Positively Prepared	The policy fails to provide clear and unambiguous guidance, therefore it is not capable of directing growth and determining development proposals.				
Proposed Change Requested	The policy should be made more specific.				
Council Response	No change. The policy is written in the context of the Spatial Development Strategy, which seeks to focus development on Huddersfield and Dewsbury but provides flexibility for growth in smaller settlements. An assessment of constraints and opportunities for sub-areas is provided in the Place Shaping chapter. BP17 the Settlement Appraisal technical paper provides more information on specific settlements.				
Paragraph/Site: Policy PLP 3	Consultee: 942469	Messrs Brierley, Hirst and Nevin	Agent: 941849	Iain Bath	Rep ID: PDLP_SP419
Council Response	No change. Support noted.				
Paragraph/Site: Policy PLP 3	Consultee: 942768	Mr Andrew Wood	Agent:		Rep ID: PDLP_SP346
Soundness - Positively Prepared	PLP3 (2c) is not consistent with the emphasis of development towards large, strategic sites that are predominantly in greenfield locations.				
Soundness - Justified	PLP3 (2c) is not consistent with the proposed approach to windfall sites as a source of land supply				

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Proposed Change Requested	Refer to our Core Evidence Paper for our Key recommendations to an enable an urban vision and a sustainable pattern of development. Take a more proactive approach to brownfield windfall sites as a source of land supply.				
Council Response	No change. Paragraph 4.25 explains that most of the windfall delivery in the early years of the plan is likely to be on sites which currently have planning permission. To avoid double counting (capacity in windfalls and also planning permissions) the windfall allowance is proposed for the final 11 years of the plan only. Part 2c of the policy seeks to ensure opportunities for development are realised early in the plan, which is not mutually exclusive from greenfield sites being developed.				
Paragraph/Site: Policy PLP 3	Consultee: 943957	Mr Ian Smith	Agent:	Rep ID: PDLP_SP755	
Council Response	No change. Support noted.				
Paragraph/Site: Policy PLP 3	Consultee: 947700	Mr G Maxwell	Agent:	Rep ID: PDLP_SP23	
Soundness - Positively Prepared	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Location of new Development policy PLP3 differs considerably to that consulted upon DLP2. For instance there is no mention of protection for the greenbelt has been removed				
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Location of new Development policy PLP3 differs considerably to that consulted upon DLP2. For instance there is no mention of protection for the greenbelt has been removed				
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Re-instate the consulted upon policy				
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				
Paragraph/Site: Policy PLP 3	Consultee: 959056	Mr C Springthorpe	Agent: 941970	Mr Alastair Skelton	Rep ID: PDLP_SP63
Council Response	No change. Support noted.				
Paragraph/Site: Policy PLP 3	Consultee: 968476		Agent: 970993	Anna Turton	Rep ID: PDLP_SP402
Soundness - Positively Prepared	Encouraged by the approach towards the Location of New Development however the level of housing provision in Batley does not reflect its role and function. Green Belt sites are proposed for release elsewhere in the district ahead of non Green Belt sites such as White Lee Road, Batley.				
Proposed Change Requested	Increase the level of housing provision in Batley.				
Council Response	No change. The policy seeks to deliver the Spatial Development Strategy which considers the role of open spaces in urban areas. The amount of housing in Batley is commensurate with its size, role and function.				
Paragraph/Site: Policy PLP 3	Consultee: 969350	Mrs Charlotte McKay	Agent: 969343	Mrs Charlotte McKay	Rep ID: PDLP_SP110
Soundness - Positively Prepared	The council have not fully assessed availability of brownfield sites.				
Soundness - Justified	The site at Chidswell is poorly located in terms of healthcare facilities.				
Council Response	No change. Sites have been identified in SHLAA and through options sent to us. These have included additional brownfield sites identified between the Draft and Publication Stages of the Local Plan.				
Paragraph/Site: Policy PLP 3	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker	Rep ID: PDLP_SP474
Soundness - Effective	- Overall objective supported. - Policy inconsistently worded, doesn't reflect need to ensure the development plan housing and employment needs over the				

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	plan period are met by a range of sources of land, including strategic mixed use allocation.			
Proposed Change Requested	- Policy PLP3 2a and c are amended to To ensure the overall housing and job requirements set out in the local plan are delivered and maintaining a five year supply of housing land, whilst also ensuring opportunities for development on previously dev			
Council Response	No change. It is considered that the development of strategic sites is already supported by the policy.			
Paragraph/Site: Policy PLP 3	Consultee: 972220	Agent: 941908	Mr Andrew Rose	Rep ID: PDLP_SP367
Council Response	No change. Support noted.			
Paragraph/Site: Policy PLP 3	Consultee: 972565	Agent: 1059531	Rachael Martin	Rep ID: PDLP_SP240
Council Response	No change. Support noted.			
Paragraph/Site: Policy PLP 3	Consultee: 973538	Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP241
Council Response	No change. Support noted.			
Paragraph/Site: Policy PLP 3	Consultee: 974190	Agent: 941908	Mr Andrew Rose	Rep ID: PDLP_SP388
Council Response	No change. Support noted.			
Paragraph/Site: Policy PLP 3	Consultee: 978518	Agent:		Rep ID: PDLP_SP149
Council Response	No change. Support noted.			
Paragraph/Site: Policy PLP 3	Consultee: 1049295	Mr Michael Reader	Agent:	Rep ID: PDLP_SP163
Soundness - Justified	Wording of this policy is too flexible. It is not consistent with House of Commons and Local Government Committee view that development can only be sustainable if it is accompanied by the infrastructure to support it.			
Council Response	No change. This policy is in accordance with national planning policy. Policy PLP4 considers the provision of infrastructure.			
Paragraph/Site: Policy PLP 3	Consultee: 1050199	Paula Sherriff	Agent:	Rep ID: PDLP_SP643
Soundness - Justified	- Brownfield sites should be promoted through the Local Plan.			
Council Response	No change. Comment noted.			
Paragraph/Site: Policy PLP 3	Consultee: 1057797	Agent: 1057794	Mrs Tessa Fletcher	Rep ID: PDLP_SP170
Council Response	No change. Support noted.			
Paragraph/Site: Policy PLP 3	Consultee: 1057821	Agent: 1057794	Mrs Tessa Fletcher	Rep ID: PDLP_SP173
Council Response	No change required. Support is noted for the Council's approach to identifying suitable locations for new development across the Plan Area, particularly the support for development leading to the delivery of housing and enabling the delivery of allocations set out in the Local Plan.			
Paragraph/Site: Policy PLP 3	Consultee: 1058303	Mr Alyn Nicholls	Agent:	Rep ID: PDLP_SP326
Soundness - Positively Prepared	Policy PLP3: Location of New Development is supported in principle. However, the Settlement Appraisal (Technical Paper 2016) is flawed to the extent that the distribution of development and site allocations sit uncomfortably against the matters identified in Policy PLP3. on the openness of the Green Belt compared to existing development, which arises in the case where development takes place on previously developed land within the Green Belt.			
Proposed Change Requested	The priorities of the plan (as a whole) need to be reconsidered starting with the Settlement Appraisal within which there are significant flaws. Urban			

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	extensions should have equal status as greenfield sites within existing settlements in order to determine the most sustainable locations for development.
Council Response	No change. The Settlement Appraisal Technical Paper (BP17) considers the role and function of settlements wholly within the green belt.
Paragraph/Site: Policy PLP 3	Consultee: 1059536 Agent: 942076 Mr Richard Irving Rep ID: PDLP_SP247
Council Response	No change. Support noted.
Paragraph/Site: Policy PLP 3	Consultee: 1059538 Agent: 950095 Mr Jonathan Dunbavin Rep ID: PDLP_SP246
Council Response	No change. Support noted.
Paragraph/Site: Policy PLP 4	Consultee: 942142 unknown Agent: 950095 Mr Jonathan Dunbavin Rep ID: PDLP_SP254
Council Response	No change Support noted
Paragraph/Site: Policy PLP 4	Consultee: 942144 unknown Agent: 941843 Mr James Hobson Rep ID: PDLP_SP778
Council Response	No change Support noted
Paragraph/Site: Policy PLP 4	Consultee: 942154 unknown Agent: 941891 Paul Leeming Rep ID: PDLP_SP428
Proposed Change Requested	It would be appropriate for the policy to state that the Council will work with developers to facilitate the essential infrastructure required to deliver development.
Council Response	No change - It is considered that the policy is positively worded and refers to working with partners to bring forward infrastructure.
Paragraph/Site: Policy PLP 4	Consultee: 942301 Mr Sarah and Peter Hall Agent: 942076 Mr Richard Irving Rep ID: PDLP_SP248
Council Response	No change. Support noted
Paragraph/Site: Policy PLP 4	Consultee: 942337 unknown Agent: 941775 Mr Paul Butler Rep ID: PDLP_SP537
Soundness - Positively Prepared	Objection to the wording in the 2nd paragraph of policy PLP 4. A further sentence should be included to ensure that the Council will assess development against the policy in a flexible manner, especially in respect of larger development schemes which include major infrastructure.
Proposed Change Requested	Add a sentence to read; "The Council will work proactively alongside developers to ensure that the appropriate infrastructure is in place at the time it is required."
Council Response	No change - It is considered that the policy is positively worded and refers to working with partners to bring forward infrastructure.
Paragraph/Site: Policy PLP 4	Consultee: 942405 unknown Agent: 941889 Mr Alistair Flatman Rep ID: PDLP_SP252
Council Response	No change. Support noted
Paragraph/Site: Policy PLP 4	Consultee: 942405 unknown Agent: 941908 Mr Andrew Rose Rep ID: PDLP_SP382
Council Response	No change Support noted
Paragraph/Site: Policy PLP 4	Consultee: 942409 Agent: 950095 Mr Jonathan Dunbavin Rep ID: PDLP_SP253
Council Response	No change Support noted
Paragraph/Site: Policy PLP 4	Consultee: 942410 Agent: 950095 Mr Jonathan Dunbavin Rep ID: PDLP_SP251
Council Response	No change Support noted

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Paragraph/Site: Policy PLP 4	Consultee: 942647	Rob Ellis	Agent:	Rep ID: PDLP_SP108
Soundness - Justified	As currently drafted Wakefield Council does not consider this policy to be sound. The policy is not justified in terms of dealing with potential impacts on the local highway network. Although Wakefield recognises that Kirklees, as set out in the letter from Mr. Hollinson on 13 th December 2016, consider that there is a reasonable prospect that mitigation measures can be brought forward on the network in both authorities the Council still consider there is a need to formally recognise in the Local Plan that local highway infrastructure outside of Kirklees may be impacted by development in Kirklees and that mitigation may need to be provided. Wakefield is particularly concerned that the cumulative impact of development at Clayton West and Skelmanthorpe and on the Owl Lane / Chancery Road Roundabout near Ossett has not been considered and it is therefore not possible to determine if mitigation measures will be required as a result. The Transport Modelling Technical Paper contains no evidence that possible impacts outside of the Kirklees boundary have been considered.			
Proposed Change Requested	Policy PLP4 Providing Infrastructure should be amended to read: The first sentence of the policy could be modified as follows: The council will work with partners and adjacent local authorities to bring forward the necessary and proportionate essential infrastructure that is required in order to deliver the spatial strategy as set out in the local plan. Wakefield considers with this modification the policy would be sound.			
Council Response	No change - It is considered that the policy is positively worded and reference to 'partners' does not preclude adjacent local authorities.			
Paragraph/Site: Policy PLP 4	Consultee: 942682	Mike Hogarth	Agent:	Rep ID: PDLP_SP631
Soundness - Justified	CIL should be much more integrated with the plan, with a lower rate charged for brownfield sites. CIL payments should be taken before building begins, year on year planning is not sufficient.			
Council Response	No change - The Community Infrastructure Draft Charging Schedule shares the same infrastructure planning evidence as the local plan.			
Paragraph/Site: Policy PLP 4	Consultee: 942768	Mr Andrew Wood	Agent:	Rep ID: PDLP_SP347
Soundness - Effective	The emphasis on large strategic sites clustered close to motorway junctions places disproportionately large infrastructure requirements in terms of the range of functions described in paragraph 6.15. Either the need to fulfil infrastructure requirements will slow down the delivery of development, or the pressure to accelerate the rate of development will lead to planning permissions being granted without adequate infrastructure provision, especially when the viability of developer contributions is being constantly challenged.			
Proposed Change Requested	Re-assess the spatial strategy to ensure that development which optimises existing infrastructure is prioritised over development that is dependent on new infrastructure. Revise the envisaged rate of new development to fit with a realistic expectation of the time and cost of infrastructure provision.			
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). The policy states that: the essential infrastructure must be operational no later than the appropriate phase of development for which it is needed.			
Paragraph/Site: Policy PLP 4	Consultee: 942889	Ms Adrienne Tina Newsome	Agent:	Rep ID: PDLP_SP82
Soundness - Effective	Kirklees are not doing enough to collect developer contributions.			
Council Response	No change. The policy does not address historical S106 agreements.			
Paragraph/Site: Policy PLP 4	Consultee: 947700	Mr G Maxwell	Agent:	Rep ID: PDLP_SP24
Soundness - Positively Prepared	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Providing Infrastructure PLP4 to that consulted upon DLP3			
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Providing Infrastructure PLP4 to that consulted upon DLP3			
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Reinstate the consulted upon policy			

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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				
Paragraph/Site: Policy PLP 4	Consultee: 968336	Holme Valley Vision	Agent:	Rep ID: PDLP_SP574	
Soundness - Justified	Unsustainable pressure will be placed on local infrastructure and the existing support facilities will require development, which even if they are part funded by developers through the CIL there will still be a need for investment from the public purse. Other parts of the District have far greater need than the Holme Valley and have no wish to compete with them for scarce resources. Cannot see how the local need for essential services will be met without some publicly funded investment.				
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). The IDP and Addendum identify potential funding sources for different types of infrastructure.				
Paragraph/Site: Policy PLP 4	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker	Rep ID: PDLP_SP475
Soundness - Effective	- Paragraph 6.19 refers to use of planning conditions or legal agreements. However, does not provide detail of how planning conditions or legal agreements would secure infrastructure provision. Planning Practice Guidance (PPG) states that Supplementary PI				
Council Response	No change - The policy allows flexibility to deliver infrastructure in line with relevant Regulations relating to planning conditions and obligations. The evidence supporting the Community Infrastructure Levy (CIL) Draft Charging Schedule (CIL 008) clarifies how planning obligations and CIL will operate to prevent developers paying twice for the same item of infrastructure.				
Paragraph/Site: Policy PLP 4	Consultee: 972220		Agent: 941908	Mr Andrew Rose	Rep ID: PDLP_SP368
Council Response	No change. Support noted.				
Paragraph/Site: Policy PLP 4	Consultee: 972565		Agent: 1059531	Rachael Martin	Rep ID: PDLP_SP249
Council Response	No change Support noted				
Paragraph/Site: Policy PLP 4	Consultee: 973538		Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP250
Council Response	No change Support noted				
Paragraph/Site: Policy PLP 4	Consultee: 1045848	Mrs Toni Rios	Agent: 1045846	Mr Christopher Yapp	Rep ID: PDLP_SP73
Council Response	No change Support noted				
Paragraph/Site: Policy PLP 4	Consultee: 1050199	Paula Sherriff	Agent:	Rep ID: PDLP_SP640	
Soundness - Justified	- potential for significant Impact on Local infrastructure, traffic, public Transport, services including schools and health services needs to be taken into account.				
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: Policy PLP 4	Consultee: 1059536		Agent: 942076	Mr Richard Irving	Rep ID: PDLP_SP256
Council Response	No change - support noted.				
Paragraph/Site: Policy PLP 4	Consultee: 1059538		Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP255

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Council Response	No change - support noted.				
Paragraph/Site: Policy PLP 4	Consultee: 1061347	Mr John Fleming	Agent: 941808	John Fleming	Rep ID: PDLP_SP516
Soundness - Justified	Policies which seek developer contributions, such as Policy PL4, should be properly tested for their effects on development viability and supported by an adequate evidence base. Developer contributions should only be required where they are necessary to address the unacceptable planning impacts of a development and so directly related to the impacts of a proposal that it should not be permitted without them. Contributions must be based on up-to-date, robust evidence of needs and cannot be used to make up the funding gap for desirable infrastructure, or to support the provision of unrelated items.				
Proposed Change Requested	Policy PLP 4 should be tested for its effects on development viability, and evidence provided of this.				
Council Response	No change - All local plan policies have been tested for their impact on development viability in the Kirklees Local Plan and CIL Viability Study (Oct 2015) and Kirklees Local Plan and CIL Viability Study Addendum (Sept 2016).				
Paragraph/Site: 6.18	Consultee: 955288	Mr John Goodyear	Agent:		Rep ID: PDLP_SP18
Soundness - Justified	The current local plan does NOT do this on several fronts. It will destroy local wildlife, clog up the roads, place young and old at risk, contribute nothing to recreational facilities, overwhelm health and education facilities and present a H&S hazard.				
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: 6.2	Consultee: 972220		Agent: 941908	Mr Andrew Rose	Rep ID: PDLP_SP652
Soundness - Effective	The Infrastructure Delivery Plan does not reference the strategic highway through Dewsbury Riverside which will act as the Ravensthorpe Relief Road. Significant investigations undertaken into delivering a strategic highway have shown that the road can be delivered, it reduces congestion along the A644 and has benefits in terms of journey time savings. The route should therefore be included in the Infrastructure Delivery Plan to allow for delivery of this economically significant road scheme.				
Proposed Change Requested	Refer to the strategic highway through Dewsbury Riverside in the Infrastructure Delivery Plan.				
Council Response	No change - The identified highway schemes to support the local plan in the Infrastructure Delivery Plan (IDP)(Oct 2015) have been reviewed and updated in the IDP Addendum (Nov 2016). The identified highway schemes reflect the highway modelling and planning including strategic development sites such as Dewsbury Riverside. The IDP is a live document which will be reviewed periodically to reflect infrastructure requirements relating to local plan delivery.				
Paragraph/Site: Policy PLP 5	Consultee: 942142	unknown	Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP263
Soundness - Justified	The policy should only relate to sites of a significant size.				
Proposed Change Requested	A size threshold should be introduced for the requirement for the masterplanning of sites and the preparation of a management plan based on either the number of dwellings and/or commercial square footage or site area				
Council Response	Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €				

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Paragraph/Site: Policy PLP 5	Consultee: 942144 unknown	Agent: 941843 Mr James Hobson	Rep ID: PDLP_SP779
Soundness - Justified	It is assumed that this Policy will relate to sites over a certain threshold but it is unclear from the current wording.		
Council Response	Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €		
Paragraph/Site: Policy PLP 5	Consultee: 942154 unknown	Agent: 941891 Paul Leeming	Rep ID: PDLP_SP429
Council Response	Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...".		
Paragraph/Site: Policy PLP 5	Consultee: 942169	Agent: 972788 Mr Nick Pleasant	Rep ID: PDLP_SP526
Soundness - Justified	The policy infers a masterplan is required for all developments regardless of size and type. It is unnecessary to prepare a masterplan in some circumstances. The agreement of a masterplan before submission will place an undue burden on developers.		
Soundness - Effective	Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...".		
Proposed Change Requested	The policy should be deleted or redrafted - geared towards larger strategic sites.		
Council Response	Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €		
Paragraph/Site: Policy PLP 5	Consultee: 942301 Mr Sarah and Peter Hall	Agent: 942076 Mr Richard Irving	Rep ID: PDLP_SP257
Soundness - Justified	The policy should only relate to sites of a significant size.		
Proposed Change Requested	A size threshold should be introduced for the requirement for the masterplanning of sites and the preparation of a management plan based on either the number of dwellings and/or commercial square footage or site area		
Council Response	Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and		

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are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €

Paragraph/Site: **Policy PLP 5**

Consultee: **942337 unknown**

Agent: **941775 Mr Paul Butler**

Rep ID: **PDLP_SP538**

Soundness - Consistent with National Policy

The policy appears to replicate pre-application negotiation and public consultation which usually takes place prior to the submission of major proposals, neither of which is mandatory, as well as the informational requirements of a Design and Access Statement. The requirements are too detailed and too onerous and open to differing interpretation. The policy is flawed and will add a layer of delay and difficulty to development coming forward. The policy does not stipulate the size/scale of development that the policy would apply to. It could also be misinterpreted to read that master-plans need to be agreed prior to the submission of planning applications. Object to part a) as the need to submit a phasing and implementation plan would be too early in the planning process, especially in relation to outline applications. Object to part j) and the need to include appropriate employment and community facilities as these may not be relevant to the scheme. Object to part n) as the Local Plan should not contain any policies that infer or require the delivery of design standards above those prescribed within Building Regulations. The Local Plan should not seek requirements which are covered by other non-planning legislation. Object to the final paragraph as the submission of a management plan at this stage is too early in the planning process, especially in relation to outline applications. Such matters are usually dealt with by planning condition or are attached to Section 106 Agreements. An applicant may also choose to provide the information within their Design & Access statement.

Proposed Change Requested

Delete Policy PLP 5. If retained, amend part j) to read 'where relevant' as not all proposals will include these facilities.

Council Response

Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €

Paragraph/Site: **Policy PLP 5**

Consultee: **942340 unknown**

Agent: **941854 Mr Mark Johnson**

Rep ID: **PDLP_SP656**

Soundness - Effective

There is no context which describes how and where this policy will apply. There is no threshold at which point a site will require masterplanning

Proposed Change Requested

Clarity is required.

Council Response

Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €

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Paragraph/Site: **Policy PLP 5** Consultee: **942405 unknown** Agent: **941889 Mr Alistair Flatman** Rep ID: **PDLP_SP261**

Soundness - Justified The policy should only relate to sites of a significant size.

Proposed Change Requested A size threshold should be introduced for the requirement for the masterplanning of sites and the preparation of a management plan based on either the number of dwellings and/or commercial square footage or site area

Council Response Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €

Paragraph/Site: **Policy PLP 5** Consultee: **942409** Agent: **950095 Mr Jonathan Dunbavin** Rep ID: **PDLP_SP262**

Soundness - Justified The policy should only relate to sites of a significant size.

Proposed Change Requested A size threshold should be introduced for the requirement for the masterplanning of sites and the preparation of a management plan based on either the number of dwellings and/or commercial square footage or site area

Council Response Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €

Paragraph/Site: **Policy PLP 5** Consultee: **942409** Agent: **993144 Mr Jon Brier** Rep ID: **PDLP_SP193**

Soundness - Positively Prepared The policy is onerous and unreasonable, particular for small-medium sites.

Soundness - Consistent with National Policy The policy is onerous and goes beyond what is required in national policy.

Proposed Change Requested The requirement to produce masterplans should be incorporated into individual site allocations where appropriate.

Council Response Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be

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developed on a site are capable of being delivered. €

Paragraph/Site: **Policy PLP 5**

Consultee: **942410**

Agent: **950095**

Mr Jonathan Dunbavin

Rep ID: **PDLP_SP260**

Soundness - Justified

The policy should only relate to sites of a significant size.

Proposed Change Requested

A size threshold should be introduced for the requirement for the masterplanning of sites and the preparation of a management plan based on either the number of dwellings and/or commercial square footage or site area

Council Response

Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €

Paragraph/Site: **Policy PLP 5**

Consultee: **942462**

Bellway Homes (Yorkshire) Ltd

Agent: **993144**

Mr Jon Brier

Rep ID: **PDLP_SP194**

Soundness - Positively Prepared

The policy is onerous and unreasonable, particular for small-medium sites.

Soundness - Consistent with National Policy

The policy is onerous and goes beyond what is required in national policy.

Proposed Change Requested

The requirement to produce masterplans should be incorporated into individual site allocations where appropriate.

Council Response

Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...".

Paragraph/Site: **Policy PLP 5**

Consultee: **942768**

Mr Andrew Wood

Agent:

Rep ID: **PDLP_SP348**

Soundness - Justified

It is essential that the local community has confidence that when development takes place it is consistent with the master-plan, and that amenities are provided up-front to ensure that master-planned developments begin to function as sustainable neighbourhoods from the outset.

Proposed Change Requested

Strengthen the policy along the following lines: Planning applications consistent with the agreed masterplan will normally be approved subject to other considerations, while applications that depart from the masterplan will require full community consultation and are more likely to be refused. Planning permissions for housing and employment developments within master-planned schemes will only be granted if the provision of infrastructure and amenities is progressing as agreed.

Council Response

No Change It is considered that the policy as drafted promotes early master planning and consultation in order to promote good development.

Paragraph/Site: **Policy PLP 5**

Consultee: **943957**

Mr Ian Smith

Agent:

Rep ID: **PDLP_SP756**

Council Response

No Change Support for PLP5 Master Planning from Historic England is noted particularly criterion b, d and o. The Policy as a whole and these Criteria in particular, will assist in delivering the Plans Vision regarding local distinctiveness and the appropriate protection and enhancement of its heritage assets.

Paragraph/Site: **Policy PLP 5**

Consultee: **955332**

Mr Robert Barnes

Agent: **941969**

Mr Robert Barnes

Rep ID: **PDLP_SP182**

Soundness - Justified

Policy PLP 5 is framed as an open ended requirement for a comprehensive masterplanning and consultation exercise prior to the submission of a planning application.€ There is no clear indication of the scale or nature of development to which this would apply, and as such it invites universal application to all proposals.

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Soundness - Effective	Policy PLP 5 is onerous, unnecessary, and lacks clarity. It would undermine the effectiveness of the plan, and its deliverability.
Proposed Change Requested	This policy should be deleted.
Council Response	Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €

Paragraph/Site: Policy PLP 5	Consultee: 959056	Mr C Springthorpe	Agent: 941970	Mr Alastair Skelton	Rep ID: PDLP_SP62
Soundness - Justified	- Policy fails to set out clearly which sites will require masterplans. - Paragraph 6.23 states that a master plan will be required where "proposals warrant such an approach". This statement is oversimplified and vague, a clearer outline for which develop				
Proposed Change Requested	As drafted Policy PLP5 could be interpreted as applying to most or all sites. Policy PLP 5 (or individual site allocations) should set out the sites where a masterplan approach will be required.				
Council Response	Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €				

Paragraph/Site: Policy PLP 5	Consultee: 965590	Dave McGuire	Agent:		Rep ID: PDLP_SP788
Council Response	No Change Support from Sport England is noted for reference to the of Active Design principles within this policy, and the cross reference to Active Design guidance within the justification.				

Paragraph/Site: Policy PLP 5	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker	Rep ID: PDLP_SP476
Soundness - Effective	- Objective of policy supported, however, not clear if all masterplans need to adhere to the 15 bullet points. Some points may not be relevant. - Reference to current technology, may not be deliverable or may be superseded during lifetime of plan. - Part h				
Proposed Change Requested	- Amend to read as follows: Masterplans should, if possible, involve all relevant stakeholders including the Council, landowners, developers, local community and service providers. Where appropriate to the specific site, masterplans should achieve the				
Council Response	Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for				

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multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €

Paragraph/Site: **Policy PLP 5**

Consultee: **972220**

Agent: **941908**

Mr Andrew Rose

Rep ID: **PDLP_SP369**

Soundness - Justified

Unclear whether the requirement for a masterplan relates to all developments or applies above a threshold. Requirement for all applications to provide masterplans would be inappropriate. Part n referring to energy efficiency should be covered through Building Regulations as set out in the Housing Standards Review.

Soundness - Effective

A management plan as required under this policy would be difficult to prepare on large scale schemes as masterplans evolve over time.

Proposed Change Requested

Provide clarity on which schemes need to prepare a masterplan. Remove part 'n' as this is dealt with by building regulations. A requirement for a Management Plan for infrastructure and community facilities is onerous at the masterplanning stage and should be removed.

Council Response

Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €

Paragraph/Site: **Policy PLP 5**

Consultee: **972565**

Agent: **1059531**

Rachael Martin

Rep ID: **PDLP_SP258**

Soundness - Justified

The policy should only relate to sites of a significant size.

Proposed Change Requested

A size threshold should be introduced for the requirement for the masterplanning of sites and the preparation of a management plan based on either the number of dwellings and/or commercial square footage or site area

Council Response

Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €

Paragraph/Site: **Policy PLP 5**

Consultee: **973538**

Agent: **950095**

Mr Jonathan Dunbavin

Rep ID: **PDLP_SP259**

Soundness - Justified

The policy should only relate to sites of a significant size.

Proposed Change Requested

A size threshold should be introduced for the requirement for the masterplanning of sites and the preparation of a management plan based on either the number of dwellings and/or commercial square footage or site area

Council Response

Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...".

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Paragraph/Site: **Policy PLP 5**Consultee: **1044323 Mr and Mrs Rhodes**Agent: **1041912 Mr Frazer Sandwith**Rep ID: **PDLP_SP100****Soundness - Consistent with National Policy**

This Policy does not provide a clear indication of when a masterplan will/will not be required and is, therefore, inconsistent with NPPF Paragraph 154. Clarification is required to ensure a consistent approach which is reasonable, fully justified and which does not add unnecessarily to the financial burdens on development.

Proposed Change Requested

The policy and supporting text should be redrafted to clarify which types of development will/will not require a masterplan and to remove the apparent requirement for a masterplan (including management plan) to be developed prior to the submission of all planning applications.

Council Response

Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €

Paragraph/Site: **Policy PLP 5**Consultee: **1059536**Agent: **942076 Mr Richard Irving**Rep ID: **PDLP_SP265****Soundness - Justified**

The policy should only relate to sites of a significant size.

Proposed Change Requested

A size threshold should be introduced for the requirement for the masterplanning of sites and the preparation of a management plan based on either the number of dwellings and/or commercial square footage or site area

Council Response

Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €

Paragraph/Site: **Policy PLP 5**Consultee: **1059538**Agent: **950095 Mr Jonathan Dunbavin**Rep ID: **PDLP_SP264****Soundness - Justified**

The policy should only relate to sites of a significant size.

Proposed Change Requested

A size threshold should be introduced for the requirement for the masterplanning of sites and the preparation of a management plan based on either the number of dwellings and/or commercial square footage or site area

Council Response

Change SD4 Proposed Modifications to the Local Plan sets out a proposed modification in response to this representation. See Page 2 Ref SP-MM4 Insert text: "...Masterplans will be expected to achieve the following (proportionate to the scale of development), where the criteria set out below are feasible and appropriate ...". Proposed Modification SP-MM5 proposes: Insert text: "Masterplans are normally prepared by developers to interpret planning policies and are often submitted as part of the pre-application process. The documents are frequently prepared in consultation with local communities and other organisations. A masterplan once endorsed by the council will be used as a guidance document to inform the consideration of future planning applications. The council will normally require a masterplan to be submitted for developments which are to be developed in separate phases over a number of years, for multi-plot developments where there may be multiple landowners and it is important to co-ordinate the delivery of infrastructure and ensuring the place

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shaping principles and other policy requirements are met as set out in the plan, and for mixed use development to ensure that different land uses to be developed on a site are capable of being delivered. €

Paragraph/Site: Policy PLP 6	Consultee: 942142	unknown	Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP272
Soundness - Justified	The policy should advise on when safeguarded land would be released to maintain a five year supply of housing land at end of plan period, rather than just on review of the Local Plan				
Soundness - Effective	For the policy to be effective it needs to set out the quantum of safeguarded land that will be provided through the Local Plan Green Belt review process for longer term development.				
Proposed Change Requested	Policy should include a specific quantum of safeguarded land to be identified through the plan period and circumstances where release of safeguarded land will be facilitated to maintain a five year housing land supply.				
Council Response	No change. SD1 (Strategy and Policies, paragraph 8.26, bullet point 5) refers to a potential action to address under-delivery as undertaking a review of housing allocations to look for further opportunities. The lack of a five year supply of deliverable housing land would be the point when the council could explore the options listed. SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11) set out the amount of safeguarded land within the Local Plan. This identifies that the safeguarded land capacity is equivalent to 28% of the housing capacity identified on housing allocations or almost 20% of the overall objectively assessed need for homes. National planning policy does not specify the number of years/homes/jobs for which safeguarded land should be required.				

Paragraph/Site: Policy PLP 6	Consultee: 942144	unknown	Agent: 941843	Mr James Hobson	Rep ID: PDLP_SP780
Soundness - Positively Prepared	Further work should be provided as to the amount of land that should be reserved to accommodate potential future housing and employment requirements beyond the plan period. It may be necessary for safeguarded land to be brought forward within the plan period as contingency if allocated sites do not deliver sufficient development.				
Soundness - Consistent with National Policy	It is accepted that safeguarded land allocations would only occur through the review of this plan. It is recommended clearer rationale and a time period for arising safeguarded land to afford longevity to the Green Belt and satisfy para 83 of NPPF.				
Council Response	No change. SD1 (Strategy and Policies, paragraph 8.26, bullet point 5) refers to a potential action to address under-delivery as undertaking a review of housing allocations to look for further opportunities. The lack of a five year supply of deliverable housing land would be the point when the council could explore the options listed. SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11) set out the amount of safeguarded land within the Local Plan. This identifies that the safeguarded land capacity is equivalent to 28% of the housing capacity identified on housing allocations or almost 20% of the overall objectively assessed need for homes.				

Paragraph/Site: Policy PLP 6	Consultee: 942154	unknown	Agent: 941891	Paul Leeming	Rep ID: PDLP_SP430
Soundness - Positively Prepared	It is appropriate that the Local Plan seeks to meet objectively assessed development needs for the plan period. However, the plan needs to look for at least a 15 year period up to 2046 (or 2051 with amended plan period). While other sources of supply may arise, no evidence of what / where these are is available.				
Soundness - Consistent with National Policy	Until additional sources can be identified to provide certainty, it would be appropriate for the council to review Green Belt boundaries in the context of paragraphs 83 and 85 of NPPF.				
Council Response	No Change National planning policy does not specify the number of years/homes/jobs for which safeguarded land should be required. The approach to safeguarded land in the Local Plan complies with the requirements of NPPF paragraph 85. The approach to safeguarded land is set out in SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11).				

Paragraph/Site: Policy PLP 6	Consultee: 942301	Mr Sarah and Peter Hall	Agent: 942076	Mr Richard Irving	Rep ID: PDLP_SP266
Soundness - Justified	The policy should advise on when safeguarded land would be released to maintain a five year supply of housing land at end of plan period, rather than just on review of the Local Plan				
Soundness - Effective	For the policy to be effective it needs to set out the quantum of safeguarded land that will be provided through the Local Plan Green Belt review process for				

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longer term development.

Proposed Change Requested Policy should include a specific quantum of safeguarded land to be identified through the plan period and circumstances where release of safeguarded land will be facilitated to maintain a five year housing land supply.

Council Response No Change National planning policy does not specify the number of years/homes/jobs for which safeguarded land should be required. The council considers that the plan period complies with NPPF paragraph 85. Its position on safeguarding land is set out in SD23 Housing Technical Paper paragraphs 6.10 and 6.11.

Paragraph/Site: **Policy PLP 6** Consultee: **942337 unknown** Agent: **941775 Mr Paul Butler** Rep ID: **PDLP_SP539**

Soundness - Positively Prepared The identification of safeguarded land should be based on the identified objectively assessed housing needs and not identified housing allocations. This is to ensure that these needs are fully met. The Council's proposed 115 hectares of safeguarded land would equate to 3,450 homes. Accepting the 2,000 additional homes from strategic site allocations, this would identify a safeguarded land quantum of 5,450 homes. However, an additional 10 years worth of potential development land designated as Safeguarded Land would be appropriate in order to provide a total 25-year period from adoption to ensure Green Belt permanency. On the basis of an identified annual housing land requirement of 2,076 homes, this would equate to a need to designate 20,760 homes as safeguarded land, an additional 15,310 homes to that currently proposed by the Council. The policy lacks reference to a trigger that would release safeguarded land should the Council fail to show a 5 year supply of housing land as well as a full or partial review of the plan.

Proposed Change Requested Identify an additional 15,310 homes as safeguarded land. Amend the policy to include the mechanisms that would require the release of safeguarded land to deliver the Districts housing needs and a review of the Local Plan following the inability of the Council to demonstrate a 5-year supply of deliverable land.

Council Response No change. The approach to safeguarded land in the Local Plan complies with the requirements of NPPF paragraph 85. The approach to safeguarded land is set out in SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11).

Paragraph/Site: **Policy PLP 6** Consultee: **942340 unknown** Agent: **941854 Mr Mark Johnson** Rep ID: **PDLP_SP657**

Soundness - Positively Prepared We do however consider that not enough safeguarded land is identified if the Green Belt boundaries are to endure well beyond the end of the plan period as stated in the NPPF.

Proposed Change Requested Allocate more land as safeguarded land.

Council Response No Change The approach to safeguarded land in the Local Plan complies with the requirements of NPPF paragraph 85. The approach to safeguarded land is set out in SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11).

Paragraph/Site: **Policy PLP 6** Consultee: **942405 unknown** Agent: **941889 Mr Alistair Flatman** Rep ID: **PDLP_SP270**

Soundness - Justified The policy should advise on when safeguarded land would be released to maintain a five year supply of housing land at end of plan period, rather than just on review of the Local Plan

Soundness - Effective For the policy to be effective it needs to set out the quantum of safeguarded land that will be provided through the Local Plan Green Belt review process for longer term development.

Proposed Change Requested Policy should include a specific quantum of safeguarded land to be identified through the plan period and circumstances where release of safeguarded land will be facilitated to maintain a five year housing land supply.

Council Response No change. SD1 (Strategy and Policies, paragraph 8.26, bullet point 5) refers to a potential action to address under-delivery as undertaking a review of housing allocations to look for further opportunities. The lack of a five year supply of deliverable housing land would be the point when the council could explore the options listed. SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11) set out the amount of safeguarded land within the Local Plan. This identifies that the safeguarded land capacity is equivalent to 28% of the housing capacity identified on housing allocations or almost 20% of the overall objectively assessed need for homes.

Paragraph/Site: **Policy PLP 6** Consultee: **942405 unknown** Agent: **941908 Mr Andrew Rose** Rep ID: **PDLP_SP383**

Soundness - Positively Prepared Safeguarded sites are generally considered to be the next pool of sites as they are no longer in the green belt and as such should be available, suitable and

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achievable (therefore deliverable). Taylor Wimpey disagree with the calculation of the potential number of dwellings on Local Plan safeguarded land using gross site areas rather than net areas. More safeguarded land should be identified.

Soundness - Consistent with National Policy There should be at least 10 to 15 years worth of housing provision to ensure the Green Belt boundary endures beyond the plan period

Proposed Change Requested Review the approach to safeguarded sites to accord with national guidance. Allocate further safeguarded land.

Council Response No Change National planning policy does not specify the number of years/homes/jobs for which safeguarded land should be required. The council considers that there is considerable flexibility already assumed in the figures for new jobs and homes and sufficient flexibility with identified safeguarded land to allow for a development plan review to come forward towards the end of the plan period.

Paragraph/Site: **Policy PLP 6** Consultee: **942409** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP_SP271**

Soundness - Justified The policy should advise on when safeguarded land would be released to maintain a five year supply of housing land at end of plan period, rather than just on review of the Local Plan

Soundness - Effective For the policy to be effective it needs to set out the quantum of safeguarded land that will be provided through the Local Plan Green Belt review process for longer term development.

Proposed Change Requested Policy should include a specific quantum of safeguarded land to be identified through the plan period and circumstances where release of safeguarded land will be facilitated to maintain a five year housing land supply.

Council Response No change. SD1 (Strategy and Policies, paragraph 8.26, bullet point 5) refers to a potential action to address under-delivery as undertaking a review of housing allocations to look for further opportunities. The lack of a five year supply of deliverable housing land would be the point when the council could explore the options listed. SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11) set out the amount of safeguarded land within the Local Plan. This identifies that the safeguarded land capacity is equivalent to 28% of the housing capacity identified on housing allocations or almost 20% of the overall objectively assessed need for homes.

Paragraph/Site: **Policy PLP 6** Consultee: **942410** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP_SP269**

Soundness - Justified The policy should advise on when safeguarded land would be released to maintain a five year supply of housing land at end of plan period, rather than just on review of the Local Plan

Soundness - Effective For the policy to be effective it needs to set out the quantum of safeguarded land that will be provided through the Local Plan Green Belt review process for longer term development.

Proposed Change Requested Policy should include a specific quantum of safeguarded land to be identified through the plan period and circumstances where release of safeguarded land will be facilitated to maintain a five year housing land supply.

Council Response No Change SD1 (Strategy and Policies, paragraph 8.26, bullet point 5) refers to a potential action to address under-delivery as undertaking a review of housing allocations to look for further opportunities. The lack of a five year supply of deliverable housing land would be the point when the council could explore the options listed. SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11) set out the amount of safeguarded land within the Local Plan. This identifies that the safeguarded land capacity is equivalent to 28% of the housing capacity identified on housing allocations or almost 20% of the overall objectively assessed need for homes.

Paragraph/Site: **Policy PLP 6** Consultee: **942462** **Bellway Homes (Yorkshire) Ltd** Agent: **993144** **Mr Jon Brier** Rep ID: **PDLP_SP199**

Soundness - Positively Prepared The Local Plan does not have a proper supply of safeguarded land.

Soundness - Consistent with National Policy Para 83 of NPPF requires Green Belt boundaries to endure beyond the plan period. It is generally accepted that Green Belt boundaries are normally intended to remain permanent for 25 years.

Proposed Change Requested The plan should allocate 12 years supply of Safeguarded Land to ensure Green Belt boundary endures beyond plan period.

Council Response No Change National planning policy does not specify the number of years/homes/jobs for which safeguarded land should be required. The council considers

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that the plan period complies with NPPF paragraph 85. Its position on safeguarding land is set out in SD23 Housing Technical Paper paragraphs 6.10 and 6.11.

Paragraph/Site: **Policy PLP 6**

Consultee: **942695 John Hall**

Agent: **1059913 Katrina Hulse**

Rep ID: **PDLP_SP676**

Soundness - Justified

No evidence has been provided by the Council to demonstrate that the proposed provisions in relation to the release of Green belt boundary will be protected in the long term. The council should provide evidence of this to justify their current position.

Council Response

No change. The approach to safeguarded land is consistent with NPPF paragraph 85 as it identifies safeguarded land in order to meet longer-term needs stretching well beyond the plan period. SD1 (Strategy and Policies, paragraph 6.30 sets out the quantity of safeguarded land and that this represents approximately 28% of the land allocated in housing allocations or almost 20% of the objectively assessed need for homes. The position on safeguarding land is also set out in SD23 Housing Technical Paper paragraphs 6.10 and 6.11.

Paragraph/Site: **Policy PLP 6**

Consultee: **942768 Mr Andrew Wood**

Agent:

Rep ID: **PDLP_SP349**

Soundness - Justified

This policy will be ineffective unless the intended protection against development during the plan period is properly implemented. Safeguarded sites have proved very vulnerable to speculative planning permissions granted on the basis of the lack of a five-year housing land supply. This is allowing short-term land supply issues to prejudice the pool of safeguarded sites for the long term.

Proposed Change Requested

Amend the policy to add: In the event of Kirklees not having a five-year housing land supply, safeguarded sites will not normally be considered to be sustainable sites for development during the plan period, because to do so would undermine their intended purpose and reduce the pool of safeguarded sites for the long term.

Council Response

No change. SD1 (Strategy and Policies, paragraph 8.26) refers to potential actions where the council cannot demonstrate a five year supply of deliverable housing land. The lack of a five year deliverable housing supply would be considered as a material consideration in the determination of planning applications.

Paragraph/Site: **Policy PLP 6**

Consultee: **943608 Mr Robert Bamforth**

Agent:

Rep ID: **PDLP_SP600**

Soundness - Justified

Green belt boundaries will be subject to continual 'roll-back' at every planning cycle and safeguarded land will become the first irrevocable allocation in the land supply chain. The safeguarded land allocations have never been objectively assessed and there is no evidence to show that they would be required for development in the next plan period. There is no justification to allocate any safeguarded land.

Council Response

No change. The approach to safeguarded land in the Local Plan complies with the requirements of NPPF paragraph 85. The approach to safeguarded land is set out in SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11).

Paragraph/Site: **Policy PLP 6**

Consultee: **943892 Mr Matthew Good**

Agent:

Rep ID: **PDLP_SP495**

Soundness - Justified

The quantum of safeguarded land is not justified.

Soundness - Effective

The quantum of safeguarded land will not be effective in ensuring the Green Belt boundaries do not require further amendments at the next Local Plan review.

Soundness - Consistent with National Policy

HBF consider that a 15 year time horizon post plan period (to 2046) should be adopted for safeguarded land to accord with the NPPF preference for local plans to be over a 15 year time horizon. Although there may be other sources of supply beyond the local plan and evidence base do not provide assurances.

Proposed Change Requested

The Council should provide further evidence of the proposed longevity of the Green Belt boundary provided by proposed safeguarded land and other sources of supply. Justification for the approach taken is required or the allocation of more safeguarded land.

Council Response

No Change The council considers that the plan period complies with NPPF paragraph 85. Its position on safeguarding land is set out in SD23 Housing Technical Paper paragraphs 6.10 and 6.11. National planning policy does not specify the number of years/homes/jobs for which safeguarded land should be required. Although there are limitations to projecting forward demographic and economic forecasts beyond the plan period the council has published evidence regarding the potential need for new homes beyond 2031. This evidence can be used to determine a level of safeguarded land for new homes up to 2036.

Paragraph/Site: **Policy PLP 6**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP_SP754**

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Soundness - Positively Prepared	- the Plan cannot actually demonstrate that These areas are actually likely to be suitable to meet the longer term development needs of the Area beyond the end of the Plan period. Consequently, there is no guarantee that the green belt boundaries shown in the Plan will endure.
Soundness - Justified	- concerns about the appropriateness of A Number of the areas which have been identified under the provisions of this policy. - the development of several of the sites identified could Impact upon the significance of one or more of the Districts Heritage assets. - in the absence of any Assessment of the degree of harm which the areas proposed as Safeguarded land might cause to the Historic environment.
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. This means that the plan, as a whole (including the sites it is intending to safeguard for development beyond t
Proposed Change Requested	Designations as Safeguarded Land:- (1) An assessment needs to be undertaken of the contribution which the site makes to those elements which contribute towards the significance of the designated heritage assets in its vicinity and what impact the loss of this site and its subsequent development might have upon their significance. (2) If it is considered that the development of a site would harm elements which contribute to the significance of these designated heritage assets, then the Plan needs to set out the measures by which that harm might be removed or reduced. (3) If, at the end of the process, it is concluded that the development would still be likely to harm elements which contribute to the significance of these designated heritage assets, then the site should not be identified as Safeguarded Land unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 133 or 134).
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. At a meeting on 2nd February 2017 Historic England and the Council discussed whether assurances could be put in place to ensure that a Heritage Impact Assessment would be required in the event of an application being received on a safeguarded land site. It is important to note that the Council is not proposing that Safeguarded land sites are allocated for development at this present time. Planning permission for the permanent development of safeguarded land should only be granted following a subsequent Local Plan review which proposes the development. At the meeting on 2 nd February 2017 Historic England and the Council agreed that safeguarded land should not be allocated for development within the plan period unless a plan review is undertaken. Nevertheless, should a proposed safeguarded land site (i.e. one identified as having an amber impact upon the historic environment within BP29) be allocated for development following a subsequent Local Plan review, then a Heritage Impact Assessment will be undertaken by the Council to provide the necessary degree of evaluation to inform both the reviewed Plan itself and its associated Sustainability Appraisal with respect to the likely effects upon the historic environment of developing that site. The Council considers that in the event that an application is made for development upon a safeguarded land site then this would have to be in conformity with Policy PLP 6 and any other relevant Local Plan policies, including Policy PLP35. Furthermore, an applicant would also be required to prepare a Heritage Impact Assessment for applications upon safeguarded land sites identified as having an amber impact upon the historic environment within BP29.

Paragraph/Site: **Policy PLP 6**

Consultee: **972565**

Agent: **1059531 Rachael Martin**

Rep ID: **PDLP_SP267**

Soundness - Justified	The policy should advise on when safeguarded land would be released to maintain a five year supply of housing land at end of plan period, rather than just on review of the Local Plan
Soundness - Effective	For the policy to be effective it needs to set out the quantum of safeguarded land that will be provided through the Local Plan Green Belt review process for longer term development.
Proposed Change Requested	Policy should include a specific quantum of safeguarded land to be identified through the plan period and circumstances where release of safeguarded land will be facilitated to maintain a five year housing land supply.
Council Response	No Change SD1 (Strategy and Policies, paragraph 8.26, bullet point 5) refers to a potential action to address under-delivery as undertaking a review of housing allocations to look for further opportunities. The lack of a five year supply of deliverable housing land would be the point when the council could explore the options listed. SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11) set out the amount of safeguarded land within the Local Plan. This identifies that the safeguarded land capacity is equivalent to 28% of the housing capacity identified on housing allocations or almost 20% of the overall objectively assessed need for homes.

Paragraph/Site: **Policy PLP 6**

Consultee: **973538**

Agent: **950095 Mr Jonathan Dunbavin**

Rep ID: **PDLP_SP268**

Soundness - Justified	The policy should advise on when safeguarded land would be released to maintain a five year supply of housing land at end of plan period, rather than just on
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	review of the Local Plan
Soundness - Effective	For the policy to be effective it needs to set out the quantum of safeguarded land that will be provided through the Local Plan Green Belt review process for longer term development.
Proposed Change Requested	Policy should include a specific quantum of safeguarded land to be identified through the plan period and circumstances where release of safeguarded land will be facilitated to maintain a five year housing land supply.
Council Response	No change. SD1 (Strategy and Policies, paragraph 8.26, bullet point 5) refers to a potential action to address under-delivery as undertaking a review of housing allocations to look for further opportunities. The lack of a five year supply of deliverable housing land would be the point when the council could explore the options listed. SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11) set out the amount of safeguarded land within the Local Plan. This identifies that the safeguarded land capacity is equivalent to 28% of the housing capacity identified on housing allocations or almost 20% of the overall objectively assessed need for homes.

Paragraph/Site: **Policy PLP 6** Consultee: **974190** Agent: **941908** **Mr Andrew Rose** Rep ID: **PDLP_SP389**

Soundness - Positively Prepared	Safeguarded sites are generally considered to be the next pool of sites as they are no longer in the green belt and as such should be available, suitable and achievable (therefore deliverable). MSL disagree with the calculation of the potential number of dwellings on Local Plan safeguarded land using gross site areas rather than net areas. More safeguarded land should be identified.
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Soundness - Consistent with National Policy	There should be at least 10 to 15 years worth of housing provision to ensure the Green Belt boundary endures beyond the plan period
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Proposed Change Requested	Review the approach to safeguarded sites to accord with national guidance. Allocate further safeguarded land.
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Council Response	No Change National planning policy does not specify the number of years/homes/jobs for which safeguarded land should be required. The council considers that there is considerable flexibility already assumed in the figures for new jobs and homes and sufficient flexibility with identified safeguarded land to allow for a development plan review to come forward towards the end of the plan period. SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11) set out the amount of safeguarded land within the Local Plan. This identifies that the safeguarded land capacity is equivalent to 28% of the housing capacity identified on housing allocations or almost 20% of the overall objectively assessed need for homes.
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Paragraph/Site: **Policy PLP 6** Consultee: **975384** Agent: **975382** **Mike OBrien** Rep ID: **PDLP_SP464**

Council Response	No Change Support noted
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Paragraph/Site: **Policy PLP 6** Consultee: **1059536** Agent: **942076** **Mr Richard Irving** Rep ID: **PDLP_SP274**

Soundness - Justified	The policy should advise on when safeguarded land would be released to maintain a five year supply of housing land at end of plan period, rather than just on review of the Local Plan
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Soundness - Effective	For the policy to be effective it needs to set out the quantum of safeguarded land that will be provided through the Local Plan Green Belt review process for longer term development.
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Proposed Change Requested	Policy should include a specific quantum of safeguarded land to be identified through the plan period and circumstances where release of safeguarded land will be facilitated to maintain a five year housing land supply.
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Council Response	No Change SD1 (Strategy and Policies, paragraph 8.26, bullet point 5) refers to a potential action to address under-delivery as undertaking a review of housing allocations to look for further opportunities. The lack of a five year supply of deliverable housing land would be the point when the council could explore the options listed. SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11) set out the amount of safeguarded land within the Local Plan. This identifies that the safeguarded land capacity is equivalent to 28% of the housing capacity identified on housing allocations or almost 20% of the overall objectively assessed need for homes.
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Paragraph/Site: **Policy PLP 6** Consultee: **1059538** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP_SP273**

Soundness - Justified	The policy should advise on when safeguarded land would be released to maintain a five year supply of housing land at end of plan period, rather than just on
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review of the Local Plan

Soundness - Effective For the policy to be effective it needs to set out the quantum of safeguarded land that will be provided through the Local Plan Green Belt review process for longer term development.

Proposed Change Requested Policy should include a specific quantum of safeguarded land to be identified through the plan period and circumstances where release of safeguarded land will be facilitated to maintain a five year housing land supply.

Council Response No change. SD1 (Strategy and Policies, paragraph 8.26, bullet point 5) refers to a potential action to address under-delivery as undertaking a review of housing allocations to look for further opportunities. The lack of a five year supply of deliverable housing land would be the point when the council could explore the options listed. SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11) set out the amount of safeguarded land within the Local Plan. This identifies that the safeguarded land capacity is equivalent to 28% of the housing capacity identified on housing allocations or almost 20% of the overall objectively assessed need for homes.

Paragraph/Site: **Policy PLP 6** Consultee: **1061347 Mr John Fleming** Agent: **941808 John Fleming** Rep ID: **PDLP_SP517**

Soundness - Effective Whilst it is noted that the status of safeguarded land sites will only change through a review of the Local Plan, Gladman consider that it is necessary that this policy be linked to the Council's monitoring, so that in the event of a significant shortfall in housing delivery, this will prompt the Council to undertake a Local Plan review in a timely manner.

Proposed Change Requested Link Policy PLP 6 to Council's housing delivery monitoring, enabling early review of the Local Plan (& release of safeguarded land) if necessary.

Council Response No change. SD1 (Strategy and Policies, paragraph 8.26, bullet point 5) refers to a potential action to address under-delivery as undertaking a review of housing allocations to look for further opportunities. The lack of a five year supply of deliverable housing land would be the point when the council could explore the options listed. SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11) set out the amount of safeguarded land within the Local Plan. This identifies that the safeguarded land capacity is equivalent to 28% of the housing capacity identified on housing allocations or almost 20% of the overall objectively assessed need for homes.

Paragraph/Site: **6.27** Consultee: **943608 Mr Robert Bamforth** Agent: Rep ID: **PDLP_SP599**

Soundness - Justified The council's justification is a self-defeating, circular and false argument because it means that Green belt boundaries will be ravaged today, so that they can be maintained in this form in 15 years. We have no idea and cannot predict what the world or Government policy look like in 15-30 years. The fundamental point of guidance in NPPF is that Councils are expected to maintain green belt boundaries, not use the words as justification for dismantling them.

Council Response No change. The approach to safeguarded land in the Local Plan complies with the requirements of NPPF paragraph 85. The approach to safeguarded land is set out in SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11).

Paragraph/Site: **6.3** Consultee: **947780 Mr Daniel Bray** Agent: **968969 Miss Clare Plant** Rep ID: **PDLP_SP179**

Soundness - Consistent with National Policy The Plan currently identifies proposed safeguarded land with the capacity for approximately 4,000 dwellings (Policies and Strategies document, para. 6.30). This is significantly less than the 15 years supply the Plan will need to identify and it is likely that Green Belt boundaries would need to be reviewed again in 2031, contrary to para 85 of NPPF

Proposed Change Requested Identification of further safeguarded land sites.

Council Response No change. The approach to safeguarded land in the Local Plan complies with the requirements of NPPF paragraph 85. The approach to safeguarded land is set out in SD23 (Housing Technical Paper, paragraphs 6.10 and 6.11).

Paragraph/Site: **Policy PLP 7** Consultee: **942142 unknown** Agent: **950095 Mr Jonathan Dunbavin** Rep ID: **PDLP_SP281**

Council Response No change. Support noted.

Paragraph/Site: **Policy PLP 7** Consultee: **942154 unknown** Agent: **941891 Paul Leeming** Rep ID: **PDLP_SP431**

Council Response No change. Support noted

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Paragraph/Site: Policy PLP 7	Consultee: 942301	Mr Sarah and Peter Hall	Agent: 942076	Mr Richard Irving	Rep ID: PDLP_SP275
Council Response	No change. Support noted.				
Paragraph/Site: Policy PLP 7	Consultee: 942337	unknown	Agent: 941775	Mr Paul Butler	Rep ID: PDLP_SP540
Soundness - Positively Prepared	The policy should contain a mechanism for the assessment of previously developed sites that are not located within sustainable areas. Existing and redundant employment sites and agricultural buildings sites can provide an important contribution to the delivery of new homes. The relocation of businesses into more suitable modern premises can secure jobs in the long term.				
Soundness - Justified	Object to the increase in the density target to 35 net dwellings per hectare. The policy lists a number of criteria that can influence the density of a development scheme and this provides evidence that a one size fits all approach will not be deliverable.				
Proposed Change Requested	Include a mechanism within the policy to encourage the re-use of employment sites and agricultural buildings that are not in sustainable locations. Amend the policy to identify that an indicative net density of 30 dwellings per hectare will be considered as a starting point. Densities will be considered on a site by site basis, taking into account site specific circumstances.				
Council Response	No change. The policy provides a mechanism for assessing previously developed land. The redevelopment of employment sites can be considered in the context of PLP8 Safeguarding Employment Land and Premises. The re-use of Agricultural Buildings, in the Green Belt, can be considered against NPPF. The density of 35 per hectare is based on the average delivered on past completions as set out in SD23 the Housing Technical Paper. This is considered to be an appropriate density but the policy provides flexibility where other densities may be appropriate.				
Paragraph/Site: Policy PLP 7	Consultee: 942405	unknown	Agent: 941889	Mr Alistair Flatman	Rep ID: PDLP_SP279
Council Response	No change. Support noted.				
Paragraph/Site: Policy PLP 7	Consultee: 942405	unknown	Agent: 941908	Mr Andrew Rose	Rep ID: PDLP_SP642
Soundness - Justified	Gross and net areas are largely the same. No site has been reduced to take account of the need for on site POS and other infrastructure. The net developable area is typically 65-70% of the gross site area.				
Proposed Change Requested	Review site capacity and address the issue with gross vs net site areas.				
Council Response	No change. The approach to indicative site capacity is set out in SP23 the Housing Technical Paper. The density is based on an average, where site areas general include open space and estate roads.				
Paragraph/Site: Policy PLP 7	Consultee: 942409		Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP280
Council Response	No change. Support noted.				
Paragraph/Site: Policy PLP 7	Consultee: 942409		Agent: 993144	Mr Jon Brier	Rep ID: PDLP_SP195
Soundness - Positively Prepared	There is a need for the plan to be realistic about density assumptions, or not enough land will be allocated to meet OAN.				
Soundness - Justified	The density has increased from 30 (in DLP) to 35 without substantive evidence. This density is a gross density and gives a false picture of what density is achievable. A density of at least 35 is not achievable.				
Proposed Change Requested	Revert back to 30 per hectare or produce a more sophisticated / robust methodology.				
Council Response	No change. The density is based on past completion data, as set out in SD23 Housing Technical Paper.				
Paragraph/Site: Policy PLP 7	Consultee: 942410		Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP278
Council Response	No change. Support noted.				
Paragraph/Site: Policy PLP 7	Consultee: 942462	Bellway Homes (Yorkshire) Ltd	Agent: 993144	Mr Jon Brier	Rep ID: PDLP_SP200

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Soundness - Positively Prepared	There is a need for the plan to be realistic about density assumptions, or not enough land will be allocated to meet OAN.		
Soundness - Justified	The density has increased from 30 (in DLP) to 35 without substantive evidence. This density is a gross density and gives a false picture of what density is achievable. A density of at least 35 is not achievable.		
Proposed Change Requested	Revert back to 30 per hectare or produce a more sophisticated / robust methodology.		
Council Response	No change. The density is based on past completion data, as set out in SD23 Housing Technical Paper.		
Paragraph/Site: Policy PLP 7	Consultee: 942768	Mr Andrew Wood	Agent: Rep ID: PDLP_SP350
Soundness - Positively Prepared	Kirklees will soon need to produce a brownfield land register. There is always a supply of preciously developed sites coming forward for development. The plan will not be sound unless based on up-to-date evidence that includes a brownfield register		
Soundness - Justified	A net density of 35 dwellings per hectare (dpha) is too low to qualify as sustainable development because it does not adequately support the viability of public transport and local amenities. Net density should be increased to between 45 and 60 dpha. The net density of the neighbourhood is crucial to its viability so new development often needs to be built to a much higher density in order to raise the average density overall. The principal key to higher densities is good design.		
Proposed Change Requested	PLP 7 (2a) should require densities to not normally be less than 45 dpha. PLP 7 (2c) should be amended to read lower densities will only be acceptable if it is demonstrated that good design cannot achieve a development compatible with its surroundings€ [etc] at 45 dpha or more€. SHLAA sites not considered suitable for development at 45dpha should only go forward into the housing land supply if a locally-specific need for lower density development can be demonstrated. Produce a brownfield register to inform land supply evidence in advance of the Public Examination, and acknowledge that brownfield land is not a finite resource.		
Council Response	No change. The density is based on average densities of past completions. The policy does expect higher densities to be delivered where appropriate such as in town centres and close to transport interchanges. The council will produce a brownfield register as required by national legislation.		
Paragraph/Site: Policy PLP 7	Consultee: 942889	Ms Adrienne Tina Newsome	Agent: Rep ID: PDLP_SP86
Soundness - Positively Prepared	Kirklees is not following the Government's lead of incentivising Brownfield over Greenfield. Building work has not started on brownfield sites. The government must pass legislation to force brownfield sites to be built on first.		
Council Response	No change. The policy aims for priority to be given to previously developed land, an approach which is also supported by policy PLP3.		
Paragraph/Site: Policy PLP 7	Consultee: 943957	Mr Ian Smith	Agent: Rep ID: PDLP_SP757
Council Response	No change Support noted.		
Paragraph/Site: Policy PLP 7	Consultee: 947700	Mr G Maxwell	Agent: Rep ID: PDLP_SP26
Soundness - Positively Prepared	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Efficient and effective use of land and buildings PLP7 to previous consultation including the increase in net density of dwellings from 30 to 35		
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Efficient and effective use of land and buildings PLP7 to previous consultation including the increase in net density of dwellings from 30 to 35		
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.		
Council Response	No change The differences between the draft and publication draft Local Plan policies 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		
Paragraph/Site: Policy PLP 7	Consultee: 947700	Mr G Maxwell	Agent: Rep ID: PDLP_SP25
Soundness - Positively Prepared	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Efficient		

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	and effective use of Land and buildings PLP7 to that consulted upon DLP6
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Efficient and effective use of Land and buildings PLP7 to that consulted upon DLP6
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Reinstate the consulted upon policy
Council Response	No change. The differences between the draft and publication draft Local Plan policies 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
Paragraph/Site: Policy PLP 7	Consultee: 959056 Mr C Springthorpe Agent: 941970 Mr Alastair Skelton Rep ID: PDLP_SP61
Soundness - Consistent with National Policy	- 35 dwellings per acre is too stringent and does not allow for appropriate developments in certain areas. Agree with paragraph 6.40, however, there must be further clarity on which development sites are exempt. - More flexible guidance on dwelling density
Proposed Change Requested	Policy states "housing density should be in keeping with the character of the area and the design of the scheme" - That is sufficient policy guidance and that a specific minimum target of 35 dwellings per hectare is unnecessary, it should be deleted
Council Response	No change. It is considered that the policy provides enough flexibility to allow different densities to be delivered where appropriate. 35 is based on average of previous completions as set out in SD23: Housing Technical Paper.
Paragraph/Site: Policy PLP 7	Consultee: 968336 Holme Valley Vision Agent: Rep ID: PDLP_SP565
Council Response	No change. Support noted.
Paragraph/Site: Policy PLP 7	Consultee: 969350 Mrs Charlotte McKay Agent: 969343 Mrs Charlotte McKay Rep ID: PDLP_SP111
Soundness - Positively Prepared	The proposed allocation of large areas of Green Belt land is not the most appropriate strategy. There are brownfield sites which could accommodate the proposed development and this would represent a more preferable strategy/approach.
Soundness - Justified	How can the council remain committed to a brownfield first approach and then promote greenfield development ahead of brownfield sites? There are a number of suitable brownfield sites not being taken forward as part of Local Plan.
Council Response	No change. Policy PLP3 seeks to ensure opportunities for development are realised early in the plan, which is not mutually exclusive from greenfield sites being developed. There is no evidence to demonstrate that development needs can be met from brownfield land alone.
Paragraph/Site: Policy PLP 7	Consultee: 969350 Mrs Charlotte McKay Agent: 969343 Mrs Charlotte McKay Rep ID: PDLP_SP113
Soundness - Positively Prepared	The efficient use of brownfield sites should be encouraged and the Local Plan fails to fully explore the brownfield options available.
Council Response	No change. Sites have been identified in SHLAA and through options sent to us. These have included additional brownfield sites identified between the Draft and Publication Stages of the Local Plan.
Paragraph/Site: Policy PLP 7	Consultee: 970990 Church Commissioners for England Agent: 941839 Nolan Tucker Rep ID: PDLP_SP477
Soundness - Positively Prepared	- May constrain development on Strategic mixed used sites necessary for Plan to meet development requirements.
Soundness - Consistent with National Policy	- Paragraph 6.36 states that the Council remains committed to a brownfield first approach. Policy wording not explicitly clear on the point, there is reference at criteria c) where proposals should encourage giving priority to despoiled, degraded, dere
Proposed Change Requested	- Amend to apply only to previously-developed land, include changes: From: Efficient and effective use of land and buildings To: Efficient and effective use of previously developed land From: To ensure the best use of land and buildings, proposals should
Council Response	Change. Paragraph 6.36 will be deleted to provide clarity regarding the policy approach, as set out in SD4, SP-MM6. . The policy does not need to be changed to refer specifically to previously developed land as the policy refers to all land (including setting out the approach to density) and also the policy considers

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the reuse or adaptation of vacant or underused properties.				
Paragraph/Site: Policy PLP 7	Consultee: 972565	Agent: 1059531	Rachael Martin	Rep ID: PDLP_SP276
Council Response	No change. Support noted.			
Paragraph/Site: Policy PLP 7	Consultee: 973538	Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP277
Council Response	No change. Support noted.			
Paragraph/Site: Policy PLP 7	Consultee: 974190	Agent: 941908	Mr Andrew Rose	Rep ID: PDLP_SP667
Soundness - Justified	Gross and net areas are largely the same. No site has been reduced to take account of the need for on site POS and other infrastructure. The net developable area is typically 65-70% of the gross site area.			
Proposed Change Requested	Review site capacity and address the issue with gross vs net site areas.			
Council Response	No change. The approach to indicative site capacity is set out in SP23 the Housing Technical Paper. The density is based on an average, where site areas general include open space and estate roads.			
Paragraph/Site: Policy PLP 7	Consultee: 975384	Agent: 975382	Mike OBrien	Rep ID: PDLP_SP465
Proposed Change Requested	It is suggested that this policy is amended to encourage the re-use of previously developed land.			
Council Response	No change. The policy is already worded in this way.			
Paragraph/Site: Policy PLP 7	Consultee: 1057467	Mr Andrew Taylor	Agent:	Rep ID: PDLP_SP161
Soundness - Positively Prepared	Why can the many properties (derelict & similar) not be restored to habitable conditions first before seeking out new sites to build upon?			
Council Response	No change. The policy seeks to bring such buildings back into use.			
Paragraph/Site: Policy PLP 7	Consultee: 1059536	Agent: 942076	Mr Richard Irving	Rep ID: PDLP_SP283
Council Response	No change. Support noted.			
Paragraph/Site: Policy PLP 7	Consultee: 1059538	Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP282
Council Response	No change. Support noted.			
Paragraph/Site: 6.36	Consultee: 943608	Mr Robert Bamforth	Agent:	Rep ID: PDLP_SP598
Soundness - Justified	If the Council were to place a proper strategic focus on urban regeneration and brownfield development, whilst restricting green belt releases and taking a pragmatic, effective approach to plan management, housing numbers and land allocations, it is more than likely that the Districts housing and employment land requirements will be met, without any significant urban extensions in to the Green Belt			
Council Response	Change. This paragraph has been deleted to provide more clarity regarding Policy PLP7 as set out in SD4, SP-MM6. There is no evidence to demonstrate that development targets can be met without significant urban extensions into the Green Belt.			
Paragraph/Site: 7.1	Consultee: 968336	Holme Valley Vision	Agent:	Rep ID: PDLP_SP567
Soundness - Justified	The Kirklees Economic Strategy is an inadequate document. It is yet to be approved by the Council as an approved document, so unsure how Local Plan can be predicated on an approved document.			
Council Response	No change. The Council resolution at full Council on 16th July 2014 endorsed the Kirklees Economic Strategy (KES). The KES is a clear underpinning principle of the Kirklees Local Plan which forms part of the KES' implementation strategy.			

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Paragraph/Site: 7.1	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker	Rep ID: PDLP_SP478
Council Response	No change Support for the council's economic visions and strategy noted.				
Paragraph/Site: 7.5	Consultee: 942682	Mike Hogarth	Agent:		Rep ID: PDLP_SP627
Soundness - Justified	The economic strategy presented in order to give greater clarity to overall planning objectives: promote growth in advanced technologies and promote new intellectual and creative industries linked with Huddersfield University. Developments in artificial intelligence and agricultural innovation should be considered.				
Council Response	No change. The Leeds City Regions (LCR) Strategic Economic Plan (SEP), and the Kirklees Economic Strategy (KES) both include the need to support growth for cutting edge innovation and creative businesses, including building on and establishing better links with Huddersfield University. Submission document SD22: Employment Technical Paper, paragraphs 2.8, 2.10 and 2.21 cover these issues.				
Paragraph/Site: 7.5	Consultee: 943608	Mr Robert Bamforth	Agent:		Rep ID: PDLP_SP603
Soundness - Justified	The Council's Economic Development Strategy is deeply unconvincing on many levels, especially at a time when public sector funding is subject to severe Central Government constraint.				
Council Response	No change. The Council's economic strategy has been based on evidence of past performance, recognition of the economic strengths and assets of the district and the need to support latent demand. Submission document SD22: Employment Technical Paper, paragraphs 2.12-2.34 summarise the key elements of the KES which has informed the Local Plan.				
Paragraph/Site: 7.5	Consultee: 968497	Erica Amende	Agent:		Rep ID: PDLP_SP88
Soundness - Justified	The employment strategy is unsound as there is no strategic economic assessment to underpin it and it has not justified its employment strategy in the context of the wider West Yorkshire economy. An employment strategy should have as its starting point how it fits with its neighbours in West Yorkshire. One that makes sense looking at West Yorkshire as a whole and then drawing on the strengths and alleviating the weaknesses of the district. The council has adopted the stance that it must be self sufficient and has proposed sites for what it perceives to be its own needs, when they can never be so. The council sees itself as essentially in competition with its neighbours and not in a situation where collaboration would be in everyones interest. Large sites for an aggregation of developments including warehousing are seen by the council as a must have€, for reasons not at all clear. The logistics industry for example has a predilection for Wakefield, where land is flatter and has better access to the motorways and where logistics buildings are marching eastwards from Jn31 and will soon reach Pontefract. Jn 30 has now been opened with the construction of a monstrous warehouse (which Leeds City Council objected to in vain .- hows that for cooperation?). The council should recognise that the development industry and footloose commerce will have the perspective of seeing West Yorkshire as a single area of economic activity. Only businesses already resident within Kirklees are likely to have a more Kirklees-centric view of the world and even that may be quite weak. Instead of thinking it can compete on every point the council should have a more nuanced employment strategy. Whilst Kirklees Council recognises in some respects that Kirklees is not a self contained jobs market its strategy for land allocations assumes it is.				
Proposed Change Requested	The council should explain what the employment strategy is for West Yorkshire, what is special about the strategy within Kirklees, how this capitalises on local circumstances and how it is distinguishable from other districts.				
Council Response	No change. The approach to the economy reflects the strategic vision of both the Leeds City Region (LCR) Strategic Economic Plan (SEP) and the Kirklees Economic Strategy (KES). West Yorkshire is a sub-region within the wider LCR geography. Recognition is given to the fact Kirklees falls within the LCR economic market area. Submission document SD1: Strategies and Policies, paragraph 1.30 sets the context for the LCR SEP and how its objectives relate to Kirklees. Paragraph 1.30 also confirms that the Council has aligned its strategies for the economy with the SEP objectives. Further consideration has also been given to the sub-region of West Yorkshire in paragraphs 1.31€1.32 in submission document SD1. Paragraphs 1.33-1.35 of SD1 provide the context for the KES and the Joint Health and Well-being Strategy, it confirms the KES alignment with the LCR SEP and that the Local Plans vision and objectives have been drawn from the KES. The Council through its Duty to Cooperate commitments has maintained ongoing discussions with its neighbouring West Yorkshire Authorities. Details of discussions in relation to the economy can be found in submission document SD14: Duty to Cooperate, paragraphs 5.10-5.13. This confirms that the Council has considered the impacts of its own economic ambition on other neighbouring authorities and that agreement has been reached that Kirklees can				

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accommodate its own identified needs and is not required to meet any requirements of its neighbouring authorities. Both the SEP and KES identify that Kirklees strengths lie within the engineering, textiles, cutting innovation and creative business sectors, with support coming from Huddersfield University. These objectives have been modelled when calculating the OAN for Kirklees (see submission document SD22: Employment Technical Paper, paragraphs 4.1-4.31).

Paragraph/Site: **7.6**

Consultee: **968497 Erica Amende**

Agent:

Rep ID: **PDLP_SP92**

Duty to Co-operate

Leeds City Council has submitted comments indicating its concerns for traffic on the A653 and there may be a funding shortfall which implies a lack of duty to cooperate. While no comments from Calderdale have been found about the A644, it is clear that Cooper Bridge has the most problems to surmount, given the number of specially commissioned reports and the extra text material throughout the documentation.

Soundness - Justified

The employment strategy is not justified as several of the proposed locations for employment raise serious access and traffic issues including Chidswell and Cooper Bridge. Essentially, the Local Plan is unsound because the provision of new employment land relies on difficult to deliver sites. If the sites are held to be unsuitable for planning policy, technical and/or highway reasons, or if non viable and unaffordable then the Council's employment land strategy is in trouble. If the local authority is left with insufficient land due to the inclusion of difficult to deliver sites then this would be damaging to local employment prospects. It would be a more secure strategy to identify sites which are smaller and easier to deliver. The Local Plan does not justify why a few large sites have been chosen instead of more but smaller sites, better distributed around Kirklees.

Soundness - Effective

Concerned that if the Cooper Bridge site is found at examination to be soundly identified and deliverable (etc) but it subsequently transpires in the years ahead it is unattractive to developers and too costly (for any one of several or a combination of reasons) then the strategy is in trouble.

Proposed Change Requested

Review objectively assess employment needs and the amount of new employment land required. Review whether fresh impetus to urban regeneration can deliver more of the employment land. Review alternative sites to Chidswell and Cooper Bridge including available or potentially available which could deliver the land required and select those which appear more easily deliverable and at lower cost.

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). Site specific document SS4: Cooper Bridge Delivery Statement addresses issues in relation to highways and deliverability of the site. Submission document SD22: Employment Technical Paper, paragraphs 6.1-6.27 provides a critique of the districts employment land supply and confirms that the supply is derived from a number of sites providing sufficient range in size, type and location. Paragraphs 7.1-7.7 justifies the need to allocate larger sites to address current deficiencies in the employment land supply. DTC response: Details of discussions in relation to the economy can be found in submission document SD14: Duty to Cooperate, paragraphs 5.10-5.13. This confirms that the Council has considered the impacts of its own economic ambition on other neighbouring authorities and that agreement has been reached that Kirklees can accommodate its own identified needs and is not required to meet any requirements of its neighbouring authorities. Appendix C, strategic issues table, reference 17 on pages 105-107 confirms individual discussions in relation to Chidswell and Cooper Bridge - with affected local authorities has taken place. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that commits both Councils to seeking to agree infrastructure improvements (to the A644 and Cooper Bridge Gyratory/Bradley Road Junction) and at what stage these are necessary taking account of the anticipated rate and phasing of Site E1832c. This statement will be finalised in advance of the Local Plan hearing sessions. Leeds City Council consider MX1905 to be sound and that Kirklees Council have complied with the duty to cooperate. Kirklees Council agrees that Leeds and Kirklees Councils should continue cooperating to minimise increases in traffic and congestion along the A653. Consequently, the mitigation mechanisms suggested by Leeds City Council are reflected in the 'other site specific considerations' for Site MX1905, e.g. with respect to phasing development accordingly.

Paragraph/Site: **7.8**

Consultee: **942154 unknown**

Agent: **941891 Paul Leeming**

Rep ID: **PDLP_SP432**

Soundness - Justified

Within the justification for the previous Draft Plan it suggested that over the Plan period some 265ha of employment land would be required. In our view it is appropriate that the Plan seeks to allocate sufficient land for the Plan period and beyond in a mix of appropriate locations across the District.

Council Response

No change. Justification for the reduced jobs need and subsequent land requirement is set out in SD22: Employment Technical Paper, paragraphs 4.12-4.31.

Paragraph/Site: **7.8**

Consultee: **942768 Mr Andrew Wood**

Agent:

Rep ID: **PDLP_SP727**

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Soundness - Positively Prepared	The KES objective of 75% employment rate, whilst laudable in principle, is flawed as it does not take into account self-employment. The KES does not offer a robust basis for economic aspirations of the Local Plan. A combined employment rate including self-employed is 77%. Maintaining this would be aspirational versus trends of declining economic activity rate. Maintaining this would require 14,282 more jobs or 22,888 if an 80% rate is achieved. Therefore the Local Plan should assume this job growth figure		
Proposed Change Requested	Refine the employment target: we consider that a job growth target of 23,000 may be considered sound, so long as it includes self-employment and explicitly prioritises the reduction of worklessness within the existing population, alongside reducing out-commuting		
Council Response	No change. The objectively assessed need for jobs has been calculated through the Regional Econometric Model (REM) which produces a full time equivalent (FTE) jobs need based on a resident based employment rate. The figure derived therefore takes into account the self-employed. Submission document SD:22, paragraphs 4.35 and 4.38 (bullet 1) also confirms that the jobs-led SENS1 scenarios seek to maintain a larger local labour force, with a larger number of people living and working in Kirklees.		
Paragraph/Site: 7.8	Consultee: 943892	Mr Matthew Good	Agent: Rep ID: PDLP_SP501
Soundness - Justified	23,000 jobs figure is a significant drop from the previously stated 32,200 jobs over the plan period in the Draft Local Plan. Although the plan housing and job requirements now appear to align the aspiration within the much lower job creation figure is questioned.		
Council Response	No change. Justification for the reduced OAN number for jobs is set out in submission document SD22: Employment Technical Paper, paragraphs 4.12-4.31.		
Paragraph/Site: 7.8	Consultee: 943943	Angela Royle	Agent: Rep ID: PDLP_SP165
Soundness - Positively Prepared	The plan is unsustainable as no extra jobs are being created for the increased number of residents.		
Council Response	No change. The need for homes has been aligned to the identified jobs need. Core document LE27: Kirklees Additional Demographic Scenarios Analysis (July 2016 and October 2016). Paragraphs 1.1-1.7 confirm the approach and the results are presented in paragraphs 2.1-2.4.		
Paragraph/Site: 7.8	Consultee: 968336	Holme Valley Vision	Agent: Rep ID: PDLP_SP562
Soundness - Positively Prepared	The projected increase in employment rate, based on historic trends, evidence from Kirklees previous performance and current forecasts, in our view, is unrealistic and unattainable. We believe a figure of 70% employment rather than 75% is more achievable.		
Council Response	No change. The justification for the target employment rate is set out in SD22: Employment Technical Paper, paragraphs 2.17-2.20, paragraphs 4.27-4.31 and Appendix 2.		
Paragraph/Site: 7.8	Consultee: 968497	Erica Amende	Agent: Rep ID: PDLP_SP89
Soundness - Justified	The employment land requirement is not realistic, is aspirational and over ambitious. The Local Plan is UNSOUND in that the available evidence does not justify the amount of additional employment land being sought by the council. There are many factors at play in consideration of this issue, which also includes the Council's attitude to existing employment land. Retention of historic employment land The Council's attitude to the retention of land in historic employment use has been consistent. Almost without exception land in employment use which has become available through an end to its industrial use has been allowed to become residential and, rarely, other uses. Fate of Allocated Employment Sites Whilst many of these old factory and workshop sites had no realistic prospect of being required for future employment this is not always the case. Within the area familiar to Spen Valley Civic Society examples of unnecessary release for residential use include the Bridon Wire site at Cleckheaton, now a Barratt estate. This land is adjacent to the Priority Employment Area B&S 10. Another example in the former Metrotect site at Whitechapel Road, Moored. This site was described by Knight Frank in a report commissioned by KMC as a prime location for employment re-use being adjacent to Jn 26. Yet it now covered with houses. Case study In the Draft Local Plan 2015 the Priority Employment Area (B&S9) at Headlands Road Liversedge comprised of the old Birkbys Plastics factory plus a smaller factory to the south (shown as works€). BUT, the council had already given permission for residential use of this smaller site, (despite an objection from the Civic Society). The Council's attention was drawn to the mismatch between what development control planners think and what policy planners think. The draft allocation has now been removed. Fate of allocated sites in the Kirklees UDP Land which was supposed to be for B1/B2 and B8 use has been allowed to be used widely for retail and leisure use. An early example of this is almost the whole of the Jn 27 retail park (IKEA etc) which was allocated for employment in the Heavy Woollen District		

Plan which preceded the UDP. In the early days there was a factory there making acrylic baths (Spring Ram Corporation) but when KMC capitulated to retail they upped sticks to Bradford, demolished their factory and sold the land for retail (mainly Currys and Furniture Village). More recently Marstons have been allowed to build a vast pub diner at Cleckheaton (the Silver Birch) on allocated employment land (UDPB14.4). This is on prime employment land adjacent to Jn26 at the gateway to Spen Valley. Across the road (B14.3) the council allowed another pub, The Hunsworth. There were objections at the time to this. The planning officer said that, on balance, because Metro were looking to relocate to the adjoining office block it would be an attraction to them to have somewhere to go for lunch. Metro never relocated. At Whitehall Road West, Birkenshaw yet another pub diner (Heathfield Farm) has recently (2016) opened on allocated employment land (B14.9) and much of the remainder of the site now has permission for housing. Just down the road at Birstall is another UDP allocation (- site B11.10). Nothing at all has been built there and it is now proposed for housing. ...and in the wider area The Inspector is invited to tour the Huddersfield employment along Leeds Road and note the large number of retail developments, car showrooms, fast food outlets and the like. This is supposed to be a Priority Employment Zone. Note also the brand new pub diner and Travelodge built by Marstons (again) in 2011 on the site of a former dyeworks at Hillhouse Lane. If the council were truly keen to retain land in this area for manufacturing then it would have done something about this loss of land that could be used for manufacturing. Other land allocated for employment use in the Kirklees UDP has proved to be surplus. Nothing was built at the Lindley Moor site until very recently, by which time half the site had been released by the council for housing. The Mirfield Moor site (B9.2) has a very chequered history. At one time David Brown Engineers were going to relocate there from Huddersfield but changed their mind. Much of the site has been given a residential permission but even so nothing at all has been built. In areas of Kirklees not familiar to the Civic Society theres every likelihood of a similar story. Not far away close to Jn 25 of the M62 an employment allocation in Calderdale has just a single user a Holiday Inn. Inferences for the Local Plan The calculations€ on the amount of land needed to be allocated for employment use need to be taken with a pinch of salt. The only sensible way of treating these figures is to reject them, based on the track record. The UDP "calculations" were completely and utterly wrong. Why should this Plan be any different - especially if the council methodology is not critically examined? Inferences for Three Nuns Site (Cooper Bridge) The site is not needed. At the time of the Core Strategy consultants Jones Lang LaSalle in a report for KMC indicated that the developability of the site may well require other higher earning uses€ to be allowed, particularly on the frontage. The council would need no encouragement at all to allow this; indeed it may already be part of the plan. Number of Jobs to be provided for needs a reality check. For the purposes of this representation an exhaustive appraisal of the sections dealing with the projections for job creation are too challenging for the Society at this time. The Inspector is respectfully asked to examine and challenge in detail the basis on which the council arrives at its estimates for the amount of new employment land to be allocated. (Section 7.1 Strategies and Policies may include guesswork). Are the aspirations for manufacturing growth realistic? What is the floor space requirement per employee for each type of job created? What types of new workplaces cannot be accommodated on existing and previously developed land? Is it right that Kirklees should compete with Wakefield and Leeds for logistics sheds? What is the Council's attitude to commuting into adjacent districts? (In the core strategy the council wanted to rein it in. But people commute for better jobs and more pay money that is returned to the Kirklees). Commuting is likely to increase with a doubling of train services to Leeds. The Steer Davies Gleave* report for Network Rail (2012) says commuting is a good thing and helps the economy grow. Future office parks in the current green belt are not necessary. *Yorkshire Rail Network Study

Proposed Change Requested Review the council's evidence and justification for employment allocations taking into account track record of what has happened to previously allocated land and consequently modify the total land take to a more realistic level.

Council Response No change. Submission document SD22: Employment Technical Paper justifies the calculated employment land need (paragraphs 5.1-5.8), provides a critique - including past performance of land take-up - of the current employment stock in (paragraphs 6.1-6.27), and justifies the new employment land requirement (paragraphs 7.1-8.7).

Paragraph/Site: 7.13

Consultee: 942768

Mr Andrew Wood

Agent:

Rep ID: PDLP_SP728

Soundness - Positively Prepared There is a distinct omission in the Local Plan which gives little consideration to several employment sectors including tourism, creative and service industries that contain high numbers of micro businesses. As a consequence the land supply provisions are dominated by manufacturing, office and logistics.

Proposed Change Requested Demonstrate that the employment land policies and allocations are informed by a much fuller understanding of the range of potential growth sectors than is currently evident.

Council Response No change. Although precision engineering and advanced manufacturing are integral to the economic ambition of Kirklees, the modelling work carried out to

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establish the jobs need for the district ensured consideration and support has been afforded to a broad range of other sectors that make up the Kirklees economy. Table 1, page 23 of document SD22: Employment Technical Paper provides a breakdown of jobs by broad sector. Policy PLP 10: Supporting the rural economy helps support micro businesses and the tourism sector in particular. This policy has been informed by core document LE14: The Rural Economy in Kirklees.

Paragraph/Site: **7.13**

Consultee: **943847**

Mrs Sally Barber

Agent:

Rep ID: **PDLP_SP510**

Soundness - Positively Prepared The economic strategy suggests an evolutionary improvement for Holmfirth, but there is no strategy to encourage any growth. Danger of Holme Valley becoming commuter belt to Leeds, Manchester and Sheffield.

Council Response No change. 10.56 hectares has been allocated and 46.49 hectares protected in Holme Valley for employment. Policy PLP 10: Supporting the Rural Economy, puts in place a positive policy approach towards supporting macro, small and medium enterprises. Such businesses are a key feature of the Holme Valley economy and their needs will be supported through a range of land allocations and policy approaches,

Paragraph/Site: **7.13**

Consultee: **968336**

Holme Valley Vision

Agent:

Rep ID: **PDLP_SP564**

Soundness - Positively Prepared A survey of local businesses was carried out in 2016, which found that the growth in self-employment in the Holme Valley has occurred in Management and Professional occupations. significant number of employees are in micro organisations and in service€ occupations, e.g. construction and property maintenance, motor vehicle and hair dressing i.e. dependent on the affluence of the area, as does the growing night-time economy.

Soundness - Justified A greater emphasis should be placed on the growth in jobs in sectors other than precision engineering and advanced manufacturing. We recognise the importance of these to the overall economy of the district and believe more attention should be given to other sectors that also offer potential for growth. It is considered that the predicted growth in jobs fail to appreciate the potential value from other sectors, particularly tourism, craft and home-based working (for example in the business and professional services sector) and micro and small organisations.

Council Response No change. Although precision engineering and advanced manufacturing are integral to the economic ambition of Kirklees, the modelling work carried out to establish the jobs need for the district ensured consideration and support has been afforded to a broad range of other sectors. Table 1, page 23 of document SD22: Employment Technical Paper provides a breakdown of jobs by broad sector. These sectors account for the range of employment which characterise the Holme Valley economy. Policy PLP10: Supporting the rural economy also puts in place a positive policy approach to support economies such as that of the Holme Valley area. Core document LE14: The Rural Economy in Kirklees, has help to establish a robust evidence base from which to inform such a policy approach.

Paragraph/Site: **Table 3**

Consultee: **978518**

Agent:

Rep ID: **PDLP_SP140**

Council Response No change Support noted for the amount of land allocated for employment as set out in Table 3: Meeting the employment land requirement.

Paragraph/Site: **Policy PLP 8**

Consultee: **942154**

unknown

Agent: **941891**

Paul Leeming

Rep ID: **PDLP_SP433**

Council Response No change Support for policy PLP 8: Safeguarding employment land and premises has been noted.

Paragraph/Site: **Policy PLP 8**

Consultee: **942337**

unknown

Agent: **941775**

Mr Paul Butler

Rep ID: **PDLP_SP541**

Council Response No change Support for policy PLP8: Safeguarding employment land and premises, has been noted.

Paragraph/Site: **Policy PLP 8**

Consultee: **947700**

Mr G Maxwell

Agent:

Rep ID: **PDLP_SP27**

Soundness - Positively Prepared This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Safeguarding employment land and premises PLP8 to that consulted upon DLP8

Soundness - Consistent with National Policy This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Safeguarding employment land and premises PLP8 to that consulted upon DLP8

Proposed Change Requested This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment

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upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.

Council Response

No change. The differences between the draft and publication draft Local Plan safeguarding employment land 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.

Paragraph/Site: **Policy PLP 8**

Consultee: **955332**

Mr Robert Barnes

Agent: **941969**

Mr Robert Barnes

Rep ID: **PDLP_SP183**

Soundness - Justified

For consistency and to provide certainty the terminology (employment generating uses€) should be used uniformly throughout parts 2, 2a and 2b of the policy. The approach to employment land outside the Priority Employment Areas is explained at paragraph 7.18, however, this is not embodied in policy.

Proposed Change Requested

The terminology employment generating uses€ should be used uniformly throughout parts 2, 2a and 2b of the policy. The policy should be expanded to include proposals for development or re-development of employment land or premises not designated as part of a Priority Employment Area

Council Response

No change. The terminology applied is considered to be consistent throughout the policy. The term 'employment generating uses' covers any form of employment not just those falling within the traditional B-Use classes. Therefore, using the term 'non-employment end use' covers all other uses that do not support and end use for jobs. It is therefore appropriately applied to parts 2, a & b, where certain criteria is to be applied in considering applications for non-employment end uses within priority employment areas.

Paragraph/Site: **Policy PLP 8**

Consultee: **969536**

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Agent: **969534**

Miss Andrea Caplan

Rep ID: **PDLP_SP351**

Soundness - Justified

- PLP 8 makes no reference to 'Economic Development'.

Proposed Change Requested

- An unambiguous definition of 'employment land and premises' which accords with proposed definition of economic development is included within the Local Plan. Should clearly define employment development as including leisure, retail uses and other town ce

Council Response

No change. The term, 'employment generating uses' ensures that all uses with an employment end use will be supported by policy PLP 8 - providing there is no conflict with established uses in the area - and does not therefore restrict employment uses only to those falling within the traditional B-Use Class operations..

Paragraph/Site: **Policy PLP 8**

Consultee: **972220**

Agent: **941908**

Mr Andrew Rose

Rep ID: **PDLP_SP370**

Soundness - Justified

Approach towards identifying and safeguarding Priority Employment Areas lacks evidence and is inconsistent with the aims and objectives of the Plan towards regenerating and rejuvenating Dewsbury and Ravensthorpe and its riverside areas. The concept of retaining and safeguarding vast swathes of land in South Dewsbury is incompatible with the vision and improvements proposed in the area such as the potential new strategic highway. Miller Homes support the concept of retaining employment within the area but the policy must be flexible. The justification in the employment technical paper is not robust and does not explain the decision making process. Sites were assigned Red, Amber, Green ratings but all appear to have been designated as Priority Employment Areas. The evidence base is not available, open and transparent regarding the designated of the sites.

Proposed Change Requested

Review the approach towards safeguarding employment sites in Dewsbury and Ravensthorpe. Remove the allocation of D&M11 and D&M12 as Priority Employment Areas and replace with a positive allocation encouraging regeneration and alternative uses in accordance with the Vision for Dewsbury.

Council Response

No change. Comments noted. Other policies in the Local Plan will allow for an appropriate planning balance to be undertaken between the need to retain employment land and sustainable development. Priority Employment Areas (PEAs) have been robustly assessed. The findings and justification for their inclusion are set out in the PEAs technical paper.

Paragraph/Site: **Policy PLP 8**

Consultee: **1057880**

Agent: **1057869**

Mrs Andrea Herrick

Rep ID: **PDLP_SP202**

Council Response

No change Support for policy PLP 8: Safeguarding employment land and premises, has been noted.

Paragraph/Site: **Policy PLP 9**

Consultee: **942154**

unknown

Agent: **941891**

Paul Leeming

Rep ID: **PDLP_SP434**

Council Response

No change required, support for policy PLP9 noted.

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Paragraph/Site: Policy PLP 9	Consultee: 942337 unknown	Agent: 941775 Mr Paul Butler	Rep ID: PDLP_SP542
Soundness - Positively Prepared	Object to the inference within the policy that an agreement to deliver employment and training opportunities will be required. This can be read as meaning an agreement in the form of a planning obligation. This would place a further burden on developments and be a constraint to development when considered alongside all other requirements.		
Proposed Change Requested	Further clarity should be provided in respect of what the term "agreement" means.		
Council Response	No change. The word "agreement" allows for the policy requirements to be secured through a condition and not solely via a planning obligation. Paragraph 2 is policy and sets out the requirements which new developments will need to contribute towards in terms of increasing job opportunities, increasing wage levels and education/training opportunities. Policy is not mandatory on all development and will only be negotiated where it is reasonable to do so.		
Paragraph/Site: Policy PLP 9	Consultee: 942768 Mr Andrew Wood	Agent:	Rep ID: PDLP_SP340
Soundness - Justified	The approach to employment land supply is not justified by the economic evidence. The important aspirations to supply jobs for a growing population and to reduce workless-ness appear to exist in isolation from the employment land strategy as set out in Chapter 7. Detailed evidence is submitted as part of this representation in the Core Evidence attachment.		
Proposed Change Requested	A sound spatial strategy for employment would provide suitable land and premises for the range of types and locations that Kirklees wishes to nurture, and to ensure that the resulting development contributes to sustainable place-making. It must also respond to the challenges of climate change, by ensuring that employment becomes progressively less dependent on road transport and carbon emitting sectors. Refine the employment target. A job growth target of 23,000 may be considered sound, so long as it includes self-employment and explicitly prioritises the reduction of worklessness within the existing population, alongside reducing out-commuting, as crucial elements of a sustainable employment strategy. Demonstrate that the employment land policies and allocations are informed by a much fuller understanding of the range of potential growth sectors than is currently evident.		
Council Response	No Change SD22 Employment Technical paper provides additional information to support the spatial strategy including: Employment targets and sectors and how they will be achieved (section 2), land requirements (section 4), translating jobs into land (section 5) and locational requirements (section 6). The plan contains policies on sustainable transport and LE118 Air Quality Assessment of development sets out how the sites have been assessed in relation to impact on air quality.		
Paragraph/Site: Policy PLP 9	Consultee: 943892 Mr Matthew Good	Agent:	Rep ID: PDLP_SP496
Soundness - Justified	Support for the amended wording to add "where possible" but remaining concerns that significant emphasis is placed on the requirement to contribute to the creation of local employment opportunities to support growth in the overall population of local residents in education or training. This should not be a planning obligation and would impact on viability. Many housebuilders already have their own training programmes.		
Proposed Change Requested	If the current wording remains, reference should be made to other training and education programmes being able to fulfil the requirements of the policy. To do otherwise would duplicate effort and may undermine existing programmes.		
Council Response	No change. The word "agreement" allows for the policy requirements to be secured through a condition and not solely via a planning obligation. Paragraph 2 is policy and sets out the requirements which new developments will need to contribute towards in terms of increasing job opportunities, increasing wage levels and education/training opportunities. Policy is not mandatory on all development and will only be negotiated where it is reasonable to do so.		
Paragraph/Site: Policy PLP 9	Consultee: 978518	Agent:	Rep ID: PDLP_SP141
Council Response	No change Support for policy PLP 9: Supporting skilled and flexible communities and workforces has been noted.		
Paragraph/Site: Policy PLP 9	Consultee: 1057416	Agent: 1057414 Miss Rachel Ford	Rep ID: PDLP_SP155
Soundness - Justified	Retail should be acknowledged as a employment generating use, as per NPPF Annex 2.		
Soundness - Consistent with National Policy	Retail should be acknowledged as a employment generating use, as per NPPF Annex 2.		

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Proposed Change Requested	Amend supporting text to include reference to retail.			
Council Response	No change - The retail sector does not fall within the standard B use classes. A number of retail jobs are likely to be located within the districts town and local centres, the retailing and town centres chapter provides a positive framework for appropriate uses to come forward in the districts centres which will support and encourage growth in this sector.			
Paragraph/Site: Policy PLP 9	Consultee: 1057467	Mr Andrew Taylor	Agent:	Rep ID: PDLP_SP672
Proposed Change Requested	Support for upskilling of local population; particular request for upskilling of younger people in 'green' building methods.			
Council Response	No change Support for policy PLP 9: Supporting skilled and flexible communities and workforce has been noted.			
Paragraph/Site: Policy PLP 10	Consultee: 942154	unknown	Agent: 941891	Paul Leeming Rep ID: PDLP_SP435
Council Response	No change Support for policy PLP 10: Supporting the rural economy has been noted.			
Paragraph/Site: Policy PLP 10	Consultee: 942768	Mr Andrew Wood	Agent:	Rep ID: PDLP_SP341
Soundness - Justified	The approach to employment land supply is not justified by the economic evidence. The important aspirations to supply jobs for a growing population and to reduce worklessness appear to exist in isolation from the employment land strategy as set out in Chapter 7. Detailed evidence is submitted as part of this representation in the Core Evidence attachment.			
Proposed Change Requested	A sound spatial strategy for employment would provide suitable land and premises for the range of types and locations that Kirklees wishes to nurture, and to ensure that the resulting development contributes to sustainable place-making. It must also respond to the challenges of climate change, by ensuring that employment becomes progressively less dependent on road transport and carbon emitting sectors. Refine the employment target. A job growth target of 23,000 may be considered sound, so long as it includes self-employment and explicitly prioritises the reduction of worklessness within the existing population, alongside reducing out-commuting, as crucial elements of a sustainable employment strategy. Demonstrate that the employment land policies and allocations are informed by a much fuller understanding of the range of potential growth sectors than is currently evident.			
Council Response	No change. The objectively assessed need for jobs has been calculated through the Regional Econometric Model (REM) which produces a full time equivalent (FTE) jobs need based on a resident based employment rate. The figure derived therefore takes into account the self-employed. Submission document SD:22, paragraphs 4.35 and 4.38 (bullet 1) also confirms that the jobs-led SENS1 scenarios seek to maintain a larger local labour force, with a larger number of people living and working in Kirklees.			
Paragraph/Site: Policy PLP 10	Consultee: 943943	Angela Royle	Agent:	Rep ID: PDLP_SP168
Soundness - Effective	There is a higher incidence of people running businesses from home in the rural areas, but to support this Kirklees Council needs to roll out broadband quicker than at present.			
Council Response	No change - This policy includes criteria 1 (a) "1. The economic performance of the rural economy will be improved by: a. Supporting the rural digital economy;" This reflects the importance of improved digital infrastructure to the rural economy. It ensures a positive approach towards supporting the growth of the rural digital economy.			
Paragraph/Site: Policy PLP 10	Consultee: 947700	Mr G Maxwell	Agent:	Rep ID: PDLP_SP28
Soundness - Positively Prepared	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Supporting the Rural Community PLP10 to that consulted upon DLP10			
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Supporting the Rural Community PLP10 to that consulted upon DLP10			
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.			
Council Response	No change The differences between the draft and publication draft Local Plan rural economy policy are as a result of consultation, the changes are identified			

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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

Paragraph/Site: Policy PLP 10	Consultee: 968336	Holme Valley Vision	Agent:	Rep ID: PDLP_SP568
Soundness - Justified	Tourism is a significant growth area that would add value to the local and district wide economy. The Tour de France / Tour de Yorkshire demonstrates this potential. The Local Plan makes passing reference only to this and the Economic Strategy document is insultingly silent. It refers only to tourism assets in other local authority districts. Land allocations could be used to enhance the tourism offer. There is a need for increased over-night accommodation in the Holme Valley.			
Council Response	No change Policy PLP 10 is focused on providing a supportive framework towards the growth and diversification of the rural economy and it is considered that this policy is sound in this respect. Tourism related development aimed at supporting local resources is covered by criteria d) of this policy - 'supporting and increasing tourism related development, including encouraging new facilities and accommodation for tourists.'			
Paragraph/Site: Policy PLP 10	Consultee: 968632	Mrs Dawn Gemmell	Agent:	Rep ID: PDLP_SP686
Soundness - Positively Prepared	- the Local Plan Does not include sound policies to support the rural economy. - there is no tourism Policy in the Local Plan to support Local resources and support the rural economy.			
Council Response	No change Policy PLP 10 is focused on providing a supportive framework towards the growth and diversification of the rural economy and it is considered that this policy is sound in this respect. Tourism related development aimed at supporting local resources is covered by criteria d) of this policy - 'supporting and increasing tourism related development, including encouraging new facilities and accommodation for tourists.'			
Paragraph/Site: Policy PLP 10	Consultee: 978506	Cllr Nigel Patrick	Agent:	Rep ID: PDLP_SP688
Soundness - Justified	Existing employment sites within Holmfirth should be protected and not allocated for housing.			
Proposed Change Requested	Allocate existing employment sites as PEAs and remove housing allocations.			
Council Response	No change, All employment land in Holmfirth has been identified and assessed to determine the sites suitability for continued or future employment use. See background paper BP8: Methodology Paper: Priority Employment Areas, paragraphs 5.13-5.18 and Appendix 3 page 39-45 for summary and scoring of sites assessed for safeguarding.			
Paragraph/Site: Policy PLP 10	Consultee: 1050803	Cllr Kenneth Sims	Agent:	Rep ID: PDLP_SP722
Soundness - Justified	Existing employment sites within Holmfirth should be protected and not allocated for housing.			
Proposed Change Requested	Allocate existing employment sites as PEAs and remove housing allocations.			
Council Response	No change, All employment land in Holmfirth has been identified and assessed to determine the sites suitability for continued or future employment use. See background paper BP8: Methodology Paper: Priority Employment Areas, paragraphs 5.13-5.18 and Appendix 3 page 39-45 for summary and scoring of sites assessed for safeguarding.			
Paragraph/Site: Policy PLP 10	Consultee: 1050805	Cllr Donald Firth	Agent:	Rep ID: PDLP_SP721
Soundness - Justified	Existing employment sites within Holmfirth should be protected and not allocated for housing.			
Proposed Change Requested	Allocate existing employment sites as PEAs and remove housing allocations.			
Council Response	No change, All employment land in Holmfirth has been identified and assessed to determine the sites suitability for continued or future employment use. See background paper BP8: Methodology Paper: Priority Employment Areas, paragraphs 5.13-5.18 and Appendix 3 page 39-45 for summary and scoring of sites assessed for safeguarding.			
Paragraph/Site: 8.1	Consultee: 942340	unknown	Agent: 941854	Mr Mark Johnson Rep ID: PDLP_SP658
Soundness - Justified	Concerns with the sources of housing supply identified to meet the housing requirement. It is considered there is an over reliance on windfall supply of 450			

dwelling per annum from year 2020 onwards.

Soundness - Effective

There is no strategic housing policy relating to the housing requirement or minimum annual requirement for the District. There is no reference within the delivery and implementation section of the housing strategy to a trigger which would implement a full or partial Local Plan review. The only mention of a partial review relates to windfall rate being potential lower than anticipated.

Council Response

No change. The National Planning Policy Framework and Planning Practice Guidance do not require the inclusion of a housing requirement policy. The Spatial Development Strategy (SD1, Strategy and Policies, page 36 - 37) states the provision of "about, (but not less than) 31,140 new dwellings..". SD1 (Strategy and Policies, paragraph 8.26, bullet point 5) refers to a potential action to address under-delivery as undertaking a review of housing allocations to look for further opportunities. The lack of a five year supply of deliverable housing land would be the point when the council could explore the options listed.

Paragraph/Site: 8.4

Consultee: 942493 unknown

Agent: 1060412 Mr Richard Walters

Rep ID: PDLP_SP636

Soundness - Justified

Objectively Assessed Housing Need The Kirklees 2016 SHMA, dated October 2016, identifies an OAN for Kirklees of 1,730 dwellings per annum between 2013 and 2031. This figure is based on a demographic need of 1,584 dwellings per year (based on the 2014-based household projections), plus an uplift to meet the Local Plan jobs target (23,000 jobs). In arriving at the demographic need of 1,584 per annum the 2016 SHMA recommends that unattributable population change (UPC)² should not be considered in the OAN calculation. If UPC were included the demographic need would increase to 1,833 dwellings per annum, which is a significant increase of just under 250 dwellings per annum. ONS suggest that in part UPC may be explained by an undercount of the population by the 2001 Census and an under estimation of net international migration, however it concludes that UPC cannot be accurately attributed to any single explanation. Whilst accepting that UPC can have a significant impact on some age and sex groups in some local authorities, ONS made no adjustment to the 2012-based subnational population projections for UPC due to the fact that it cannot be attributed to any one component and is unlikely to be seen continuing in sub-national trends³. Nevertheless, there are numerous examples of local authorities disagreeing with the ONS conclusion on this matter when calculating OAN. The ONS position does not therefore represent the definitive position. Whilst we accept that UPC cannot be attributed in full to any single explanation, there is evidence that at least some of the UPC is linked to undercounting in the 2001 Census and underestimation of net international migration. Table D.2 of the 2016 SHMA confirms that net international migration is a significant component of population change in Kirklees. On this basis, and considering that UPC in Kirklees is so significant (just under 250 dwellings per year) we consider that it cannot be appropriate to fully reduce past migration rates by ignoring UPC; to do so will underestimate net migration going forward and ultimately future housing needs. On this basis we consider it would be reasonable to adopt a mid-point between the demographic need excluding UPC and the demographic need including UPC i.e. 1,460 dwellings per annum. The economic adjusted OAN figure of 1,730 dwellings per annum represents the lowest in the range of jobs-led scenarios assessed by the SHMA. Paragraph 6.26 of the SHMA states that an uplift on the baseline demographic scenario would be necessary to support jobs-led scenarios, with a range of between 1,730 and 1,999 dwellings each year[€]. National Planning practice Guidance (paragraph 018) advises that Plan makers should make an assessment of projected economic/job growth and adjust the housing requirement upwards where required to support this growth. This is reiterated by guidance produced by the Planning Advisory Service in conjunction with Peter Brett Associates which recognises that from Local Plan Inspectors advice, it is clear that if demographic projections do not provide enough resident workers to fill the projected workplace jobs they should be adjusted upwards until they do. The OAN figure of 1,730 dwellings per annum assumes that economic activity rates from the 2011 census remain constant, with uplifts applied in the 60-69 age groups to account for state pension age changes. This assumes that older age groups will work until state retirement age and that this will be sufficient to offset the need for younger in-migrants to sustain the economic objectives of the plan, however there is little evidence to support these assumptions. In order to avoid an undersupply in housing we consider that the upper range employment led target of 1,999 dwellings per year should be regarded as the OAN for Kirklees.

Proposed Change Requested

Housing requirement The housing requirement set by the plan must be included within a dedicated planning policy. At present reference to the target is included only within the Spatial Development Strategy key statement and supporting text of the Housing Strategy section of the Strategy and Policies Plan. The housing requirement is a critical component of the plan and must be given the status (and associated weight) of being part of an adopted planning policy. Furthermore, in order to be positively prepared and consistent with national policy, all references throughout the Plan to the proposed housing requirement must be expressed as a minimum target. We consider that it cannot be appropriate to fully reduce past migration rates by ignoring UPC; to do so will underestimate net migration going forward and ultimately future housing needs. On this basis we consider it would be reasonable to adopt a mid-point

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	between the demographic need excluding UPC and the demographic need including UPC i.e. 1,460 dwellings per annum. In order to avoid an undersupply in housing we consider that the upper range employment led target of 1,999 dwellings per year should be regarded as the OAN for Kirklees.
Council Response	No change. The Kirklees SHMA (SD18) considered the Unattributed Population Change (UPC), with paragraph 6.21 recommending that UPC is not considered in the OAN calculation. National Planning Policy Framework and Planning Practice Guidance do not require the inclusion of a housing requirement policy. The 2016 analysis of the housing requirement SHMA (SD18 paragraphs 6.1 - 6.44) and is summarised in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13). The employment assumptions used are consistent with the aspirations of the Kirklees Economic Strategy. Over time there is a larger proportion of the adult population in older age groups which dampens the overall economic activity rate, even though age-specific rates may be higher.
Paragraph/Site: 8.4	Consultee: 943608 Mr Robert Bamforth Agent: Rep ID: PDLP_SP601
Soundness - Justified	The plan and SHMA fail to make the case that Kirklees district can be considered as the most appropriate housing market area. It would be more realistic to look on Kirklees as two distinct areas
Council Response	No change. SD23 (Housing technical paper, paragraphs 4.2 - 4.7) summarises the approach to defining the housing market area. SD18 (SHMA, Section 3, pages 26-40) sets out detailed evidence in relation to defining the housing market area. This concludes in paragraph 3.42 that "evidence would therefore confirm that Kirklees is a self-contained housing market area for the purposes of Local Plan policy making". SD1 (Strategy and Policies, paragraph 8.4) reflects this position. The SHMA analysis of housing market areas does not provide evidence to indicate that Kirklees should be split into 2 distinct housing market areas.
Paragraph/Site: 8.4	Consultee: 975291 Gareth Lloyd Agent: 969464 Mr Adam Jackson Rep ID: PDLP_SP521
Soundness - Positively Prepared	NLPs critique, based on secondary evidence with no updated demographic modelling undertaken, suggests a demographic starting point higher than that taken for the OAN identified in the SHMA. The housing requirement in the Publication Draft Local Plan (1,730dpa) is considered the minimum level of future housing need in Kirklees and falls short of meeting the OAN as set out in PPG.
Proposed Change Requested	Re-calculate OAHN.
Council Response	No change. The 2016 analysis of the housing requirement consistent with national planning policy is set out in SHMA (SD18 paragraphs 6.1 - 6.44) and is summarised in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13). The Kirklees SHMA (SD18, paragraphs 6.31 - 6.34) considers the issue of an uplift based on the affordable housing needs in the district and concludes that no such adjustment is necessary. The employment assumptions used are consistent with the aspirations of the Kirklees Economic Strategy. The justification for the selection of the sensitivity scenario is set out in the Employment Technical Paper (SD22, paragraphs 4.38 - 4.39). The Kirklees SHMA (SD18) considered the Unattributed Population Change (UPC), with paragraph 6.21 recommending that UPC is not considered in the OAN calculation. SD23 (Housing Technical Paper, paragraphs 4.23 - 4.27) explains the rationale for the approach to windfall in detail. The windfall allowance of 450 dwellings per annum for the final 11 years of the plan is based on a significant reduction compared to past trends to reflect the impact of adopting the Local Plan. It is comparable with the past trend of small windfall sites (less than 0.4ha) which are unaffected by the adoption of the Local Plan. These sites have yielded an average of 424 dwellings per annum since 2006/07.
Paragraph/Site: 8.6	Consultee: 942144 unknown Agent: 970993 Anna Turton Rep ID: PDLP_SP673
Soundness - Positively Prepared	Strata Homes welcome the housing requirement increase but concerns how the figure was derived including: 2014 SNHP can be used as a starting point but there should be consideration whether headship rates should be modified, particularly for the 25-44 years old age group as identified in the LPEG report. More realistic assumptions should be applied. The proposed housing requirement is based on the lowest end of economic growth aspirations so should be reviewed. SHMA only provides a cursory consideration of land prices in considering whether an uplift is required. Issues to be considered include: rates of development (lower than national trend), rents (risen considerably quicker than most comparator areas therefore 10% uplift recommended by LPEG), overcrowding (above the national average) and affordability (imbalance of 1,049 dwellings).
Soundness - Consistent with National Policy	The local plan approach will not deliver the housing requirement which will have ramifications for housing and economic growth in the district.
Proposed Change Requested	Review the housing requirement, in particular headship rates, economic growth and market signals. Increase the housing requirement.
Council Response	No change. The SHMA (SD18, paragraphs 6.16 - 6.21) consider local demographic trends and concludes that no adjustment is necessary in relation to headship

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rates. SD18 (Chapter 5 and paragraphs 6.27 and 6.28) conclude that there is no uplift required due to market signals. SD18 (paragraphs 6.31 - 6.34) also conclude that no adjustment to the housing requirement is necessary to take account of additional affordable housing delivery. SD22 (Employment Technical Paper, paragraph 4.38 - 4.39) sets out the reasons for the selection of the jobs-led SENS1 scenario which are closely linked to the implementation of the Kirklees Economic Strategy.

Paragraph/Site: **8.6** Consultee: **942337 unknown** Agent: **941775 Mr Paul Butler** Rep ID: **PDLP_SP543**

Soundness - Positively Prepared Annual housing requirement of 1,730 in sufficient. Due to affordable housing requirements in PLP11, an appropriate uplift to cater for affordable housing needs within the district would be 20%. This would provide an appropriate starting point. This would equate to 2,076 homes per annum as the baseline OAN with the proposed Local Plan period amended from 2013-2031 to 2013-2034.

Proposed Change Requested The Plan should deliver 2,076 homes per annum as its baseline OAN. This would equate to a total figure of 43,596 homes over a revised plan period extended to 2034 (2013-2034). This would be an increase of 7,266 homes against the Council's current baseline OAN position for the same period.

Council Response No change. SD18 (SHMA, paragraphs 6.31 - 6.34) set out the consideration of affordable needs in relation to the housing requirement. This concludes there is no adjustment necessary to take account of additional affordable housing delivery.

Paragraph/Site: **8.6** Consultee: **942405 unknown** Agent: **941908 Mr Andrew Rose** Rep ID: **PDLP_SP384**

Soundness - Positively Prepared Taylor Wimpey welcome the housing requirement increase but concerns how the figure was derived including: 2014 SNHP can be used as a starting point but there should be consideration whether headship rates should be modified, particularly for the 25-44 years old age group as identified in the LPEG report. More realistic assumptions should be applied. The proposed housing requirement is based on the lowest end of economic growth aspirations so should be reviewed. SHMA only provides a cursory consideration of land prices in considering whether an uplift is required. Issues to be considered include: rates of development (lower than national trend), rents (risen considerably quicker than most comparator areas therefore 10% uplift recommended by LPEG), overcrowding (above the national average) and affordability (imbalance of 1,049 dwellings).

Soundness - Consistent with National Policy The local plan approach will not deliver the housing requirement which will have ramifications for housing and economic growth in the district.

Proposed Change Requested Review the housing requirement, in particular headship rates, economic growth and market signals. Increase the housing requirement.

Council Response No change. The SHMA (SD18, paragraphs 6.16 - 6.21 consider local demographic trends and concludes that no adjustment is necessary in relation to headship rates. SD18 (Chapter 5 and paragraphs 6.27 and 6.28) conclude that there is no uplift required due to market signals. SD18 (paragraphs 6.31 - 6.34) also conclude that no adjustment to the housing requirement is necessary to take account of additional affordable housing delivery. SD22 (Employment Technical Paper, paragraph 4.38 - 4.39) sets out the reasons for the selection of the jobs-led SENS1 scenario which are closely linked to the implementation of the Kirklees Economic Strategy.

Paragraph/Site: **8.6** Consultee: **942682 Mike Hogarth** Agent: Rep ID: **PDLP_SP635**

Soundness - Justified The initial number of houses needed, over time, should to be looked at again as the number of people coming into the country should go down as we leave the EU.

Council Response No change The Kirklees housing requirement has been calculated in accordance with NPPF including using CLG Household Projections as a starting point and considering a range of factors listed in NPPF/NPPG. This process is set out briefly in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13) and in more detail in the Kirklees SHMA (SD18, paragraphs 6.1 - 6.44).

Paragraph/Site: **8.6** Consultee: **942695 John Hall** Agent: **1059913 Katrina Hulse** Rep ID: **PDLP_SP678**

Soundness - Justified It is considered that the 2012-SNHP, the 2014-SNHP have been depressed due to financial crisis of 2007-2008 and the subsequent recession - considered that effects are having some impact on household formation rates. No consideration appears to have been given to the impact of the recession on the propensity of the 25-34 year old age group to form new households. As the recession and the policy direction of government to provide intervention start to fade - starter homes/help to buy - headship rates are likely to increase. this needs to be reflected in a higher dwelling requirement. Proposed dwelling requirement

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of 1,730 does not take account of this. Shortfall in affordable housing on an annual basis. Neither SHMA nor Local Plan set out a specific number of affordable homes that need to be delivered over the plan period. There appears to be a fundamental disconnect between the housing requirement, the need for affordable housing and the delivery mechanism

Council Response

No change. SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13) summarises the approach to determining the housing requirement including using the household projections as a starting point in accordance with National Planning Practice Guidance (ID: 2a-015-20140306). The SHMA (SD18, paragraphs 6.16 - 6.21) consider local demographic trends and concludes that no adjustment is necessary in relation to headship rates. SD18 (Chapter 5 and paragraphs 6.27 and 6.28) conclude that there is no uplift required due to market signals. SD18 (paragraphs 6.31 - 6.34) also conclude that no adjustment to the housing requirement is necessary to take account of additional affordable housing delivery. SD22 (Employment Technical Paper, paragraph 4.38 - 4.39) sets out the reasons for the selection of the jobs-led SENS1 scenario which are closely linked to the implementation of the Kirklees Economic Strategy.

Paragraph/Site: **8.6**

Consultee: **942768**

Mr Andrew Wood

Agent:

Rep ID: **PDLP_SP729**

Soundness - Positively Prepared

A policy intervention to provide more homes to support an improvement to the employment rate is counter-productive as it will lead to a supply of homes for people not working in Kirklees and increase rates of out-commuting and additional workers moving into Kirklees but not improving rate of employment in Kirklees. The modelling of employment and housing growth is complicated and could be simplified by comparing the ratio of the existing population to numbers of dwellings and jobs. Applying this to population increase and changes to job provision would result in a range of 910 to 1,495 homes per annum.

Proposed Change Requested

Reduce the housing target: building on our evidence presented for the Consultation Draft Local Plan, plus our new evidence on employment growth presented here, we maintain our view that a housing target of around 25,000 homes, or 1,400 per year, is the maximum that could be considered to be sound

Council Response

No change The Kirklees housing requirement has been calculated in accordance with NPPF including using CLG Household Projections as a starting point and considering a range of factors listed in NPPF/NPPG. This process is set out briefly in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13) and in more detail in the Kirklees SHMA (SD18, paragraphs 6.1 - 6.44).

Paragraph/Site: **8.6**

Consultee: **942889**

Ms Adrienne Tina Newsome

Agent:

Rep ID: **PDLP_SP85**

Soundness - Justified

The housing requirement does not take account of Brexit and other factors. Timescale should be shorter to factor in unpredictable elements. Households are projected to increase 1,400 per annum between 2014 and 2039.

Council Response

No change. The Local Plan period accords with the requirements of the NPPF. The Kirklees housing requirement has been calculated in accordance with NPPF including using CLG Household Projections as a starting point and considering a range of factors listed in NPPF/NPPG. This process is set out briefly in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13) and in more detail in the Kirklees SHMA (SD18, paragraphs 6.1 - 6.44).

Paragraph/Site: **8.6**

Consultee: **943608**

Mr Robert Bamforth

Agent:

Rep ID: **PDLP_SP602**

Soundness - Positively Prepared

The actual long term historic housing completion rate of 1,050 per annum would be a far more justifiable and sustainable figure, perhaps with an aspirational aim to build towards a higher completion rate over the lifetime of the plan. KCAN works with CPRE who have responded to this consultation recommending 1,400 dwellings per annum is a maximum housing target. No objective evidence on the Local Plan, SHMA or Kirklees Economic Strategy for additional 'jobs-led' 146 additional homes per annum.

Soundness - Justified

Projections from the ONS have varied widely with the publication of new statistics on a two year cycle. The projections in the PDLP are 6.1% higher than those in previous consultation. A more flexible plan structure would obviate the need for reliance on fixed housing targets

Soundness - Effective

The requirement is inconsistent with market evidence and is not deliverable. It represents an increase of around 68% on long term historic housing completion rate in Kirklees. Under-delivery from the start of the plan period means that PINS would require an additional 20% buffer. The Local Plan is being set up to fail.

Council Response

No change The Kirklees housing requirement has been calculated in accordance with NPPF including using CLG Household Projections as a starting point and considering a range of factors listed in NPPF/NPPG. This process is summarised in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13) and in more detail in the Kirklees SHMA (SD18, paragraphs 6.1 - 6.44). The Employment Technical Paper (SD22, paragraphs 4.12-4.31) provides a detailed explanation why the SENS1 housing requirement scenario has been used. SD23 (Housing Technical Paper) sets out a detailed five year housing land supply calculation (Table 11,

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page 28) demonstrating five years supply of deliverable housing capacity including the required 20% buffer. The phasing table in SD1 (Strategy and Policies, pages 227 - 247) demonstrates that the Local Plan housing requirement can be delivered.

Paragraph/Site: 8.6	Consultee: 968336	Holme Valley Vision	Agent:	Rep ID: PDLP_SP561
Soundness - Positively Prepared	We are particularly concerned about the basis for the projected number of houses Kirklees says it requires to meet population and job growth, the location of those houses, the impact they will have on the nature of the places to which they have been allocated, the environment and the infrastructure, especially roads and drainage.			
Council Response	No Change The Kirklees housing requirement has been calculated in accordance with NPPF including using CLG Household Projections as a starting point. This process is set out briefly in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13) and in more detail in the Kirklees SHMA (SD18, paragraphs 6.1 - 6.44). The assessment of site options to determine which sites should be allocated to meet the housing requirement was in accordance with the Local Plan Methodology Statement Part 1 (BP22) and Part 2 (BP23). This process included consideration of a range of factors such as highways and drainage.			

Paragraph/Site: 8.6	Consultee: 968476		Agent: 970993	Anna Turton	Rep ID: PDLP_SP403
Soundness - Positively Prepared	Jones Homes welcome the housing requirement increase but concerns how the figure was derived including: 2014 SNHP can be used as a starting point but there should be consideration whether headship rates should be modified, particularly for the 25-44 years old age group as identified in the LPEG report. More realistic assumptions should be applied. The proposed housing requirement is based on the lowest end of economic growth aspirations so should be reviewed. SHMA only provides a cursory consideration of land prices in considering whether an uplift is required. Issues to be considered include: rates of development (lower than national trend), rents (risen considerably quicker than most comparator areas therefore 10% uplift recommended by LPEG), overcrowding (above the national average) and affordability (imbalance of 1,049 dwellings).				
Soundness - Consistent with National Policy	The local plan approach will not deliver the housing requirement which will have ramifications for housing and economic growth in the district.				
Council Response	No change. The SHMA (SD18, paragraphs 6.16 - 6.21 consider local demographic trends and concludes that no adjustment is necessary in relation to headship rates. SD18 (Chapter 5 and paragraphs 6.27 and 6.28) conclude that there is no uplift required due to market signals. SD18 (paragraphs 6.31 - 6.34) also conclude that no adjustment to the housing requirement is necessary to take account of additional affordable housing delivery. SD22 (Employment Technical Paper, paragraph 4.38 - 4.39) sets out the reasons for the selection of the jobs-led SENS1 scenario which are closely linked to the implementation of the Kirklees Economic Strategy.				

Paragraph/Site: 8.6	Consultee: 969350	Mrs Charlotte McKay	Agent: 969343	Mrs Charlotte McKay	Rep ID: PDLP_SP112
Soundness - Positively Prepared	There has been an over-estimation of the housing requirement and under-estimation of brownfield land.				
Soundness - Consistent with National Policy	The identified housing and employment needs are based on objectively assessed development requirements. The proposed Local Plan is aspirational but not realistic as required by the NPPF.				
Council Response	No change. The Kirklees housing requirement has been calculated in accordance with NPPF including using CLG Household Projections as a starting point and considering a range of factors listed in NPPF/NPPG. This process is set out briefly in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13) and in more detail in the Kirklees SHMA (SD18, paragraphs 6.1 - 6.44).				

Paragraph/Site: 8.6	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker	Rep ID: PDLP_SP479
Proposed Change Requested	Support noted.				
Council Response	No change. Support noted.				

Paragraph/Site: 8.6	Consultee: 972762	Brian Mortimer Esq	Agent: 1060394	Mr Josh Brear	Rep ID: PDLP_SP698
Soundness - Positively Prepared	It is considered that insufficient weight has been given to market signals in accordance with the advice within the PPG in respect to the rate of development, rents, overcrowding and affordability. The Local Plan Expert Group (LPEG report) suggests a 10% uplift should be applied in these circumstances.				

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Soundness - Consistent with National Policy	Insufficient weight given to market signals in accordance with the advice within the PPG in respect to the rate of development, rents, overcrowding and affordability.			
Council Response	No Change The Kirklees SHMA (SD18, paragraphs 5.1 - 5.16) considers market signals and concludes that there are no indicators prompting adjustment to housing need.			
Paragraph/Site: 8.6	Consultee: 974190	Agent: 941908	Mr Andrew Rose	Rep ID: PDLP_SP390
Soundness - Positively Prepared	MSL welcome the housing requirement increase but concerns how the figure was derived including: 2014 SNHP can be used as a starting point but there should be consideration whether headship rates should be modified, particularly for the 25-44 years old age group as identified in the LPEG report. More realistic assumptions should be applied. The proposed housing requirement is based on the lowest end of economic growth aspirations so should be reviewed. SHMA only provides a cursory consideration of land prices in considering whether an uplift is required. Issues to be considered include: rates of development (lower than national trend), rents (risen considerably quicker than most comparator areas therefore 10% uplift recommended by LPEG), overcrowding (above the national average) and affordability (imbalance of 1,049 dwellings).			
Soundness - Consistent with National Policy	The local plan approach will not deliver the housing requirement which will have ramifications for housing and economic growth in the district.			
Proposed Change Requested	Review the housing requirement, in particular headship rates, economic growth and market signals. Increase the housing requirement.			
Council Response	No change. The SHMA (SD18, paragraphs 6.16 - 6.21 consider local demographic trends and concludes that no adjustment is necessary in relation to headship rates. SD18 (Chapter 5 and paragraphs 6.27 and 6.28) conclude that there is no uplift required due to market signals. SD18 (paragraphs 6.31 - 6.34) also conclude that no adjustment to the housing requirement is necessary to take account of additional affordable housing delivery. SD22 (Employment Technical Paper, paragraph 4.38 - 4.39) sets out the reasons for the selection of the jobs-led SENS1 scenario which are closely linked to the implementation of the Kirklees Economic Strategy.			
Paragraph/Site: 8.6	Consultee: 978518	Agent:		Rep ID: PDLP_SP146
Council Response	No change. Support noted.			
Paragraph/Site: 8.6	Consultee: 1060207	David Hall	Agent:	Rep ID: PDLP_SP691
Soundness - Justified	The decision to leave the EU and the governments stated aim to reduce net immigration, will mean that less housing is needed to account for immigration rather than more.			
Council Response	No change The Kirklees housing requirement has been calculated in accordance with NPPF including using CLG Household Projections as a starting point and considering a range of factors listed in NPPF/NPPG. This process is set out briefly in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13) and in more detail in the Kirklees SHMA (SD18, paragraphs 6.1 - 6.44).			
Paragraph/Site: 8.7	Consultee: 975384	Agent: 975382	Mike OBrien	Rep ID: PDLP_SP723
Soundness - Justified	It is our view that the Local Plan should include a specific policy in relation to the selected housing target, and the wording of that policy should reflect the fact that this figure is a minimum.			
Proposed Change Requested	It is our view that the Local Plan should include a specific policy in relation to the selected housing target, and the wording of that policy should reflect the fact that this figure is a minimum. As proposed in the Sefton Local Plan we would suggest that a partial catch up model is used so as to address the deficiencies of this lower figure and the likelihood that household formation rates will rise over the next decade. Whilst we are supportive of the attempt to align the economic and housing strategies, methodology used to reach this figure requires further thought.			
Council Response	No change. The National Planning Policy Framework and Planning Practice Guidance do not require the inclusion of a housing requirement policy. The Spatial Development Strategy (SD1, Strategy and Policies, page 36 - 37) states the provision of "about, (but not less than) 31,140 new dwellings." which provides sufficient flexibility. As set out in SD23 (Housing Technical Paper, paragraph 6.4), the Local Plan allocates sites for 21,919 dwellings compared to the requirement of 21,328 dwellings which provides flexibility in relation to delivery.			

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Paragraph/Site: 8.8	Consultee: 942144 unknown	Agent: 970993 Anna Turton	Rep ID: PDLP_SP674
Soundness - Justified	Support for the principle of including a buffer to provide additional flexibility but this should be increased. LPEG recommends a 20% buffer of reserve sites to ensure the plan can maintain a five year housing land supply and respond flexibly and rapidly to change.		
Proposed Change Requested	Include a higher buffer to provide additional flexibility in the Plan, in accordance with guidance.		
Council Response	No change. SD23 (Housing Technical Paper, paragraphs 4.21 - 4.22) provides details in relation to the 10% buffer for sites with planning permission and states that proposed housing allocations have been assessed using the robust Local Plan methodology which increases confidence in their delivery. As such no allowance is applied to the emerging housing allocations.		
Paragraph/Site: 8.8	Consultee: 942405 unknown	Agent: 941908 Mr Andrew Rose	Rep ID: PDLP_SP638
Soundness - Justified	Support for the principle of including a buffer to provide additional flexibility but this should be increased. LPEG recommends a 20% buffer of reserve sites to ensure the plan can maintain a five year housing land supply and respond flexibly and rapidly to change.		
Proposed Change Requested	Include a higher buffer to provide additional flexibility in the Plan, in accordance with guidance.		
Council Response	No change. SD23 (Housing Technical Paper, paragraphs 4.21 - 4.22) provides details in relation to the 10% buffer for sites with planning permission and states that proposed housing allocations have been assessed using the robust Local Plan methodology which increases confidence in their delivery. As such no allowance is applied to the emerging housing allocations.		
Paragraph/Site: 8.8	Consultee: 968476	Agent: 970993 Anna Turton	Rep ID: PDLP_SP680
Soundness - Justified	Support for the principle of including a buffer to provide additional flexibility but this should be increased. LPEG recommends a 20% buffer of reserve sites to ensure the plan can maintain a five year housing land supply and respond flexibly and rapidly to change.		
Proposed Change Requested	Include a higher buffer to provide additional flexibility in the Plan, in accordance with guidance.		
Council Response	No change. SD23 (Housing Technical Paper, paragraphs 4.21 - 4.22) provides details in relation to the 10% buffer for sites with planning permission and states that proposed housing allocations have been assessed using the robust Local Plan methodology which increases confidence in their delivery. As such no allowance is applied to the emerging housing allocations.		
Paragraph/Site: 8.8	Consultee: 974190	Agent: 941908 Mr Andrew Rose	Rep ID: PDLP_SP662
Soundness - Justified	Support for the principle of including a buffer to provide additional flexibility but this should be increased. LPEG recommends a 20% buffer of reserve sites to ensure the plan can maintain a five year housing land supply and respond flexibly and rapidly to change.		
Proposed Change Requested	Include a higher buffer to provide additional flexibility in the Plan, in accordance with guidance.		
Council Response	No change. SD23 (Housing Technical Paper, paragraphs 4.21 - 4.22) provides details in relation to the 10% buffer for sites with planning permission and states that proposed housing allocations have been assessed using the robust Local Plan methodology which increases confidence in their delivery. As such no allowance is applied to the emerging housing allocations.		
Paragraph/Site: 8.12	Consultee: 942144 unknown	Agent: 970993 Anna Turton	Rep ID: PDLP_SP675
Soundness - Justified	Insufficient evidence in the Housing Technical Paper to justify a windfall allowance equivalent to 26%. There is no assessment whether windfalls will continue to provide a reliable source of supply in the future. Windfall delivery is likely to reduce in future years with a local plan in place and up to date SHLAA. As such the council are not allocating sufficient land to meet objectively assessed housing needs.		
Proposed Change Requested	Review and publish all evidence on windfall analysis.		
Council Response	No change. SD23 (Housing Technical Paper, paragraphs 4.23 - 4.27) explains the rationale for the approach to windfall in detail. The windfall allowance of 450 dwellings per annum for the final 11 years of the plan is based on a significant reduction compared to past trends to reflect the impact of adopting the Local Plan. It is comparable with the past trend of small windfall sites (less than 0.4ha) which are unaffected by the adoption of the Local Plan. These sites		

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have yielded an average of 424 dwellings per annum since 2006/07.

Paragraph/Site: **8.12**

Consultee: **942405 unknown**

Agent: **941908 Mr Andrew Rose**

Rep ID: **PDLP_SP637**

Soundness - Justified

Insufficient evidence in the Housing Technical Paper to justify a windfall allowance equivalent to 26%. There is no assessment whether windfalls will continue to provide a reliable source of supply in the future. Windfall delivery is likely to reduce in future years with a local plan in place and up to date SHLAA. As such the council are not allocating sufficient land to meet objectively assessed housing needs.

Proposed Change Requested

Review and publish all evidence on windfall analysis.

Council Response

No change. SD23 (Housing Technical Paper, paragraphs 4.23 - 4.27) explains the rationale for the approach to windfall in detail. The windfall allowance of 450 dwellings per annum for the final 11 years of the plan is based on a significant reduction compared to past trends to reflect the impact of adopting the Local Plan. It is comparable with the past trend of small windfall sites (less than 0.4ha) which are unaffected by the adoption of the Local Plan. These sites have yielded an average of 424 dwellings per annum since 2006/07.

Paragraph/Site: **8.12**

Consultee: **942768 Mr Andrew Wood**

Agent:

Rep ID: **PDLP_SP730**

Soundness - Justified

Windfalls have accounted for majority of housing completions and there is no sign of this tailing off. The Local Plan risks eschewing a historically reliable source of supply. Not including windfall allowance from 2017-21 directly contradicts evidence of windfall as a reliable, ongoing source of supply. Monitoring and an up to date brownfield register would help create plan-led windfalls.

Proposed Change Requested

Revise the approach to windfall sites to ensure that a good supply of windfall sites continues and that they are consistent with the settlement hierarchy and spatial objectives of the plan.

Council Response

No change. SD23 (Housing Technical Paper, paragraphs 4.23 - 4.27) explains the rationale for the approach to windfall. Paragraph 4.25 explains that most of the windfall delivery in the early years of the plan is likely to be on sites which currently have planning permission. To avoid double counting (capacity in windfalls and also planning permissions) the windfall allowance is proposed for the final 11 years of the plan only.

Paragraph/Site: **8.12**

Consultee: **943608 Mr Robert Bamforth**

Agent:

Rep ID: **PDLP_SP597**

Soundness - Justified

The number of windfalls could increase if the council placed a proper strategic, robust and practical focus on masterplanned urban regeneration of the older and larger urban areas. The council could plan for a minimum windfall allowance of zero in year 1, rising linearly to 900 dwellings in year 5 and thereafter (the historic norm)

Soundness - Consistent with National Policy

The council have failed to identify a windfall allowance in first 5 years of the plan, not in accordance with NPPF para 48.

Proposed Change Requested

The council could plan for a minimum windfall allowance of zero in year 1, rising linearly to 900 dwellings in year 5 and thereafter (the historic norm)

Council Response

No change. SD23 (Housing Technical Paper, paragraphs 4.23 - 4.27) explains the rationale for the approach to windfall. Paragraph 4.25 explains that most of the windfall delivery in the early years of the plan is likely to be on sites which currently have planning permission. To avoid double counting (capacity in windfalls and also planning permissions) the windfall allowance is proposed for the final 11 years of the plan only.

Paragraph/Site: **8.12**

Consultee: **968476**

Agent: **970993 Anna Turton**

Rep ID: **PDLP_SP681**

Soundness - Justified

Insufficient evidence in the Housing Technical Paper to justify a windfall allowance equivalent to 26%. There is no assessment whether windfalls will continue to provide a reliable source of supply in the future. Windfall delivery is likely to reduce in future years with a local plan in place and up to date SHLAA. As such the council are not allocating sufficient land to meet objectively assessed housing needs.

Proposed Change Requested

Review and publish all evidence on windfall analysis.

Council Response

No change. SD23 (Housing Technical Paper, paragraphs 4.23 - 4.27) explains the rationale for the approach to windfall in detail. The windfall allowance of 450 dwellings per annum for the final 11 years of the plan is based on a significant reduction compared to past trends to reflect the impact of adopting the Local Plan. It is comparable with the past trend of small windfall sites (less than 0.4ha) which are unaffected by the adoption of the Local Plan. These sites

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have yielded an average of 424 dwellings per annum since 2006/07.

Paragraph/Site: **8.12**

Consultee: **974190**

Agent: **941908**

Mr Andrew Rose

Rep ID: **PDLP_SP663**

Soundness - Justified

Insufficient evidence in the Housing Technical Paper to justify a windfall allowance equivalent to 26%. There is no assessment whether windfalls will continue to provide a reliable source of supply in the future. Windfall delivery is likely to reduce in future years with a local plan in place and up to date SHLAA. As such the council are not allocating sufficient land to meet objectively assessed housing needs.

Proposed Change Requested

Review and publish all evidence on windfall analysis.

Council Response

No change. SD23 (Housing Technical Paper, paragraphs 4.23 - 4.27) explains the rationale for the approach to windfall in detail. The windfall allowance of 450 dwellings per annum for the final 11 years of the plan is based on a significant reduction compared to past trends to reflect the impact of adopting the Local Plan. It is comparable with the past trend of small windfall sites (less than 0.4ha) which are unaffected by the adoption of the Local Plan. These sites have yielded an average of 424 dwellings per annum since 2006/07.

Paragraph/Site: **8.14**

Consultee: **943608**

Mr Robert Bamforth

Agent:

Rep ID: **PDLP_SP612**

Soundness - Justified

Development sites should only be allocated on a rolling six year horizon. It is not fair, necessary or practical to release specific sites for development more than six years in advance, given the huge uncertainties in accurately forecasting the Districts housing and industrial development needs, or brownfield land availability, over longer time frames. It will massively discourage brownfield development and developers will simply cherry pick the best green field sites. Allocation will also lead to increased land-banking.

Council Response

No change. The Local Plan period accords with the requirements of the NPPF (paragraph 157). The Kirklees housing requirement has been calculated in accordance with NPPF including using CLG Household Projections as a starting point and considering a range of factors listed in NPPF/NPPG. This process is summarised in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13) and in more detail in the Kirklees SHMA (SD18, paragraphs 6.1 - 6.44).

Paragraph/Site: **8.14**

Consultee: **1036423**

mr leonard Dawson

Agent:

Rep ID: **PDLP_SP12**

Soundness - Justified

The figure of 21,324 new homes is totally unjustified as it fails to take into account household formation and the pattern for larger household sizes.

Proposed Change Requested

Reduced housing requirement figure.

Council Response

No change. The Kirklees housing requirement has been calculated in accordance with NPPF including using CLG Household Projections as a starting point and considering a range of factors listed in NPPF/NPPG. This process is summarised in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13) and in more detail in the Kirklees SHMA (SD18, paragraphs 6.1 - 6.44). Policy PLP 11 (Housing Mix and Affordable Housing) in SD1 (Strategy and Policies) seeks to ensure proposals for housing meet local needs in accordance with the Kirklees SHMA (SD18).

Paragraph/Site: **8.14**

Consultee: **1044323**

Mr and Mrs Rhodes

Agent: **1041912**

Mr Frazer Sandwith

Rep ID: **PDLP_SP101**

Soundness - Positively Prepared

The proposed housing requirement should be expressed as a minimum to reflect national planning policy by using the words at least. This will make it clear that the overall housing requirement figure is not seen as a maximum, reflecting national planning policy to boost significantly housing supply. This will ensure that growth is planned for positively over the Plan period.

Proposed Change Requested

The proposed housing requirement should be expressed as a minimum to reflect national planning policy by using the words at least.

Council Response

No change. The Spatial Development Strategy (SD1, Strategy and Policies, page 36 - 37) states the provision of "about, (but not less than) 31,140 new dwellings.." which provides sufficient flexibility. As set out in SD23 (Housing Technical Paper, paragraph 6.4), the Local Plan allocates sites for 21,919 dwellings compared to the requirement of 21,328 dwellings which provides flexibility in relation to delivery.

Paragraph/Site: **8.14**

Consultee: **1045848**

Mrs Toni Rios

Agent: **1045846**

Mr Christopher Yapp

Rep ID: **PDLP_SP74**

Soundness - Justified

As the employment land requirement is reduced in the PDLP it does appear that there could be a risk of increased out-commuting.

Proposed Change Requested

It can be made sound if capacity enhancements additional to schemes included in the Roads Investment Strategy and any other committed schemes are

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implemented. The schemes identified by the WYIS should be identified in the IDP.

Council Response No change to paragraph 8.14. As set out in SD22 (Employment Technical Paper, paragraphs 4.35 - 4.39), the employment assumptions under the SENS1 scenario include maintaining a higher overall economic activity rate and a further small reduction in the employment rate. The alternative economic activity and unemployment assumptions serve to maintain a larger local labour force, with a larger number of people living and working in Kirklees. This reduces the need for additional net in-migration.

Paragraph/Site: **Table 5** Consultee: **942142** **unknown** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP_SP290**

Council Response No change. Support noted.

Paragraph/Site: **Table 5** Consultee: **942144** **unknown** Agent: **941843** **Mr James Hobson** Rep ID: **PDLP_SP774**

Soundness - Justified To deliver the level of identified windfalls would have implications for delivery of the plan. Having an up-to-date plan with allocations and SHLAA evidence base is justification to move away from past trends. The 21,324 requirement identified for land to be allocated in the Local Plan is a minimum figure and does not provide a realistic buffer of potential sources of housing supply to ensure requirement is met in full. The 20% buffer in the LPEG report should be given careful consideration.

Council Response No change. SD23 (Housing Technical Paper, paragraphs 4.23 - 4.27) explains the rationale for the approach to windfall in detail. The windfall allowance of 450 dwellings per annum for the final 11 years of the plan is based on a significant reduction compared to past trends to reflect the impact of adopting the Local Plan. It is comparable with the past trend of small windfall sites (less than 0.4ha) which are unaffected by the adoption of the Local Plan. These sites have yielded an average of 424 dwellings per annum since 2006/07. SD23 (paragraphs 4.21 - 4.22) also provides details in relation to the 10% buffer for sites with planning permission and states that proposed housing allocations have been assessed using the robust Local Plan methodology which increases confidence in their delivery. As such no allowance is applied to the emerging housing allocations.

Paragraph/Site: **Table 5** Consultee: **942149** **unknown** Agent: **971739** **Kellie Hainsworth** Rep ID: **PDLP_SP709**

Soundness - Justified OAN should be higher. Council will not have 5 year land supply due to constraints on supply.

Council Response No change. SD18 (SHMA, Section 6, pages 85 - 94) sets out the justification for the housing requirement in Kirklees including consideration of employment evidence. SD23 (Housing Technical Paper) sets out a detailed five year housing land supply calculation (Table 11, page 28) demonstrating five years supply of deliverable housing capacity.

Paragraph/Site: **Table 5** Consultee: **942154** **unknown** Agent: **941891** **Paul Leeming** Rep ID: **PDLP_SP436**

Soundness - Positively Prepared The Council should increase their housing requirement and allocate more sites.

Soundness - Justified The 10% lapse rate and demolitions allowance are supported. However the Council appears to be heavily reliant on windfalls. The plan should allocate sufficient land to address OAN and windfalls that occur should be considered as a bonus. When allocating land it would be appropriate for the council to utilise a buffer of 20% consistent with LPEG recommendations to allow flexibility in supply.

Soundness - Effective The requirement of allocations for 21,324 units is not effective in ensuring the Plan requirement is met, nor does it provide flexibility to deal with changing circumstances.

Soundness - Consistent with National Policy The Council's failure to meet OAN is not consistent with NPPF.

Council Response No change. The Kirklees housing requirement has been calculated in accordance with NPPF including using CLG Household Projections as a starting point and considering a range of factors listed in NPPF/NPPG. This process is summarised in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13) and in more detail in the Kirklees SHMA (SD18, paragraphs 6.1 - 6.44). SD23 (paragraphs 4.23 - 4.27) also explains the rationale for the approach to windfall in detail. The windfall allowance of 450 dwellings per annum for the final 11 years of the plan is based on a significant reduction compared to past trends to reflect the impact of adopting the Local Plan. It is comparable with the past trend of small windfall sites (less than 0.4ha) which are unaffected by the adoption of the Local Plan. These sites have yielded an average of 424 dwellings per annum since 2006/07. SD23 (paragraphs 4.21 - 4.22) also provides details in relation to the 10%

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buffer for sites with planning permission and states that proposed housing allocations have been assessed using the robust Local Plan methodology which increases confidence in their delivery. As such no allowance is applied to the emerging housing allocations. SD1 (Strategy and Policies, paragraph 8.26) sets out potential actions to be explored if there is the lack of a deliverable housing supply at any point during the plan period.

Paragraph/Site: **Table 5** Consultee: **942301** **Mr Sarah and Peter Hall** Agent: **942076** **Mr Richard Irving** Rep ID: **PDLP_SP284**

Council Response No change. Support noted.

Paragraph/Site: **Table 5** Consultee: **942337** **unknown** Agent: **941775** **Mr Paul Butler** Rep ID: **PDLP_SP544**

Soundness - Positively Prepared Plan period should be extended to 2034. The demolitions allowance in Table 5 is not challenged but would need to be extended to a proposed revised plan end date of 2033/34. Support for the 10% discount rate in respect of the inevitable non-implementation of existing planning permissions but object to the removal of the 5% flexibility rate on allocations to ensure choice and competition in the market for land. The Local Plan does not include any flexibility in respect of delivery of housing allocations. As a result of these changes, table 5 should be amended (full proposed revised table set out in the representation, paragraph 6.17) to show that 40,856 new homes are required from housing allocations in the draft Local Plan. This is 19,532 more homes than the 21,324 currently identified in the Publication Draft Local Plan.

Soundness - Justified Challenge to the windfall allowance showing 4,950 homes from windfall between 2020-2031. There will be a significantly higher level of windfall in the transition between an out of date plan and the new Local Plan but this will decrease following the publication of the Local Plan. The inclusion of a windfall allowance suggests the Council's approach to safeguarding other uses will fail and the delivery of housing to meet needs will rely on unknown sites coming forward for development at an unknown point in time.

Soundness - Consistent with National Policy The Council should seek to meet all housing needs through identifiable sites rather than windfall to ensure needs are met. Windfall sites can provide further flexibility.

Proposed Change Requested See attached document, paragraph 6.17 for an amended table 5. The Local Plan therefore needs to provide housing allocations to meet the requirement for 40,856 new homes. This figure equates to 19,532 more homes than the 21,324 homes which identified housing land allocations are currently proposed to deliver. Even if we place the predicted windfall allowance back into the supply calculations (5,400 over our plan period), there would still be a need to identify 14,132 more homes than that currently proposed as identified housing land allocations in order to meet in full Kirklees objectively assessed housing needs.

Council Response No change. SD18 (SHMA, paragraphs 6.31 - 6.34) set out the consideration of affordable needs in relation to the housing requirement. This concludes there is no adjustment necessary to take account of additional affordable housing delivery. The Local Plan period accords with the requirements of the NPPF (paragraph 157). SD23 (Housing Technical Paper, paragraphs 4.21 - 4.22) provides details in relation to the 10% buffer for sites with planning permission and states that proposed housing allocations have been assessed using the robust Local Plan methodology which increases confidence in their delivery. As such no allowance is applied to the emerging housing allocations. SD23 (Housing Technical Paper, paragraphs 4.23 - 4.27) set out the justification for the windfall allowance in Kirklees which includes consideration of past delivery.

Paragraph/Site: **Table 5** Consultee: **942405** **unknown** Agent: **941889** **Mr Alistair Flatman** Rep ID: **PDLP_SP288**

Council Response No change. Support noted.

Paragraph/Site: **Table 5** Consultee: **942409** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP_SP289**

Council Response No change. Support noted.

Paragraph/Site: **Table 5** Consultee: **942410** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP_SP287**

Council Response No change. Support noted.

Paragraph/Site: **Table 5** Consultee: **942462** **Bellway Homes (Yorkshire) Ltd** Agent: **993144** **Mr Jon Brier** Rep ID: **PDLP_SP201**

Soundness - Positively Prepared No explanation given why the Council are predicting 27% fewer jobs than in DLP. The affordable requirement represents 60% of annual housing requirement.

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	Additional housing land will help offset the identified net shortfall to provide additional affordable homes. Comments made on the density assumptions being too high mean that evidence needs to be provided to this effect. Whilst a discount is applied to sites with approval, no allowance is made for allocations. It is normal practice for a 20% allowance to be made to provide a buffer of sites, to ensure sufficient land is available.
Soundness - Justified	No explanation why Council prefer SENS1 model to Core model for jobs led housing figure. Concerned about large windfall allowance, whilst this is a reduction on past delivery this is based on a time with no up-to-date plan and prohibition on greenfield land.
Soundness - Effective	Research from NLP indicates that the average build rates are 161 dwellings. This would suggest lead in times in Local Plan are ambitious and potentially unrealistic, particularly in case of H2089 as Dewsbury is not a strong market area.
Soundness - Consistent with National Policy	The NPPG states an increase in housing figures in the Local Plan should be considered where it could help deliver the required affordable homes.
Proposed Change Requested	A greater degree of flexibility should be included to allow for unforeseen circumstances.
Council Response	No Change SD22 (Employment Technical Paper, paragraphs 4.12 - 4.31) explains the difference in job numbers between the Draft Local Plan and the Publication Draft which includes a review of the timescale to achieve a 75% employment rate and basing the revised calculations on a revised Regional Econometric Model. The Employment Technical Paper (SD22, paragraphs 4.12-4.31) also provides a detailed explanation why the SENS1 housing requirement scenario has been used. SD23 (Housing Technical Paper, paragraphs 4.21 - 4.22) provides details in relation to the 10% buffer for sites with planning permission and states that proposed housing allocations have been assessed using the robust Local Plan methodology which increases confidence in their delivery. As such no allowance is applied to the emerging housing allocations. SD23 also sets out the justification for the lead in times in paragraphs 5.20 - 5.22. The Kirklees SHMA (SD18, paragraphs 6.31 - 6.34) considers the issue of an uplift based on the affordable housing needs in the district and concludes that no such adjustment is necessary.

Paragraph/Site: **Table 5**Consultee: **942491 C Kekwick and S England**Agent: **941932 Mr Bradley Stankler**Rep ID: **PDLP_SP185**

Soundness - Justified	The requirement fails to meet NPPF's strategy to significantly increase the supply of homes in order to meet housing needs and reduce the need for more and longer distance commuting. Under provision in first years of the plan needs adding back into the identified requirement to meet this shortfall. There is no evidence that the windfall requirement is justified.
Soundness - Consistent with National Policy	The requirement fails to meet NPPF's strategy to significantly increase the supply of homes in order to meet housing needs and reduce the need for more and longer distance commuting.
Council Response	No change. SD18 (SHMA, Section 6, pages 85 - 94) sets out the justification for the housing requirement in Kirklees including consideration of employment evidence. The Local Plan phasing table in SD1 (Strategy and Policies, Appendix 3, page 227 - 247) sets out the accepted housing sites which meet the Local Plan housing requirement. Table 5 of SD1 (pages 65 - 66) demonstrates that under-delivery since the Local Plan base date of 2013 has been considered in the calculation of the capacity required from housing allocations in the Local Plan. SD23 (Housing Technical Paper, paragraph 4.23 - 4.27) sets out the justification for the windfall allowance in Kirklees which includes consideration of past delivery.

Paragraph/Site: **Table 5**Consultee: **942695 John Hall**Agent: **1059913 Katrina Hulse**Rep ID: **PDLP_SP677**

Soundness - Justified	There is no policy that explicitly sets out the housing requirement. To ensure that the DPD is clear to future users of the document, it is considered that this significant omission should be addressed. Further analysis required to assess where the sources of windfall will come from. Failure to deliver this level of windfall will undermine the strategy of the plan - plan will be ineffective.
Proposed Change Requested	There is no policy that explicitly sets out the housing requirement. To ensure that the DPD is clear to future users of the document, it is considered that this significant omission should be addressed
Council Response	No change National Planning Policy Framework and Planning Practice Guidance do not require the inclusion of a housing requirement policy. SD1 (Strategy and Policies) sets out the Spatial Development Strategy (page 36) and PLP 3 which refer to meeting the Local Plan housing requirement. SD23 (Housing Technical Paper, paragraph 4.23 - 4.27) sets out the justification for the windfall allowance in Kirklees which includes consideration of past delivery.

Paragraph/Site: **Table 5**Consultee: **943764 Ms Margaret Dugdill**

Agent:

Rep ID: **PDLP_SP700**

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Soundness - Justified	The Council's housing requirement appears to be inconsistent with its own Economic Strategy, particularly in relation to future employment growth. The housing growth strategy being pursued is not supported by the Plan's own evidence base.		
Soundness - Effective	Some allocated land will not be delivered in practice; no 'lapse rate' buffer has been applied to allocated housing sites.		
Proposed Change Requested	Apply a 10% 'lapse rate' buffer to allocated sites. Further consider site H149 and the contribution it could make to meeting housing needs.		
Council Response	No change. The scenarios referred to in the representation relate to Annex D of the SHMA (SD18, pages 163 - 173). This Annex sets out the analysis which supported the previous 2015 SHMA to provide context. The updated 2016 analysis is in the main body of text in SHMA (and is summarised in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13). The employment assumptions used are consistent with the aspirations of the Kirklees Economic Strategy. Over time there is a larger proportion of the adult population in older age groups which dampens the overall economic activity rate, even though age-specific rates may be higher. SD23 (Housing Technical Paper, paragraphs 4.21 - 4.22) provides details in relation to the 10% buffer for sites with planning permission and states that proposed housing allocations have been assessed using the robust Local Plan methodology which increases confidence in their delivery. As such no allowance is applied to the emerging housing allocations.		
Paragraph/Site: Table 5	Consultee: 943847 Mrs Sally Barber	Agent:	Rep ID: PDLP_SP525
Soundness - Positively Prepared	The Council should put measures in place to encourage / force building companies to build on sites with permission.		
Council Response	No change. Housing capacity on sites with current planning permissions has been included in the calculation of the amount of land to be allocated in the Local Plan. Planning permissions have an expiry date which applies until a development makes a legal start. The delivery of new homes on sites with planning permission is a decision for the developer/landowner. SD1 (Strategy and Policies, paragraph 8.26) sets out potential actions the council will explore in relation to improving the delivery of new homes.		
Paragraph/Site: Table 5	Consultee: 943892 Mr Matthew Good	Agent:	Rep ID: PDLP_SP497
Soundness - Justified	Use of sub-national household projections as a starting point is supported and considered consistent with PPG. However, headship rates in the 25-44 year old age group (most likely to form households and take up jobs) are likely to have been depressed by the recession and therefore an uplift should be considered. Also, lack of justification why the 2014 sub-national projections are the most appropriate for Kirklees over the plan period. A sensitivity test could be utilised to consider this issue. Pre-recession unemployment rates are considered but pre-recession headship rates are not. For economic assumptions, changes to economic activity rates within the older population and fixed commuting ratio are considered appropriate. However, economic activity rates are retained at the current level for the labour force (16-74 year olds). This is considered an optimistic assumption given the ageing population and higher percentage of those over 64. Economic activity of over 64s is unlikely to increase significantly. Sensitivity tests to determine the housing requirement are questioned. Justification for the reduction in unemployment to 4% is questioned. For market signals, land prices should be considered in more detail. Some factors could lead to an uplift in the housing number such as rates of development, rents, overcrowding and affordability. Kirklees delivery rates below the national average and delivery was below the RSS targets, rents have risen more quickly than most comparator areas and national average (for which LPEG advocates a 10% uplift), overcrowding is above the national average and there is an imbalance of affordable need at 1,049 dwellings. In calculating the required capacity from housing allocations, the inclusion of a 10% lapse rate on existing planning permissions and a demolitions allowance is supported. The plan relies heavily on windfalls but support for having no windfall allowance before 2020 to avoid double counting. The 450 per annum windfall allowance is arbitrary therefore further analysis of the sources of windfall supply and their likely delivery over the plan period is required. The approach of not relying on empty homes being brought back into use as part of the housing requirement calculation is supported. HBF would support a 20% buffer of reserve sites (consistent with LPEG report) to ensure the plan is flexible and can deliver the number of homes required.		
Proposed Change Requested	Further consideration should be given to increasing household formation rates across all age cohorts (particularly 25-44) and sensitivity testing. The "core" scenario should be used to determine the housing requirement rather than the sensitivity checked scenario. Consideration of a 10% uplift in the housing requirement to take account of market signals. Based on the evidence provided by the Council it is anticipated that the actual level of need is more likely to be nearer 1,999 per annum. Further analysis of the sources of windfall supply and their likely delivery over the plan period is required. HBF would support a 20% buffer of reserve sites (consistent with LPEG report) to ensure the plan is flexible and can deliver the number of homes required.		
Council Response	No change. The 2016 analysis of the housing requirement SHMA (SD18 paragraphs 6.1 - 6.44) and is summarised in SD23 (Housing Technical Paper,		

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paragraphs 4.8 - 4.13). The employment assumptions used are consistent with the aspirations of the Kirklees Economic Strategy. Over time there is a larger proportion of the adult population in older age groups which dampens the overall economic activity rate, even though age-specific rates may be higher. The 4% unemployment rate represents a pre-recession position and is consistent with the aspirations of the Kirklees Economic Strategy. The SHMA (SD18, paragraphs 6.27 and 6.28) sets out the consideration of market signals. The justification for the selection of the sensitivity scenario is set out in the Employment Technical Paper (SD22, paragraphs 4.38 - 4.39). SD23 (Housing Technical Paper, paragraphs 4.21 - 4.22) provides details in relation to the 10% buffer for sites with planning permission and states that proposed housing allocations have been assessed using the robust Local Plan methodology which increases confidence in their delivery. As such no allowance is applied to the emerging housing allocations.

Paragraph/Site: **Table 5** Consultee: **972565** Agent: **1059531** **Rachael Martin** Rep ID: **PDLP_SP285**

Council Response No change. Support noted.

Paragraph/Site: **Table 5** Consultee: **973538** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP_SP286**

Council Response No change. Support noted.

Paragraph/Site: **Table 5** Consultee: **975384** Agent: **975382** **Mike OBrien** Rep ID: **PDLP_SP724**

Soundness - Justified Support the inclusion of a buffer, however buffer should be higher. We also note that the supply of housing identified to be provided from windfall development totals almost 16% of the remaining housing requirement. We would suggest that additional evidence is provided to confirm that this delivery will occur.

Proposed Change Requested We would suggest that a buffer of at least 10% of all sites should be included not just existing planning permissions.

Council Response No change. SD23 (Housing Technical Paper, paragraphs 4.21 - 4.22) provides details in relation to the 10% buffer for sites with planning permission and states that proposed housing allocations have been assessed using the robust Local Plan methodology which increases confidence in their delivery. As such no allowance is applied to the emerging housing allocations. SD23 (Housing Technical Paper, paragraph 4.23 - 4.27) sets out the justification for the windfall allowance in Kirklees which includes consideration of past delivery.

Paragraph/Site: **Table 5** Consultee: **1044323** **Mr and Mrs Rhodes** Agent: **1041912** **Mr Frazer Sandwith** Rep ID: **PDLP_SP102**

Soundness - Positively Prepared The proposed housing requirement should be expressed as a minimum to reflect national planning policy by using the words at least. This will make it clear that the overall housing requirement figure is not seen as a maximum, reflecting national planning policy to boost significantly housing supply. This will ensure that growth is planned for positively over the Plan period.

Proposed Change Requested The proposed housing requirement should be expressed as a minimum to reflect national planning policy by using the words at least.

Council Response No change. The Spatial Development Strategy (SD1, Strategy and Policies, page 36 - 37) states the provision of "about, (but not less than) 31,140 new dwellings.." which provides sufficient flexibility. As set out in SD23 (Housing Technical Paper, paragraph 6.4), the Local Plan allocates sites for 21,919 dwellings compared to the requirement of 21,328 dwellings which provides flexibility in relation to delivery.

Paragraph/Site: **Table 5** Consultee: **1053492** **c/o agent** Agent: **998185** **Mrs Emma Lancaster** Rep ID: **PDLP_SP690**

Soundness - Positively Prepared The draft Local Plan only allocates sufficient sites to accommodate in the order of 21,371 dwellings, which is 47 dwellings more than the Local Plan requirement and therefore does not make provision for sufficient flexibility or the allocation of a wide choice of sites to enable housing needs in the area to be met in full.

Soundness - Consistent with National Policy The plan does not make provision for sufficient flexibility or the allocation of a wide choice of sites to enable housing needs in the area to be met in full in accordance with NPPF Para 47.

Council Response No change. The Local Plan identifies housing allocations with a capacity of 21,919 compared to the housing requirement of 21,328 as stated in SD23 (Housing Technical Paper, paragraph 6.4) with site specific information set out in the phasing table in SD1 (Strategy and Policies, pages 227 - 247).

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Paragraph/Site: Table 5	Consultee: 1059536	Agent: 942076	Mr Richard Irving	Rep ID: PDLP_SP292
Council Response	No change. Support noted.			
Paragraph/Site: Table 5	Consultee: 1059538	Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP291
Council Response	No change. Support noted.			
Paragraph/Site: Table 5	Consultee: 1060207	David Hall	Agent:	Rep ID: PDLP_SP692
Soundness - Justified	Argument from Strata Homes in draft plan that 635 homes with planning permission [applying 10% lapse rate] will not be built and that brownfield sites will not be developed for various reasons including cost cannot be accepted given that the only reasons for releasing site H442 is the lack of alternative sites.			
Council Response	No change. The calculation of requirement for housing allocations includes a 10% lapse rate for planning permissions (which are not also accepted Local Plan housing allocations) as explained in SD23 (Housing Technical Paper, paragraphs 4.21 - 4.22). This provides more certainty that the Local Plan will be able to deliver the required number of homes over the plan period.			
Paragraph/Site: Table 5	Consultee: 1061347	Mr John Fleming	Agent: 941808	John Fleming
Soundness - Justified	The housing target currently being planned for may not be sufficient to meet OAN due to the reliance on large strategic sites and windfall allowance.			
Soundness - Effective	The housing target currently being planned for may not be sufficient to meet OAN due to the reliance on large strategic sites and windfall allowance.			
Proposed Change Requested	In order for the Plan to progress, the Council needs to undertake substantial further evidence base work with active consideration to the need to release land from the Green Belt.			
Council Response	No change. The council have already undertaken the assessment of potential development options using the methodology set out in BP23 (Local Plan Methodology Statement Part 2). Paragraphs 4.51 - 4.56 of this document relate specifically to the green belt aspect of the assessment and more detailed information relating to the assumptions underpinning the methodology is set out in BP25 (Green Belt Review Supporting Document). Evidence in relation to the delivery of sites (including strategic sites) is set out in the phasing table in SD1 (Strategy and Policies, pages 227 - 247). In addition, SD23 (Housing Technical Paper, Table 11, page 28) sets out the five year housing land supply calculation. In relation to the approach to windfall, SD23 (Housing Technical Paper, paragraph 4.23 - 4.27) sets out the justification for the windfall allowance in Kirklees which includes consideration of past delivery.			
Paragraph/Site: 8.15	Consultee: 942682	Mike Hogarth	Agent:	Rep ID: PDLP_SP625
Soundness - Justified	A major concern is why so many empty properties are not being reconditioned and used first before any further housing considerations are being proposed. This should be given immediate priority.			
Council Response	No change. Some empty homes are expected as part of the normal operation of the housing market. SD18 (Kirklees SHMA, 2016) (Table 5.2, page 83) sets out the Long Term Vacancy percentage in Kirklees (2015) as 1.2% which is comparable with Yorkshire & Humber (1.1%) and England (0.9%). SD18 (Table 5.1, page 82) also shows that long-term vacancy rates have tended to fluctuate in Kirklees over the last 10 years. SD23 (Housing Technical Paper, April 2017) (paragraphs 4.31 - 4.33) explains that the Council has an Empty Homes Strategy but to rely on such capacity to meet the Local Plan housing requirement without robust evidence in relation to the number of homes likely to be brought back into use would not be justified. As such, empty homes brought back into use during the Local Plan period will provide further flexibility in meeting housing needs.			
Paragraph/Site: 8.17	Consultee: 943973	Mr David Newby	Agent:	Rep ID: PDLP_SP177
Soundness - Justified	A more rigorous site selection process needs to take place.			
Proposed Change Requested	A more rigorous site selection process needs to take place.			
Council Response	No change. The Spatial Development Strategy in SD1 (Strategy and Policies, p.36-37) sets out the approach to the location of development within Kirklees. Site options have been subject to a robust assessment as set out in BP22 (Local Plan Methodology Statement Part 1) and BP23 (Local Plan Methodology Statement Part 2).			

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Paragraph/Site: **8.17** Consultee: **965560 Mrs Mary Palmerley** Agent: Rep ID: **PDLP_SP164**

Council Response No change. Support Noted.

Paragraph/Site: **8.2** Consultee: **942337 unknown** Agent: **941775 Mr Paul Butler** Rep ID: **PDLP_SP546**

Council Response No change. Support noted.

Paragraph/Site: **8.2** Consultee: **942768 Mr Andrew Wood** Agent: Rep ID: **PDLP_SP732**

Soundness - Effective Concerned that proposed allocations from green belt will not provide housebuilding at a sufficient rate to make a meaningful contribution to land supply. This is true of Bradley and Chidswell allocations where allocations in adjoining authority areas presents risk of market saturation. This damages the strategic case for taking such sites out of the Green Belt.

Proposed Change Requested €€ Reconsider the strategic case for Green Belt changes, on the basis that the deletions currently proposed have not been justified by the evidence, will detract from urban regeneration and are unlikely to contribute to boosting housing supply in a timely fashion. €€ Revisit the Duty to Cooperate to show clearly how the combined effects of development proposals close to the boundaries between Kirklees, Leeds and Calderdale are to be managed and will deliver sustainable outcomes.

Council Response No change. The Local Plan phasing table set out in SD1 (Strategy and Policies, pages 227 - 247) demonstrates that the Local Plan will deliver sufficient homes to meet the housing requirement. The phasing table is based on the robust methodology set out in SD23 (Housing Technical Paper, paragraphs 5.13 - 5.25). Evidence relating to the Duty to Co-operate is set out in SD14 (Duty to Co-operate Statement) which includes consideration of cross-boundary issues with the relevant authorities. The process followed when assessing development options in the green belt is set out in BP23 (Methodology Part 2: Site Allocation Methodology, paragraphs 4.51 - 4.56) including an assessment of the green belt edge and the site option. A detailed explanation of the approach to the green belt is set out in BP25 (Green Belt Review Supporting Document).

Paragraph/Site: **Figure 7** Consultee: **942768 Mr Andrew Wood** Agent: Rep ID: **PDLP_SP344**

Soundness - Justified The Housing Trajectory should only be based on the anticipated flow of completions. The graph as presented is a hypothetical rate at which sites may become available for development, rather than a profile of the rate at which housing will be delivered.

Proposed Change Requested The Housing Trajectory should show a series of years in which the anticipated rate of housing completions will be sufficient to implement the plan target. Otherwise the allocations and land supply calculations cannot be shown to be based on a realistic delivery scenario, and are therefore not justified by the evidence.

Council Response No Change The Local Plan phasing table is set out in SD1 (Strategy and Policies, pages 227 - 247) and forms the basis for the housing trajectory. The phasing table is indicative and demonstrates that the Local Plan will deliver sufficient homes to meet the housing requirement. The phasing table is based on the robust methodology set out in SD23 (Housing Technical Paper, paragraphs 5.13 - 5.25)

Paragraph/Site: **8.23** Consultee: **942337 unknown** Agent: **941775 Mr Paul Butler** Rep ID: **PDLP_SP547**

Soundness - Positively Prepared Support for the mechanisms identified in Paragraph 8.26 in respect of situations where the Council cannot identify a 5-year supply of deliverable housing land. However an additional mechanism should be included within the list in the relation to the release of safeguarded land and a potential subsequent review of the Local Plan.

Proposed Change Requested There should be trigger points within the plan that would release safeguarded land should the Council not be able to demonstrate a 5 year supply of housing land.

Council Response No change. SD1 (Strategy and Policies, paragraph 8.26, bullet point 5) refers to a potential action to address under-delivery as undertaking a review of housing allocations to look for further opportunities. The lack of a five year supply of deliverable housing land would be the point when the council could explore the options listed.

Paragraph/Site: **8.23** Consultee: **943892 Mr Matthew Good** Agent: Rep ID: **PDLP_SP504**

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Soundness - Effective	The section does not provide any clear guidance upon when a full or partial review would be triggered.				
Council Response	No change. SD1 (Strategy and Policies, paragraph 8.26, bullet point 5) refers to a potential action to address under-delivery as undertaking a review of housing allocations to look for further opportunities. The lack of a five year supply of deliverable housing land would be the point when the council could explore the options listed.				
Paragraph/Site: 8.24	Consultee: 942142	unknown	Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP299
Council Response	No change. Support noted.				
Paragraph/Site: 8.24	Consultee: 942301	Mr Sarah and Peter Hall	Agent: 942076	Mr Richard Irving	Rep ID: PDLP_SP293
Council Response	No change. Support noted.				
Paragraph/Site: 8.24	Consultee: 942405	unknown	Agent: 941889	Mr Alistair Flatman	Rep ID: PDLP_SP297
Council Response	No change. Support noted.				
Paragraph/Site: 8.24	Consultee: 942409		Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP298
Council Response	No change. Support noted.				
Paragraph/Site: 8.24	Consultee: 942410		Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP296
Council Response	No change. Support noted.				
Paragraph/Site: 8.24	Consultee: 972565		Agent: 1059531	Rachael Martin	Rep ID: PDLP_SP294
Council Response	No change. Support noted.				
Paragraph/Site: 8.24	Consultee: 973538		Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP295
Council Response	No change. Support noted.				
Paragraph/Site: 8.24	Consultee: 1059536		Agent: 942076	Mr Richard Irving	Rep ID: PDLP_SP301
Council Response	No change. Support noted.				
Paragraph/Site: 8.24	Consultee: 1059538		Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP300
Council Response	No change. Support noted.				
Paragraph/Site: 8.26	Consultee: 942337	unknown	Agent: 941775	Mr Paul Butler	Rep ID: PDLP_SP671
Soundness - Effective	Support for key mechanisms where the Council cannot identify a 5-year supply of deliverable housing land. An additional mechanism should be included to refer to safeguarded land and a potential review of the Local Plan.				
Proposed Change Requested	An additional mechanism should be included to refer to safeguarded land and a potential review of the Local Plan.				
Council Response	No change. SD1 (Strategy and Policies, paragraph 8.26, bullet point 5) refers to a potential action to address under-delivery as undertaking a review of housing allocations to look for further opportunities. The lack of a five year supply of deliverable housing land would be the point when the council could explore the options listed.				
Paragraph/Site: 8.26	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker	Rep ID: PDLP_SP480
Soundness - Effective	- Wording of fourth bullet point is ambiguous, where it refers to the preparation of development briefs and masterplans for larger sites. Council already				

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Proposed Change Requested includes a policy for masterplanning sites (PLP5). - Assumed that Council is referring to sites not a
- Recommend fourth bullet point amended: to: preparation of development briefs and masterplans for larger sites that are not allocated in the Kirklees Local Plan.

Council Response No change. The list of potential actions in paragraph 8.26 of SD1 (Strategy and Policies) aims to cover a variety of situations. If a housing site already has a development brief and masterplan it is unlikely that a further masterplan would add value in relation to improving deliverability.

Paragraph/Site: **8.27** Consultee: **943608** **Mr Robert Bamforth** Agent: Rep ID: **PDLP_SP605**

Soundness - Justified A low windfall allowance and over-allocation of green field sites would lead to growth of developer land banks. It is wrong to adopt a plan that will lead to more building on green field and green belt land than is strictly necessary and/or gives planners and developers the free choice to build on green field instead of brown field land.

Council Response No change. The council have considered development options put forward to be considered through the Local Plan process including those on brownfield land. The windfall allowance takes account of additional sites which may come forward during the plan period. SD23 (Housing Technical Paper, paragraphs 4.23 - 4.27) explains the windfall approach in detail. SD1 (Strategy and Policies, page 47) includes policy PLP7 (Efficient and effective use of land and buildings) which states that proposals should encourage the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value.

Paragraph/Site: **Policy PLP 11** Consultee: **942142** **unknown** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP_SP308**

Council Response No change. Support noted.

Paragraph/Site: **Policy PLP 11** Consultee: **942144** **unknown** Agent: **970993** **Anna Turton** Rep ID: **PDLP_SP398**

Soundness - Justified Strata Homes support the principle of a broad mix of housing, however the Local Plan should not dictate the housing mix across the District. The requirement for sites over 10 dwellings or 0.4ha to specifically reflect proportions set out in SHMA is onerous and prescriptive. The 20% affordable housing target across Kirklees is potentially unjustified as evidence supporting the Community Infrastructure Levy suggests difficulties achieving 20% especially in lower value areas.

Soundness - Effective The Community Infrastructure Levy suggests difficulties achieving 20% affordable housing especially in lower value areas. Much of Huddersfield and Dewsbury fall into these areas and a significant amount of growth is envisaged. Setting levels at 20% may mean that the submissions of viability assessments becomes common practice.

Proposed Change Requested Remove the onerous and prescriptive approach to "specifically" dictate housing mix, size and tenure on sites. Amend policy to encourage rather than specifically reflect. Review the approach to affordable housing to ensure all areas and sites are viable.

Council Response Change. Additional flexibility provided by the removal of the word "specifically" when referring to the housing mix reflecting the proportions of households that require housing. This minor amendment is set out in SD4 (Proposed Modifications to the Local Plan, reference MM14 and MM16). Policy PLP 11 includes a statement that the proportion of affordable housing may be less where viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal.

Paragraph/Site: **Policy PLP 11** Consultee: **942144** **unknown** Agent: **941843** **Mr James Hobson** Rep ID: **PDLP_SP781**

Soundness - Positively Prepared To attract investment into the district there is likely to be need for an element of aspirational housing.

Soundness - Effective Evidence from CIL study suggests that a large proportion of the district would be unviable if 20% requirement imposed.

Council Response No change. Policy PLP 11 includes a statement that the proportion of affordable housing may be less where viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal.

Paragraph/Site: **Policy PLP 11** Consultee: **942154** **unknown** Agent: **941891** **Paul Leeming** Rep ID: **PDLP_SP437**

Soundness - Positively Prepared The Local Plan does not accord with the indicative targets within SHMA. Evidence in SHMA is only one factor and the policy should reflect market information

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	and demand indicators as most housing will be provided by the private sector.
Soundness - Justified	The blanket 20% affordable target across the district raises concerns about the viability of schemes in low value urban areas of Huddersfield and Dewsbury. It would be important for policy to take into consideration the impending introduction of starter homes.
Council Response	Change. Additional flexibility provided by the removal of the word "specifically" when referring to the housing mix reflecting the proportions of households that require housing. This minor amendment is set out in SD4 (Proposed Modifications to the Local Plan, reference MM14 and MM16). Policy PLP 11 includes a statement that the proportion of affordable housing may be less where viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal. Starter Homes are referred to in the supporting text for policy PLP 11 (paragraphs 8.33 - 8.34).
Paragraph/Site: Policy PLP 11	Consultee: 942169 Agent: 972788 Mr Nick Pleasant Rep ID: PDLP_SP527
Proposed Change Requested	The policy is supported but suggested that the policy is split into two: one on affordable housing and another on housing mix.
Council Response	No change. Support noted.
Paragraph/Site: Policy PLP 11	Consultee: 942301 Mr Sarah and Peter Hall Agent: 942076 Mr Richard Irving Rep ID: PDLP_SP302
Council Response	No change. Support noted.
Paragraph/Site: Policy PLP 11	Consultee: 942337 unknown Agent: 941775 Mr Paul Butler Rep ID: PDLP_SP548
Soundness - Justified	Objection to the wording in the 2nd paragraph. Market demand should be referenced as a key driver in housing mix as developers need to deliver houses that will sell and which will therefore deliver the required obligations. This is particularly important in respect to affordable homes. The policy should not include design requirements in respect of specialist needs as these are now incorporated within Building Regulations. The Local Plan should not include requirements that are covered by none-planning legislation. Flexibility should be provided in the policy to account for local demand and the aspirations of Registered Providers. Consideration should be given to the impending role of starter homes, which would conflict with the present wording of the policy
Proposed Change Requested	Part b) should be amended so that it encourages the affordability of a property to be in perpetuity rather than demand it which may not always be possible.
Council Response	Change. Policy PLP 11 amended to add that arrangements for homes to remain affordable in perpetuity should be in place "where appropriate" (see change SP-MM15, SD4 - Proposed Modifications to the Local Plan). Additional flexibility also provided by the removal of the word "specifically" when referring to the housing mix reflecting the proportions of households that require housing. This minor amendment is set out in SD4 (Proposed Modifications to the Local Plan, reference MM14 and MM16). Starter Homes are referred to in the supporting text for policy PLP 11 (paragraphs 8.33 - 8.34).
Paragraph/Site: Policy PLP 11	Consultee: 942340 unknown Agent: 941854 Mr Mark Johnson Rep ID: PDLP_SP660
Soundness - Effective	Request that any housing mix targets within the SHMA are considered as indicative. We object to the use of prescriptive housing mix targets used on Local Plan policies and welcome a more flexible, market led approach
Council Response	Change. Additional flexibility provided by the removal of the word "specifically" when referring to the housing mix reflecting the proportions of households that require housing. This minor amendment is set out in SD4 (Proposed Modifications to the Local Plan, reference MM14 and MM16).
Paragraph/Site: Policy PLP 11	Consultee: 942405 unknown Agent: 941908 Mr Andrew Rose Rep ID: PDLP_SP385
Soundness - Justified	Taylor Wimpey support the principle of a broad mix of housing, however the Local Plan should not dictate the housing mix across the District. The requirement for sites over 10 dwellings or 0.4ha to specifically reflect proportions set out in SHMA is onerous and prescriptive. The 20% affordable housing target across Kirklees is potentially unjustified as evidence supporting the Community Infrastructure Levy suggests difficulties achieving 20% especially in lower value areas.
Soundness - Effective	The Community Infrastructure Levy suggests difficulties achieving 20% affordable housing especially in lower value areas. Much of Huddersfield and Dewsbury fall into these areas and a significant amount of growth is envisaged. Setting levels at 20% may mean that the submissions of viability assessments becomes common practice.
Proposed Change Requested	Remove the onerous and prescriptive approach to "specifically" dictate housing mix size and tenure on sites. Amend policy to encourage rather than

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	specifically reflect. Review the approach to affordable housing to ensure all areas and sites are viable.
Council Response	Change. Additional flexibility provided by the removal of the word "specifically" when referring to the housing mix reflecting the proportions of households that require housing. This minor amendment is set out in SD4 (Proposed Modifications to the Local Plan, reference MM14 and MM16). Policy PLP 11 includes a statement that the proportion of affordable housing may be less where viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal.
Paragraph/Site: Policy PLP 11	Consultee: 942405 unknown Agent: 941889 Mr Alistair Flatman Rep ID: PDLP_SP306
Council Response	No change. Support noted.
Paragraph/Site: Policy PLP 11	Consultee: 942409 Agent: 950095 Mr Jonathan Dunbavin Rep ID: PDLP_SP307
Council Response	No change. Support noted.
Paragraph/Site: Policy PLP 11	Consultee: 942410 Agent: 950095 Mr Jonathan Dunbavin Rep ID: PDLP_SP305
Council Response	No change. Support noted.
Paragraph/Site: Policy PLP 11	Consultee: 942682 Mike Hogarth Agent: Rep ID: PDLP_SP633
Soundness - Justified	Housing should look to address loneliness problems for older residents, as discussed in Scottish Parliament report. What do we mean specifically about rental and shared ownership contracts and affordable housing? What ideas do the Council have?
Council Response	No change. The Local Plan glossary defines affordable housing. SD1 (Strategy and Policies) includes PLP 11 (Housing mix and affordable housing, page 68) which refers to provision for those with specialist needs, adaptation of homes for people into later life and reflecting the proportions of households requiring housing.
Paragraph/Site: Policy PLP 11	Consultee: 942768 Mr Andrew Wood Agent: Rep ID: PDLP_SP352
Soundness - Justified	PLP 11 will not be effective in delivering a sufficient stock of affordable housing and is therefore not fit for purpose.
Proposed Change Requested	The plan should clearly set out: the total proportion of all new homes that should be in affordable tenures; the proportion of all affordable homes that would be expected to be delivered as an element of market housing schemes; how the remaining affordable homes are to be delivered; how the type and location of development sites has been informed by the requirements for affordable housing; and how the provision of market housing will be managed to ensure that development sites are not used up for market housing if affordable homes are not being delivered at an acceptable rate.
Council Response	No change. Policy PLP 11 states that the proportion of affordable homes should be 20% of the total units on market housing sites. SD1 (Strategy and Policies, paragraph 8.44) states that there are other mechanisms to achieve affordable housing in addition to securing units as part of market housing schemes.
Paragraph/Site: Policy PLP 11	Consultee: 943847 Mrs Sally Barber Agent: Rep ID: PDLP_SP511
Proposed Change Requested	Policy is supported, though the parish council wish to engage the council in greater discussions about brownfield / small sites that would secure small scale expansion of towns and villages.
Council Response	No change. Support noted.
Paragraph/Site: Policy PLP 11	Consultee: 943892 Mr Matthew Good Agent: Rep ID: PDLP_SP498
Soundness - Justified	Housing mix - Support the need to deliver a mix of housing taking account of SHMA but targets in SHMA should be viewed as indicative because SHMA is a snapshot in time. Rigid requirements not appropriate. Factors such as viability, site characteristics and market demands should be taken into account and there is likely to be a need for an element of aspirational housing. Affordable housing - Support for the removal of "at least" from the affordable housing requirement and the retention of the viability clause. The viability of a 20% target across the district is questioned as the CIL viability work indicates such a rate may not be viable across the whole district so should be lowered in some areas (including Huddersfield and Dewsbury). The policy does not refer to the

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	impending introduction of Starter Homes and implications should be considered before submission.				
Council Response	Change. Additional flexibility provided by the removal of the word "specifically" when referring to the housing mix reflecting the proportions of households that require housing. This minor amendment is set out in SD4 (Proposed Modifications to the Local Plan, reference MM14 and MM16). Starter Homes are referred to in the supporting text for policy PLP 11 (paragraphs 8.33 - 8.34). Policy PLP 11 includes a statement that the proportion of affordable housing may be less where viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal.				
Paragraph/Site: Policy PLP 11	Consultee: 959056	Mr C Springthorpe	Agent: 941970	Mr Alastair Skelton	Rep ID: PDLP_SP60
Soundness - Justified	- Additional definition of Starter Homes in the glossary, which will reflect the National Planning Policy Framework and the Housing and Planning Act (2016), must be included in the Plan. Elsewhere (paragraphs 8.33-8.34) the concept of 'Starter Homes' is r				
Proposed Change Requested	- Glossary must be amended to include 'Starter Homes'				
Council Response	Change. The Local Plan glossary has been amended to include Starter Homes (subject to Government regulations yet to be published at the time of drafting he Local Plan). This is SP-MM28 in SD4 (Proposed Modifications to the Local Plan).				
Paragraph/Site: Policy PLP 11	Consultee: 964471		Agent: 941986	Ziyad Thomas	Rep ID: PDLP_SP138
Soundness - Positively Prepared	The policy wording encourages housing developments to be built to a standard that is suitable for the elderly (or easily altered to be suitable for the elderly); accessible housing built to the standards of M4(2) or M4(3) of the Building Regulations. The provision of housing suitable for the elderly would not, by itself, address the diverse housing needs of the elderly in Kirklees. The wording of PLP11 would be improved through the inclusion of wording that encourages or promotes the delivery of specialist forms of accommodation such as sheltered / retirement housing and Extra Care accommodation.				
Proposed Change Requested	The policy should be reworded in line with advice provided in Housing in Later Life: Planning Ahead for Specialist Housing for Older People toolkit.				
Council Response	No change. The policy wording for PLP 11 sets out the requirement to meet needs including adaptation and meeting specialist needs now and into later life. Extra care is also referred to in the justification text for PLP 11. The schemes to meet such needs are not prescribed to ensure flexibility.				
Paragraph/Site: Policy PLP 11	Consultee: 968336	Holme Valley Vision	Agent:		Rep ID: PDLP_SP576
Soundness - Justified	Agree that there is a need for more housing, particularly smaller properties, suitable for those entering the property ladder and those wishing to downsize. Do not agree with larger scale developments, comprising mainly of semi-detached and detached houses.				
Council Response	No change. Policy PLP 11 seeks to ensure new proposals provide a broad mix of housing suitable for different household types. This policy states that the proportion of affordable homes should be 20% of the total units on sites.				
Paragraph/Site: Policy PLP 11	Consultee: 968476		Agent: 970993	Anna Turton	Rep ID: PDLP_SP404
Soundness - Justified	Jones Homes support the principle of a broad mix of housing, however the Local Plan should not dictate the housing mix across the District. The requirement for sites over 10 dwellings or 0.4ha to specifically reflect proportions set out in SHMA is onerous and prescriptive. The 20% affordable housing target across Kirklees is potentially unjustified as evidence supporting the Community Infrastructure Levy suggests difficulties achieving 20% especially In lower value areas.				
Soundness - Effective	The Community Infrastructure Levy suggests difficulties achieving 20% affordable housing especially In lower value areas. Much of Huddersfield and Dewsbury fall into these areas and a significant amount of growth is envisaged. Setting levels at 20% may mean that the submissions of viability assessments becomes common practice.				
Proposed Change Requested	Remove the onerous and prescriptive approach to "specifically" dictate housing mix, size and tenure on sites. Amend policy to encourage rather than specifically reflect. Review the approach to affordable housing to ensure all areas and sites are viable.				
Council Response	Change. Additional flexibility provided by the removal of the word "specifically" when referring to the housing mix reflecting the proportions of households that require housing. This minor amendment is set out in SD4 (Proposed Modifications to the Local Plan, reference MM14 and MM16). Policy PLP 11 includes a statement that the proportion of affordable housing may be less where viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal.				

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Paragraph/Site: Policy PLP 11	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker	Rep ID: PDLP_SP481
Soundness - Justified	- Housing Mix. Policy refers to housing mix taking into account "latest evidence" of need for different types of housing. Does not set out what evidence could be, supporting paragraphs include some references. Evidence base. - Need to take account of SHMA				
Proposed Change Requested	Recommend policy is amended: Insert the following at the end of the sentence ending and tenure€ € based on the latest evidence of local demand in that particular location€ € Insert the following after the sentence ending Local Plan€ that subject to evidence and need are considered to be viable and deliverable€. Reword the final sentence at the bottom of page 68 as follows: This should include appropriate design elements in an agreed proportion of the development to ensure buildings are suitable or can be adapted to meet the needs of people needing specialist accommodation at present and into later life€				
Council Response	Change. Additional flexibility provided by the removal of the word "specifically" when referring to the housing mix reflecting the proportions of households that require housing. This minor amendment is set out in SD4 (Proposed Modifications to the Local Plan, reference MM14 and MM16).				
Paragraph/Site: Policy PLP 11	Consultee: 972220		Agent: 941908	Mr Andrew Rose	Rep ID: PDLP_SP371
Soundness - Justified	Miller Homes support the principle of a broad mix of housing, however the Local Plan should not dictate the housing mix across the District. The requirement for sites over 10 dwellings or 0.4ha to specifically reflect proportions set out in SHMA is onerous and prescriptive. The 20% affordable housing target across Kirklees is potentially unjustified as evidence supporting the Community Infrastructure Levy suggests difficulties achieving 20% especially In lower value areas.				
Soundness - Effective	The Community Infrastructure Levy suggests difficulties achieving 20% affordable housing especially In lower value areas. Much of Huddersfield and Dewsbury fall into these areas and a significant amount of growth is envisaged. Setting levels at 20% may mean that the submissions of viability assessments becomes common practice.				
Proposed Change Requested	Remove the onerous and prescriptive approach to "specifically" dictate housing mix, size and tenure on sites. Amend policy to encourage rather than specifically reflect. Review the approach to affordable housing to ensure all areas and sites are viable.				
Council Response	Change. Additional flexibility provided by the removal of the word "specifically" when referring to the housing mix reflecting the proportions of households that require housing. This minor amendment is set out in SD4 (Proposed Modifications to the Local Plan, reference MM14 and MM16). Policy PLP 11 includes a statement that the proportion of affordable housing may be less where viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal.				
Paragraph/Site: Policy PLP 11	Consultee: 972565		Agent: 1059531	Rachael Martin	Rep ID: PDLP_SP303
Council Response	No change. Support noted.				
Paragraph/Site: Policy PLP 11	Consultee: 973538		Agent: 950095	Mr Jonathan Dunbavin	Rep ID: PDLP_SP304
Council Response	No change. Support noted.				
Paragraph/Site: Policy PLP 11	Consultee: 975384		Agent: 975382	Mike OBrien	Rep ID: PDLP_SP725
Soundness - Justified	Based on population evidence in the SHMA, by 2030 the number of people living in Kirklees aged 65+ is set to rise by 54% from 60,300 to 93,000. the 85+ population is set to rise from 7,900 to 15,500 an increase of 96%. Kirklees face challenges to accommodate this. Older people will form an increasing proportion of our population and demand for support and care services will continue to rise significantly in the coming years; Estimates of current need indicate that the Council is purchasing between 30% to 35% of the total amount of social care that is needed to support older people in Kirklees the remainder is, therefore, likely to be purchased directly by people funding their own care, or being delivered by informal carers; As people age, the incidence of dementia will increase and services therefore need to be appropriate to meet these changing needs. Generally people are entering services much later in life and consequently with more complex needs. Early intervention and prevention is key to helping people age well and live life to the full. Increasingly people will seek out solutions which help them to live independently in line with their chosen lifestyle. Ageing population is identified as an issue within S&P and evidence base and id not been addressed within the plan. No reference in policy to the 'over 55' category. No reference to providing care and support for the elderly within the policy itself. It is suggested that in order to encourage the delivery of housing to meet elderly needs, this section is strengthened and				

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the chronic and growing need for elderly housing identified within the SHMA given appropriate attention. In its current form this policy does not reflect the current need for elderly housing in the borough and could result in a worsening undersupply of this housing type. Given the importance of this unmet need, the current approach to the provision of housing for the over 55s is clearly not justified.

Proposed Change Requested

i. The Local Plan should include a specific policy stipulating housing target, and the wording of that policy should reflect the fact that this figure is a minimum.
ii. The Local Plan should include a specific policy that seeks to address the importance of meeting the need for elderly housing.
iii. Site H564 should be included within the Submission Version of the Local Plan.

Council Response

No change. SD1 (Strategy and Policies) includes PLP 11 (Housing mix and affordable housing, page 68) which refers to provision for those with specialist needs, adaptation of homes for people into later life and reflecting the proportions of households requiring housing. The policy is not more specific because planning applications would need to be considered using the most up to date evidence at the time. National Planning Policy Framework and Planning Practice Guidance do not require the inclusion of a housing requirement policy. The Spatial Development Strategy (SD1, Strategy and Policies, page 36 - 37) states the provision of "about, (but not less than) 31,140 new dwellings.." which provides sufficient flexibility. As set out in SD23 (Housing Technical Paper, paragraph 6.4), the Local Plan allocates sites for 21,919 dwellings compared to the requirement of 21,328 dwellings which provides flexibility in relation to delivery.

Paragraph/Site: **Policy PLP 11**

Consultee: **1049286 Mr Nicholas Willock**

Agent: **1049237 Mr Nicholas Willock**

Rep ID: **PDLP_SP584**

Soundness - Effective

The policy wording relating to exceptional granting of planning permission for affordable homes in small freestanding settlements is not the most effective strategy for providing affordable housing in Kirklees Rural West and Holme Valley South. Many villages in rural areas of are not freestanding which would prevent the application of the exceptions test. Significant need for affordable housing but needs in the rural areas will not be met by proposed housing allocations alone. Uppertong is discussed in more detail to illustrate the points made.

Soundness - Consistent with National Policy

The wording of PLP11 in combination with the number and size of proposed housing sites in the rural areas will severely and unnecessarily restrict the delivery of affordable housing across the rural areas of Kirklees making it more likely that the Council will not meet the full, objectively assessed affordable housing needs in Kirklees Rural West. The "freestanding settlement" clause in PLP11 does not comply with the wording in NPPF paragraph 89 which does not distinguish between settlement types only that the provision of limited affordable housing should respond to "local community needs". Uppertong is discussed in more detail to illustrate the points made.

Proposed Change Requested

Re-word DLP11 as follows (adapted slightly compared with our previous representation to ensure the exceptional circumstances cannot be utilised on land not within or adjoining smaller settlements): Exceptionally, planning permission may be granted for affordable homes in or adjoining small settlements on land which would not normally be permitted for housing development, where there is otherwise little prospect of meeting identified local needs particularly for housing to rent by people who work locally. Such schemes must include arrangements for the homes to remain affordable in perpetuity.€

Council Response

Change. Proposed changes SP-MM15 and SP-MM17 in SD4 (Proposed Modifications to the Local Plan, pages 4 - 5) proposes a change in policy wording to remove reference to "small freestanding settlements" from PLP 11 and to remove "in smaller freestanding settlements, well away from the larger urban areas" from the justification text for PLP 11.

Paragraph/Site: **Policy PLP 11**

Consultee: **1050199 Paula Sherriff**

Agent:

Rep ID: **PDLP_SP647**

Soundness - Justified

- Developers will want to build as many 4 and 5 bed executive style housing as possible, which will not meet the needs of local people, will encourage people to move here without addressing the underlying needs of people who live here now. Any development

Council Response

No change. This policy aims to achieve a broad mix of housing suitable for different household types which reflect the needs of people in Kirklees. It also aims to secure 20% affordable homes on schemes of more than 10 homes.

Paragraph/Site: **Policy PLP 11**

Consultee: **1059536**

Agent: **942076 Mr Richard Irving**

Rep ID: **PDLP_SP310**

Council Response

No change. Support noted.

Paragraph/Site: **Policy PLP 11**

Consultee: **1059538**

Agent: **950095 Mr Jonathan Dunbavin**

Rep ID: **PDLP_SP309**

Council Response

No change. Support noted.

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Paragraph/Site: Policy PLP 11	Consultee: 1060027 Mr John Cook	Agent:	Rep ID: PDLP_SP334
Soundness - Positively Prepared	- No mention of current urgent need for provision of affordable rural housing for purchase or rent. Village of High Flatts, at least 8 elderly people in need and 2 people travel in as part of employment would also benefit. - Use of the Community Land Trust		
Soundness - Justified	- A site west of Pump Row on Penistone Road is available. Although it is in the green belt the development of upwards of twelve (12) dwellings would not in any way be harmful to the surrounding environment due to the secluded position.		
Proposed Change Requested	- A site west of Pump Row on Penistone Road is available.		
Council Response	No change. Policy PLP 11 (as amended by change SP-MM15 as set out in SD4: Proposed modifications to the Local Plan) states that exceptionally planning permission may be granted on land which would not normally be permitted for housing development, where there is otherwise little prospect of meeting robustly evidenced local needs particularly for housing to rent by people who work locally. All sites submitted to the council have been considered through the Local Plan process.		
Paragraph/Site: 8.33	Consultee: 942889 Ms Adrienne Tina Newsome	Agent:	Rep ID: PDLP_SP84
Soundness - Justified	Kirklees are not upholding their own Policy H10, which states that new developments must have 15% of affordable homes.		
Council Response	No change. Policy PLP 11 (Housing Mix and Affordable Housing) sets out the Local Plan approach to securing affordable housing (SD1 Strategy and Policies, page 68). This policy seeks to secure 20% of the total units on market housing sites as affordable. The policy allows for a lower proportion where viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal.		
Paragraph/Site: Policy PLP 12	Consultee: 968556 Mr Anthony Aitken	Agent: 968551 Mrs Jessica Powell	Rep ID: PDLP_SP64
Soundness - Positively Prepared	Arc4 report recognises that there is insufficient information in relation to cross boundary movements and relationships. The relationship with existing and proposed provision in Leeds Council Area has been disregarded. existing supply of sites for traveller accommodation, as well as the emerging proposals for Additional pitches are concentrated in the south and south west sector of the Leeds Council Area and relate closely to the north and north east Area of Kirklees. An appropriate criteria based Policy for Kirklees should include geographic references. Evidence suggests that the north east Area of Kirklees District is not the most suitable location to improve provision of sites for the accommodation of the Gypsy and traveller community.		
Soundness - Justified	- Policy justification falls short of detailing all elements of evidence base in full. National policy advice restated as opposed to setting out appropriate policy provisions. - Does not provide analysis of evidence base or explain how the evidence base h		
Proposed Change Requested	- A criteria based policy which identifies the most suitable broad locations and sets detailed criteria.		
Council Response	No Change. The Kirklees Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2015 (LE16), was undertaken in accordance with national planning policy and existing guidance on undertaking accommodation assessments as set out in chapter 3 of the report. Locationally there are two sites GTTS1957 (extension to an existing Travelling Showpeople site) at Dewsbury and GTTS2487 for Gypsy and Travellers at Birstall. There are 34 rejected sites located in other parts of the district (see documents LE3 Kirklees Publication Draft Local Plan Rejected Site Options Maps and LE4 Kirklees Publication Draft Local Plan Rejected Site Options Report).		
Paragraph/Site: Policy PLP 12	Consultee: 969536 --	Agent: 969534 Miss Andrea Caplan	Rep ID: PDLP_SP710
Soundness - Positively Prepared	- Figures in justification questioned, following alterations to definition of gypsies and travellers. Implications of revised definition need to be considered when setting out 5 year and 6-10 year need figures. Those living in bricks and mortar should be e		
Proposed Change Requested	- GTAA figures are reviewed to ensure that they reflect true need for pitches over 5 years and 6-10 years based on up to date national policy.		
Council Response	No Change. The Kirklees Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2015 (LE16), took account of the recently released Planning Policy for Traveller Sites (CLG August 2015), specifically in paragraphs 2.16, 6.20, 6.49, 10.3 and 10.5, therefore the report is based on the latest national guidance and is considered robust.		

Paragraph/Site: **Policy PLP 12** Consultee: **971497 Rowena Kidger** Agent: Rep ID: **PDLP_SP461**

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Soundness - Justified	- there are too many sites in certain areas such as Newsome and Birstall. - traveller needs should not outweigh other vulnerable groups such as the Homeless. Travellers are already mobile and have vehicles to access health and educational needs. the educational needs of Travellers could be better served and managed by more online education, county by county.
Proposed Change Requested	- traveller sites should be more evenly spread across all districts.
Council Response	No Change. There are two sites GTTS1957 (extension to an existing Travelling Showpeople site) at Dewsbury and GTTS2487 for Gypsy and Travellers at Birstall. There are 34 rejected sites located in other parts of the district (see documents LE3 Kirklees Publication Draft Local Plan Rejected Site Options Maps and LE4 Kirklees Publication Draft Local Plan Rejected Site Options Report).

Paragraph/Site: 9.1	Consultee: 1045848 Mrs Toni Rios	Agent: 1045846 Mr Christopher Yapp	Rep ID: PDLP_SP75
Soundness - Justified	As in the 2015 Consultation Draft, the retailing and town centres chapter of the Strategy and Policies document does not quantify any additional office and retail floor space in the key urban areas of Huddersfield and Dewsbury.		
Proposed Change Requested	More information is needed for this element of the Local Plan to be considered sound.		
Council Response	No Change There are no allocations specifically for retail or office (B1a) floorspace within Huddersfield or Dewsbury Town Centres. The explanation for this, is set out in the Retailing and Town Centres technical paper (BP15), paragraphs 3.18 and 3.19 for retail and paragraphs 3.27 to 3.29 for office.		

Paragraph/Site: Policy PLP 13	Consultee: 943957 Mr Ian Smith	Agent:	Rep ID: PDLP_SP758
Council Response	No change. Support noted.		

Paragraph/Site: Policy PLP 13	Consultee: 947700 Mr G Maxwell	Agent:	Rep ID: PDLP_SP29
Soundness - Positively Prepared	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Town centre uses policy PLP13 to that consulted upon DLP13		
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Town centre uses policy PLP13 to that consulted upon DLP13		
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.		
Council Response	No change The differences between the draft and publication draft Local Plan Town Centre Uses 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		

Paragraph/Site: Policy PLP 13	Consultee: 955332 Mr Robert Barnes	Agent: 941969 Mr Robert Barnes	Rep ID: PDLP_SP184
Soundness - Justified	In parts A, B and C of the policy it is stated that proposals which do not comply with the sequential test, or would have a significant adverse impact on centres, will not be supported. here is no need for this wording, and it should be removed.		
Soundness - Consistent with National Policy	Part A of the policy makes reference to appropriateness of scale. This test has not been part of national policy for some considerable time.		
Proposed Change Requested	The parts of the policy stating the proposals will not€ or shall not€ be supported should be deleted. The policy should make no reference to / provision for consideration of appropriateness of scale.		
Council Response	No change. The parts of the policy stating the proposals will not€ or shall not€ be supported reflect the requirement of NPPF paragraph 27. The inclusion of reference to scale within the Town Centre uses policy is set out in the Retailing and Town Centres technical paper (BP15) section 4, paragraphs 4.1.1 to 4.1.10.		

Paragraph/Site: Policy PLP 13	Consultee: 969536 --	Agent: 969534 Miss Andrea Caplan	Rep ID: PDLP_SP353
Soundness - Justified	- Junction 27 area has a key role to play in the shopping centre hierarchy of the borough as set out in detail in previous representations January 2016		

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Proposed Change Requested	Developed over more than 20 years as a key retail and leisure destination, already has a significant - Junction 27 should be designated as a distinct and stand-alone 'out of town' centre and highlighted as such within the retail hierarchy. - Define this area as a Primary Shopping Area as defined in policy PLP 14.
Council Response	No change. Paragraph 4.1.10 of the Retailing and town centres technical paper (BP15) explains the Council's rationale for not including out of centre retail parks within retail hierarchy.
Paragraph/Site: Policy PLP 13	Consultee: 970990 Church Commissioners for England Agent: 941839 Nolan Tucker Rep ID: PDLP_SP482
Soundness - Justified	- Object to Number of Policy tests within fourth paragraph. These Do not apply to proposals such as Chidswell proposing significant residential development. - table includes A List of defined centres. Assumed that These are existing centres only, If assumption is not correct, Object to exclusion of new Local centres.
Soundness - Consistent with National Policy	- Paragraph 24. A local centre within MX1905 is being promoted as part of mixed use site and therefore in accordance with an up-to -date Local Plan. A sequential test as defined in policy should not be required in the case of MX1905. Same issue equally ap
Proposed Change Requested	- Reword fourth paragraph as follows: The creation of new Local Centres in the following allocations: Chidswell (MX1905) (and the others to be names) will be supported. Furthermore, new local centres will also be supported in other areas of significant
Council Response	No change. The explanation for the approach to new centres in the town centre uses policy PLP 13 is set out in the new centres section paragraphs 4.3.1 to 4.3.5 of the Retailing and Town Centres Technical Paper (BP15).
Paragraph/Site: Policy PLP 13	Consultee: 972220 Agent: 941908 Mr Andrew Rose Rep ID: PDLP_SP372
Soundness - Justified	Concern regarding the level of evidence and justification required to justify new local centres as part of sustainable urban extensions. The approach is onerous particularly when the policy requests sequential and impact assessments. This conflicts with the H2089 Dewsbury Riverside allocation which includes the delivery of new community hubs.
Soundness - Consistent with National Policy	The format and level of information required in Part B of the policy is in excess of the approach set out in the Framework (paragraphs 24, 26 and 27). The context and nature of the approach should be discussed on an individual site basis taking into account the nature of the scheme or both the impact assessment and sequential assessment.
Proposed Change Requested	Identify and allocate District and Local Centres on H2089 (Dewsbury Riverside). Remove the five bullet points in PLP13 and replace with "the scope and content of any Sequential Assessment shall be agreed with the Council and shall be reflective of the scale, role and function of the proposal."
Council Response	No change. For proposals in out of centre locations, the Town centre uses policy sets out the information to be included in the sequential test to be clear to the applicant from the outset. As stated this is to be reflective of the scale, role and function of the proposal as highlighted in NPPG para 010 and the scope and content of a sequential test agreed with the council. The explanation for the approach to New Centres in Local Plan policy PLP 13 is set out in the new centres section paragraphs 4.3.1 to 4.3.5 of the Retailing and Town Centres Technical Paper (BP15)
Paragraph/Site: Policy PLP 13	Consultee: 1054648 Agent: 972788 Mr Nick Pleasant Rep ID: PDLP_SP524
Soundness - Positively Prepared	The Local Plan evidence base (the WYG Kirklees Retail Capacity Study Update (2016)) recognises there is capacity for additional retail floorspace. However, there are no Local Plan allocations to meet such needs. The Local Plan should provide a positively worded policy to meet such needs in the most suitable location.
Soundness - Justified	PLP13 is not the most appropriate strategy for managing town centre use proposals and the policy approach is not based on proportionate evidence. Draft Policy PLP13 should be revised to reflect the role of such retail destinations and their function in meeting particular retail requirements. The detail of any sequential assessment should be proportionate to the circumstances of the application. Information on a business model can be informative but should not be a policy requirement and it is inappropriate for a policy to specify that all such assessments should have an extensive audit trail. Furthermore, regeneration and economic benefits are relevant in the overall planning balance, but are not a direct requirement for the sequential test The draft policy is not supported by robust evidence. The suggested lower threshold stems from the WYG Retail Capacity Study for Kirklees District (2014), subsequently updated in August 2016 (the Kirklees Retail Capacity Study Update (2016)). However, both studies conclude that centres in Kirklees (and in particular, Huddersfield) are generally

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	healthy
Soundness - Consistent with National Policy	The NPPF and PPG are permissive of a proportionate locally set lower threshold for the consideration of the town centre uses impact assessment. The proposed Local Plan threshold is not proportionate and is not based on proper evidence. Similarly, proposed Local Plan sequential test policy is inconsistent with the NPPF and PPG.
Proposed Change Requested	Draft Policy PLP13 should be revised to reflect the role of such retail destinations and their function in meeting particular retail requirements. In common with other local plan documents, there is no need for hierarchy tables within a policy for town centre uses in out of centre locations. In order to simplify the retail policy approach, we suggest the single policy is divided in to two separate policies covering the above matters. Revised policy wording is attached.
Council Response	No Change The retailing and town centres technical paper (BP15) summaries the evidence base used and provides further rationale for the Town Centres uses policy, PLP13. The explanation for the proposed thresholds in the town centre uses policy is set out in the impact assessments section paragraphs 4.5.7 to 4.5.15 of the Technical Paper referred to above. Health check assessments were undertaken by White Young Green (WYG) for principal and town centres as part of the Retail Capacity Study 2014 (LE33). In considering the current performance of these centres appropriate thresholds were identified by WYG based on this work. For proposals in out of centre locations, the policy sets out the information to be included in the sequential test to be clear to the applicant from the outset. As stated, this is to be reflective of the scale, role and function of the proposal as highlighted in NPPG, Ensuring the vitality of town centres, para 010 and the scope and content of a sequential test agreed with the Local Planning Authority.

Paragraph/Site: **Policy PLP 13**

Consultee: **1057416**

Agent: **1057414 Miss Rachel Ford**

Rep ID: **PDLP_SP158**

Soundness - Justified	The thresholds in the policy are considered to be too low, prescriptive and a potential barrier to investment. The NPPF threshold of 2,500 sq m has undergone extensive consultation and determines whether a proposal will have a 'significantly adverse' impact on vitality and viability.
Soundness - Consistent with National Policy	The thresholds in the policy are considered to be too low, prescriptive and a potential barrier to investment. The NPPF threshold of 2,500 sq m has undergone extensive consultation and determines whether a proposal will have a 'significantly adverse' impact on vitality and viability.
Proposed Change Requested	Council include a sentence that new development will be considered on a site by site basis to account for individual context and characteristics.
Council Response	No change. The explanation for the proposed thresholds in the town centre uses policy PLP 13 is set out in the impact assessments section paragraphs 4.5.7 to 4.5.15 of the Retailing and Town Centres Technical Paper (BP15). Health check assessments were undertaken by White Young Green (WYG) for principal and town centres as part of the Retail Capacity Study 2014 (LE33). In considering the current performance of these centres appropriate thresholds were identified by WYG based on this work. New development will be considered on the scale, role and function of the proposal for the sequential test and impact assessment as set out in parts B & C of the policy.

Paragraph/Site: **Policy PLP 13**

Consultee: **1058303 Mr Alyn Nicholls**

Agent:

Rep ID: **PDLP_SP324**

Soundness - Consistent with National Policy	Policy PLP 13 is too complex and includes matters which are not consistent with national policy. In particular, for main town centre uses the policy requires development to be of an appropriate scale, assist in retaining market share, enhance visitor experience and supporting existing businesses. None of these factors are identified in the NPPF as matters relevant to the determination of proposals located within town centres. The policy is therefore more onerous than national policy and cannot be justified.
Proposed Change Requested	The policy should be simplified to reflect the wording of paragraphs 24 and 26 of the NPPF.
Council Response	No change NPPF, paragraph 23 sets out the requirements for Town Centre policies in Local Plans. It highlights that LPAs should pursue policies to support their viability and vitality. In referring to main town centre uses which are appropriate in scale, as highlighted in the policy it is considered that this will help retain existing centres market share, enhance visitor experience and support existing businesses therefore supporting the viability and vitality of the centre as a whole. For proposals in out of centre locations, the policy sets out the information to be included in the sequential test to be clear to the applicant from the outset. As stated this is to be reflective of the scale, role and function of the proposal as highlighted in NPPG, Ensuring the vitality of town centres, para 010 and the scope and content of a sequential test agreed with the Local Planning Authority. NPPF, para 24, highlights that preference should be given to accessible sites that are well connected to the town centre and such reference is made access and connectivity.

Paragraph/Site: **Policy PLP 13**

Consultee: **1059163**

Agent: **1059161 Mr Jonathan Best**

Rep ID: **PDLP_SP187**

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Soundness - Positively Prepared	The strategy and the policy should acknowledge the role of existing retail parks.
Soundness - Justified	Business models aren't available on speculative applications. It is inappropriate to specify such an audit trail. The floorspace threshold does not provide justification for thresholds set out for comparison goods or other non-retail uses.
Soundness - Effective	Arising from the above, draft Policy PLP13 is not effective in promoting economic development through identified needs for town centre uses in a form that will meet needs in full.
Soundness - Consistent with National Policy	In light of the above, the draft policy is not consistent with the NPPF
Proposed Change Requested	Amend threshold sizes and delete criteria relating to proposals in out of centre locations.
Council Response	No change. Reference is made to out of centre retail parks in paragraph 9.9 of the Strategy and Policies document of the Local Plan and the supporting Retailing and Town Centres Technical Paper, BP15, paragraph 4.1.10. The explanation for the proposed thresholds in Local Plan policy PLP 13 is set out in the impact assessments section paragraphs 4.5.7 to 4.5.15 of the Retailing and Town Centres Technical Paper (BP15). Health check assessments were undertaken by WYG for principal and town centres as part of the Kirklees Retail Capacity Study 2014 (LE33). In considering the current performance of these centres appropriate thresholds were identified by WYG based on this work. For proposals in out of centre locations, the policy sets out the information to be included in the sequential test to be clear to the applicant from the outset. As stated this is to be reflective of the scale, role and function of the proposal as highlighted in NPPG para 010 and the scope and content of a sequential test agreed with the council.

Paragraph/Site: **Policy PLP 13**

Consultee: **1059166**

Agent: **1059161 Mr Jonathan Best**

Rep ID: **PDLP_SP186**

Soundness - Positively Prepared	The strategy and the policy should acknowledge the role of existing retail parks.
Soundness - Justified	Business models aren't available on speculative applications. It is inappropriate to specify such an audit trail. The floorspace threshold does not provide justification for thresholds set out for comparison goods or other non-retail uses.
Soundness - Effective	Arising from the above, draft Policy PLP13 is not effective in promoting economic development through identified needs for town centre uses in a form that will meet needs in full.
Soundness - Consistent with National Policy	In light of the above, the draft policy is not consistent with the NPPF
Proposed Change Requested	Amend threshold sizes and delete criteria relating to proposals in out of centre locations.
Council Response	No change. Reference is made to out of centre retail parks in paragraph 9.9 of the Strategy and Policies document of the Local Plan and the supporting Retailing and Town Centres Technical Paper, BP15, paragraph 4.1.10. The explanation for the proposed thresholds in Local Plan policy PLP 13 is set out in the impact assessments section paragraphs 4.5.7 to 4.5.15 of the Retailing and Town Centres Technical Paper (BP15). Health check assessments were undertaken by WYG for principal and town centres as part of the Kirklees Retail Capacity Study 2014 (LE33). In considering the current performance of these centres appropriate thresholds were identified by WYG based on this work. For proposals in out of centre locations, the policy sets out the information to be included in the sequential test to be clear to the applicant from the outset. As stated this is to be reflective of the scale, role and function of the proposal as highlighted in NPPG para 010 and the scope and content of a sequential test agreed with the council.

Paragraph/Site: **Policy PLP 14**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP_SP759**

Soundness - Positively Prepared	- Its intention regarding traditional shop fronts is unclear as it appears to give applicants the opportunity to do either of the options set out (and makes this Criterion inconsistent with other Policy in the plan such as Policy PLP17 Criterion i for
Soundness - Justified	- Kirklees has A Number of fine traditional shop fronts which make An important contribution to the Local street scene. it is important that These are retained and refurbished wherever practicable.
Proposed Change Requested	Delete Policy PLP13, Primary Shopping Frontages Criterion C
Council Response	No change Criterion C in the Shopping frontages policy makes it clear that all development proposals including changes of use within primary and secondary shopping frontages need to consider improvements to the shop front. Policy PLP 25 sets out criteria to be followed when new or replacement shop fronts are

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being proposed. .

Paragraph/Site: Policy PLP 14	Consultee: 947700	Mr G Maxwell	Agent:	Rep ID: PDLP_SP30
Soundness - Positively Prepared	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Shopping frontages Policy PLP14 to that consulted upon DLP14			
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Shopping frontages Policy PLP14 to that consulted upon DLP14			
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.			
Council Response	No change The differences between the draft and publication draft Local Plan Shopping frontages 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			

Paragraph/Site: Policy PLP 14	Consultee: 969536	--	Agent: 969534	Miss Andrea Caplan	Rep ID: PDLP_SP354
Soundness - Justified	- Junction 27 currently fulfils role as a Primary Shopping Area within the north-east of Kirklees.				
Proposed Change Requested	- Define Junction 27 as a Primary Shopping Area.				
Council Response	No change Junction 27 is an existing out of centre retail development that has not been designated as a town centre in the Local Plan. Primary shopping areas are only defined for designated centres as highlighted in paragraph 23 of the National Planning Policy Framework (NPPF).				

Paragraph/Site: Policy PLP 15	Consultee: 942682	Mike Hogarth	Agent:	Rep ID: PDLP_SP626
Council Response	No change Support noted.			

Paragraph/Site: Policy PLP 15	Consultee: 942768	Mr Andrew Wood	Agent:	Rep ID: PDLP_SP355
Soundness - Justified	The town centre policies should be supplemented by a policy for increasing residential populations in town centres and other concentrations of business and employment that have excellent public transport and pedestrian connections.			
Proposed Change Requested	Refer to the CPRE Evidence Paper. Re-categorise a significant proportion of proposed employment allocations within the Holme/Calder river corridor for mixed-use development.			
Council Response	No change Residential use within town centres is supported where appropriate through the residential use in town centres policy. Section 6 of the Employment Technical Paper (SD22) provides a summary of the evidence and the rationale for the proposed employment allocations in the Local Plan to meet the needs of modern business and industry.			

Paragraph/Site: Policy PLP 15	Consultee: 943957	Mr Ian Smith	Agent:	Rep ID: PDLP_SP760
Council Response	No change Support noted.			

Paragraph/Site: Policy PLP 16	Consultee: 969114	Mr Mark Davies	Agent:	Rep ID: PDLP_SP94
Soundness - Effective	The policy should include a specific maximum of 10% of take away units. This seems better than the rather woolly statements in DLP16."			
Proposed Change Requested	A specific maximum % of units, e.g. 10%, is desirable, and am disappointed that this has not been taken on board.			
Council Response	No change The wording of the policy allows flexibility over the lifetime of the Local Plan to consider the vitality and viability of a town centre including the mix of uses at the time a planning application is made on the basis of the most up to date evidence.This will be informed by regular monitoring of town centres through the town centre audit programme and reported in the annual monitoring report.			

Paragraph/Site: Policy PLP 16	Consultee: 969863	Mr Chris Holmes	Agent: 866846	Mr Steve Simms	Rep ID: PDLP_SP119
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Soundness - Justified	The policy does not set out how harm to character, function, vitality and viability will be assessed; does not set out specific numbers, distributions or proximities of other food and drink uses and does not explain how the potential for anti-social behaviour will be assessed and is therefore not justified in terms of the harms to be avoided.
Soundness - Consistent with National Policy	The policy does not set out how harm to character, function, vitality and viability will be assessed; does not set out specific numbers, distributions or proximities of other food and drink uses and does not explain how the potential for anti-social behaviour will be assessed and is therefore not consistent with NPPF paragraph 154 because these details are not provided.
Proposed Change Requested	In relation to PLP16, provide and justify how harm to character, function, vitality and viability will be assessed. Provide and justify specific numbers, distributions or proximities. Set out how the potential for anti-social behaviour will be assessed in ways that are predictable to applicants and decision-takers.
Council Response	No change Section 4.7 of the Retailing and Town Centres Technical Paper (BP15) provides further justification for the Food and drink uses and the evening economy policy. The wording of the policy allows flexibility over the lifetime of the Local Plan to consider the vitality and viability of a town centre including the mix of uses at the time a planning application is made on the basis of the most up to date evidence. This will be informed by regular monitoring of town centres through the town centre audit programme and reported in the annual monitoring report.

Paragraph/Site: **Policy PLP 16** Consultee: **1059989 Power Leisure Bookmakers Ltd** Agent: **1059988 Mr Sam Deegan** Rep ID: **PDLP_SP327**

Soundness - Justified	- Do not consider reasoning for wording has been justified within supporting Evidence base.
Soundness - Effective	- Criterion a, e and f are not applicable to betting shop proposals. - Supporting paragraphs 9.27, 9.28 and 9.29 highlight policy is not appropriate to betting shops as refer to hot food takeaways, litter issues, obesity and outdoor eating and drinking ar
Proposed Change Requested	- Criterion b not applicable to betting shops. Amend policy wording. Appropriate to apply criteria that applies only to food and drink uses and then a further criteria that is relevant to just licensed entertainment uses.
Council Response	No change Section 4.7 of the Retailing and Town Centres Technical Paper (BP15) provides further justification for the Food and drink uses and the evening economy policy.

Paragraph/Site: **9.26** Consultee: **969863 Mr Chris Holmes** Agent: **866846 Mr Steve Simms** Rep ID: **PDLP_SP118**

Soundness - Justified	Kentucky Fried Chicken (Great Britain) Limited seeks to maintain a family-friendly environment within its restaurants and has a good track record of designing schemes and working with local communities to encourage positive behaviour in and around its stores. It considers a risk-based approach to implementing design features and systems is appropriate and that permission should rarely be refused due to a perceived risk of anti-social behaviour where all such reasonable mitigation measures are proposed.
Proposed Change Requested	The text should be amended to ensure that p ermission should rarely be refused due to a perceived risk of anti-social behaviour where all such reasonable mitigation measures are proposed.
Council Response	No change Each planning application is assessed on its own merits and therefore proposed mitigation measures would be considered by the decision maker as part of the decision making process. The wording of paragraph 9.26 of the Strategy and policies document alongside paragraphs 9.27 to 9.30 provide the rationale for the criteria within the Food and drink uses and the evening economy policy.

Paragraph/Site: **9.28** Consultee: **969863 Mr Chris Holmes** Agent: **866846 Mr Steve Simms** Rep ID: **PDLP_SP116**

Soundness - Justified	Kentucky Fried Chicken (Great Britain) Limited agrees with any reasonable, fair and evidence-based strategy that has an objective of increasing the availability of healthy diet and exercise choices. It cannot agree with (a) distance or (b) arbitrary concentration criteria. This is because there is no evidence of a link between poor health outcomes and the proximity of food and drink uses to any type of receptor. Should evidence be available of a particular concentration of such uses that may be harmful to health (whether retail or human), then this should be presented and reflected in a specific percentage threshold in the policy.
Proposed Change Requested	Should evidence be available of a particular concentration of such uses that may be harmful to health (whether retail or human), then this should be presented and reflected in a specific percentage threshold in the policy.

Representations received on the Kirklees Publication Draft Local Plan PDLP - Strategies and Policies

Council Response	No change The wording of the policy allows flexibility over the lifetime of the Local Plan to consider the vitality and viability of a town centre including the mix of uses at the time a planning application is made on the basis of the most up to date evidence.This will be informed by regular monitoring of town centres through the town centre audit programme and reported in the annual monitoring report. The Kirklees Joint Strategic Assessment (KJSA) looks at the current and future health and care needs of local populations including behaviours incorporating food, obesity and physical activity.This is to be regularly updated providing evidence on the health of people in Kirklees and as such flexibility in the policy allows consideration of updated health evidence throughout the lifetime of the plan in addition to the health and vitality of town centres.		
Paragraph/Site: Policy PLP 17	Consultee: 942768	Mr Andrew Wood	Agent: Rep ID: PDLP_SP356
Soundness - Justified	The town centre policies should be supplemented by a policy for increasing residential populations in town centres and other concentrations of business and employment that have excellent public transport and pedestrian connections.		
Proposed Change Requested	Refer to the CPRE Evidence Paper. Re-categorise a significant proportion of proposed employment allocations within the Holme/Calder river corridor for mixed-use development.		
Council Response	No change Residential use within town centres is supported where appropriate through the residential use in town centres policy and in criteria C of policy PLP17 relating specifically to Huddersfield Town Centre. Section 6 of the Employment Technical Paper (SD22) provides a summary of the evidence and the rationale for the proposed employment allocations in the Local Plan to meet the needs of modern business and industry.		
Paragraph/Site: Policy PLP 17	Consultee: 943957	Mr Ian Smith	Agent: Rep ID: PDLP_SP761
Council Response	No change. Support noted.		
Paragraph/Site: Policy PLP 18	Consultee: 942768	Mr Andrew Wood	Agent: Rep ID: PDLP_SP357
Soundness - Justified	The town centre policies should be supplemented by a policy for increasing residential populations in town centres and other concentrations of business and employment that have excellent public transport and pedestrian connections.		
Proposed Change Requested	Refer to the CPRE Evidence Paper. Re-categorise a significant proportion of proposed employment allocations within the Holme/Calder river corridor for mixed-use development.		
Council Response	No change Residential use within town centres is supported where appropriate through the residential use in town centres policy and in criteria d of policy PLP18 relating specifically to Dewsbury Town Centre. Section 6 of the Employment Technical Paper (SD22) provides a summary of the evidence and the rationale for the proposed employment allocations in the Local Plan to meet the needs of modern business and industry.		
Paragraph/Site: Policy PLP 18	Consultee: 943957	Mr Ian Smith	Agent: Rep ID: PDLP_SP762
Council Response	No change. Support noted.		
Paragraph/Site: Policy PLP 18	Consultee: 947700	Mr G Maxwell	Agent: Rep ID: PDLP_SP31
Soundness - Positively Prepared	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are differences between the current Dewsbury Town Centre Policy PLP18 to that consulted upon DLP18		
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are differences between the current Dewsbury Town Centre Policy PLP18 to that consulted upon DLP18		
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.		
Council Response	No change. The differences between the draft and publication draft Local Plan Dewsbury Town Centre 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.		

Representations received on the Kirklees Publication Draft Local Plan PDLP - Strategies and Policies

Paragraph/Site: 10.1	Consultee: 947700	Mr G Maxwell	Agent:	Rep ID: PDLP_SP52
Soundness - Positively Prepared	The original plan had a policy DLP23 Core road and bus route Policy - the policy was supported by a policy justification section. This policy or anything relating to appears to be missing from this version of the LP. This plan has not been properly consulted upon and therefore does not comply with the NPPF			
Soundness - Consistent with National Policy	The original plan had a policy DLP23 Core road and bus route Policy - the policy was supported by a policy justification section. This policy or anything relating to appears to be missing from this version of the LP. This plan has not been properly consulted upon and therefore does not comply with the NPPF			
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated			
Council Response	No change The content of policy DLP23 Core Road and Bus Route has now been amalgamated into policy PLP19 Strategic Transport Infrastructure. The justification text at 10.27-10.33 now refers to core routes. 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 differences between the draft and publication draft Local Plan transport 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.			
Paragraph/Site: 10.1	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker Rep ID: PDLP_SP483
Council Response	No change Support for the justification text and emphasis on job/housing growth in accessible locations is noted.			
Paragraph/Site: 10.9	Consultee: 942889	Ms Adrienne Tina Newsome	Agent:	Rep ID: PDLP_SP83
Soundness - Effective	The Local Plan makes no provision for additional roads, doctor's surgeries, dental practices, schools			
Council Response	No change Infrastructure is dealt with at Policy PLP4 and the Infrastructure Delivery Plan identifies provision for new infrastructure through the plan period.			
Paragraph/Site: Policy PLP 19	Consultee: 942169		Agent: 972788	Mr Nick Pleasant Rep ID: PDLP_SP528
Proposed Change Requested	The policy is sound but clarification is sought on the scope of transport infrastructure projects, particularly works on the A62 / A652 / Smithies Moor Lane junction.			
Council Response	No Change - The Infrastructure Delivery Plan Addendum updates the transport information in the Infrastructure Delivery Plan. TS1 in the addendum reflects the list of schemes identified in TS1 in the Allocations and Designations document.			
Paragraph/Site: Policy PLP 19	Consultee: 943612	Helen France	Agent:	Rep ID: PDLP_SP446
Soundness - Positively Prepared	- Transport and infrastructure strategy fail to take into account the current and proposed developments within Kirklees rural and the Dearne Valley in particular. it is not based on A properly assessed requirement.			
Soundness - Justified	- Transport strategy fails to consider the impact of both current and proposed development on the A636 and other feeder roads such as the B6116 - Existing road infrastructure is already at capacity - A lack of a cumulative risk assessment for Kirklees rur			
Council Response	No change - The Council considers that the Transport Technical Paper (BP12)and subsequent addendum set out how the traffic impact of the Local Plan has been assessed and mitigated against. Whilst it is accepted that there will be minor instances of congestion e.g around school drop off/pick up times, the table of modelled versus design flows shows quite clearly that the roads will operate will within their design capacity even in 2030 and so it is considered that no significant levels of congestion will arise as a result of the Local Plan allocations on the A636 in Kirklees. The Council has undertaken an Air Quality Assessment of Development Associated with the Local Plan (LE118). The results of impact in this particular area are negligible. For these reasons it is considered that the A636 does not and will not experience high levels of pollution.			
Paragraph/Site: Policy PLP 19	Consultee: 943847	Mrs Sally Barber	Agent:	Rep ID: PDLP_SP508
Soundness - Justified	There are no transport mitigation strategies within the Local Plan for the Holme Valley area to offset the increased transport requirements resulting from the			

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allocation of new housing and commercial activities.

Council Response

No change - Whilst it is not specifically referenced in the Local Plan, the level of allocations proposed in the Holme Valley is significantly less than that proposed levels in Huddersfield and North Kirklees. The strategic schemes referenced in the Transport Technical Paper and associated addendum reflects this. The Technical Transport Paper highlights the need in Holmfirth to mitigate the effects of the Local Plan allocations. Using the Council's indicator of congestion detailed on pages 8 and 9, the junction of the A635 and the A6024 is highlighted as congested in 2020 and 2030. This is the traffic lights in Holmfirth referenced in the representation. TS3 specifically refers to this junction in the Allocations and Designations document. P61-64 of the Technical Paper addendum provides some indication of level of congestion relief that a transport scheme currently in design could provide. The issue around New Mill junction has been dealt with at Page 2, paragraph 1.3 of The Transport Model, Technical Paper and Addendum€, (April 2017, BP12). The tables in this document over show rankings are not significantly high to generate the need for a strategic scheme to be included in the Local Plan. This does not mean that the junction does not suffer from localised congestion. The Council will seek a solution through other funding mechanisms. The authority believes that the levels of strategic transport infrastructure proposed as part of the Local Plan is proportionate with the allocations proposed and consummate with what is required at a Local Plan making level. Localised issues of congestion and other traffic and transport matters will of course be dealt with as part of the planning application process.

Paragraph/Site: **Policy PLP 19**

Consultee: **943943 Angela Royle**

Agent:

Rep ID: **PDLP_SP166**

Soundness - Effective

The transport policy is not effective many junctions are major hotspots, creating long delays, but there are no plans to improve them.

Council Response

No change - Schemes have been identified in the allocation and designations document at TS1-TS11 that seek to improve road junctions where the district wide modelling has indicated a potential severe impact .

Paragraph/Site: **Policy PLP 19**

Consultee: **947700 Mr G Maxwell**

Agent:

Rep ID: **PDLP_SP32**

Soundness - Positively Prepared

This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Strategic transport infrastructure Policy PLP19 to that consulted upon DLP19

Soundness - Consistent with National Policy

This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Strategic transport infrastructure Policy PLP19 to that consulted upon DLP19

Proposed Change Requested

This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.

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. 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 differences between the draft and publication draft Local Plan transport 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.

Paragraph/Site: **Policy PLP 19**

Consultee: **968336 Holme Valley Vision**

Agent:

Rep ID: **PDLP_SP570**

Soundness - Effective

The Plan fails to recognize the existing known traffic hot spots in Honley, New Mill and Holmfirth. It also neglects the difficulties causes by parking and traffic volumes on the main trunk roads running through the Valley. Steep sides, narrow Valley bottoms, narrow roads, with limited scope for widening, limited space of off road parking for existing houses and major trunk roads, characterize the Valley. The latter take the burden of cross-Pennine traffic when there are problems on the M62 and A629.

Council Response

No change - The representation correctly states that the emphasis for the plan is on North Kirklees and Huddersfield. This is true as 77% of all the dwellings proposed are in the sub areas of Batley and Spen, Dewsbury and Mirfield and Huddersfield. The remaining 23% is allocated to Kirklees Rural see Housing

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Technical Paper. (SD23). With 77% of the housing allocations proposed in Huddersfield and North Kirklees it is therefore logical that the associated infrastructure to mitigate the effects of the accompanying traffic generation be located in Huddersfield and North Kirklees. The issue around New Mill junction has been dealt with at Page 2, paragraph 1.3 of The Transport Model, Technical Paper and Addendum€, (April 2017, BP12). The tables in this document over show rankings are not significantly high to generate the need for a strategic scheme to be included in the Local Plan. This does not mean that the junction does not suffer from localised congestion. The Council will seek a solution through other funding mechanisms. The authority believes that the levels of strategic transport infrastructure proposed as part of the Local Plan is proportionate with the allocations proposed and consummate with what is required at a Local Plan making level. Localised issues of congestion and other traffic and transport matters will of course be dealt with as part of the planning application process.

Paragraph/Site: **Policy PLP 19** Consultee: **970990** **Church Commissioners for England** Agent: **941839** **Nolan Tucker** Rep ID: **PDLP_SP484**

Council Response No Change - Support for the policy noted.

Paragraph/Site: **Policy PLP 19** Consultee: **972220** Agent: **941908** **Mr Andrew Rose** Rep ID: **PDLP_SP373**

Soundness - Effective Miller Homes is encouraged by Policy PLP19 and the identification of the Mirfield to Dewsbury to Leeds and North Kirklees Growth Zone but objects to the non-identification of the strategic highway through Dewsbury Riverside which will act as a Ravensthorpe Relief Road. A plan of the scheme is within the representation.

Proposed Change Requested Refer to the strategic highway network through Dewsbury Riverside within the scheme detail of TS5. Identify the strategic highway through Dewsbury Riverside on the Proposals Map (see attached Plan in Appendix 1).

Council Response No Change. The site promoter has provided additional technical work with regard to the site access, Dewsbury Riverside Access Statement Technical Note (April 2017).

Paragraph/Site: **Policy PLP 19** Consultee: **974190** Agent: **941908** **Mr Andrew Rose** Rep ID: **PDLP_SP391**

Council Response No change. Support noted.

Paragraph/Site: **Policy PLP 19** Consultee: **978506** **Cllr Nigel Patrick** Agent: Rep ID: **PDLP_SP580**

Soundness - Justified There will be no major transport infrastructure improvements during the life time of the plan to accommodate the increase in traffic movements, for the inhabitants of this part of Kirklees are largely reliant on the use of private cars. Bus and rail services are infrequent and unreliable with poor connectivity which means those people who commute to Leeds, Manchester, Sheffield, etc are reliant on cars. The emphasis for the plan is on Huddersfield and north Kirklees and that is where the infrastructure will be concentrated. Apart from one concession to look to invest in a new congestion relief scheme in the centre of Holmfirth, which we lobbied for, there are no other infrastructure schemes in Holme Valley South or rural south Kirklees.

Proposed Change Requested Provide for transport schemes in Holme Valley area to relieve congestion.

Council Response No change - The representation correctly states that the emphasis for the plan is on North Kirklees and Huddersfield. This is true as 77% of all the dwellings proposed are in the sub areas of Batley and Spen, Dewsbury and Mirfield and Huddersfield. The remaining 23% is allocated to Kirklees Rural see Housing Technical Paper. (SD23). With 77% of the housing allocations proposed in Huddersfield and North Kirklees it is therefore logical that the associated infrastructure to mitigate the effects of the accompanying traffic generation be located in Huddersfield and North Kirklees. The issue around New Mill junction has been dealt with at Page 2, paragraph 1.3 of The Transport Model, Technical Paper and Addendum€, (April 2017, BP12). The tables in this document over show rankings are not significantly high to generate the need for a strategic scheme to be included in the Local Plan. This does not mean that the junction does not suffer from localised congestion. The Council will seek a solution through other funding mechanisms. The authority believes that the levels of strategic transport infrastructure proposed as part of the Local Plan is proportionate with the allocations proposed and consummate with what is required at a Local Plan making level. Localised issues of congestion and other traffic and transport matters will of course be dealt with as part of the planning application process. Kirklees Council Local Plan Submission Document SD14, pages 11-13 lists the meetings that Kirklees Council has had as part of the preparation of the Local Plan including Wakefield Council. As a result of meetings with Wakefield in respect of Bretton roundabout, the following statement

Representations received on the Kirklees Publication Draft Local Plan PDLP - Strategies and Policies

was forthcoming: Wakefield Council recognises that the highway network will experience significant congestion in 2030 without the Kirklees Local Plan site allocations, however it is also recognised that the site allocations will add to this issue. However Wakefield Council does acknowledge that there is a reasonable prospect that highway improvements could be provided. As such, we will work with Kirklees Council over time to discuss cross-boundary infrastructure and traffic impact issues.€

Paragraph/Site: **Policy PLP 19**

Consultee: **978518**

Agent:

Rep ID: **PDLP_SP147**

Council Response

No change - Support for the policy noted.

Paragraph/Site: **Policy PLP 19**

Consultee: **1045848 Mrs Toni Rios**

Agent: **1045846 Mr Christopher Yapp**

Rep ID: **PDLP_SP76**

Soundness - Justified

Highways England considers that the Road Investment Strategy (RIS) schemes detailed on page 100 of the document should also be contained in section 4 of the policy wording. In addition, TS11 Strategic Road Network Improvements should differentiate between the schemes contained in the RIS and those contained in the Highways England West Yorkshire Infrastructure Study (WYIS).

Proposed Change Requested

It can be made sound if the suggested changes are made.

Council Response

No change - Highways England schemes that fall within Kirklees boundary are contained within Policy PLP19 section 4 with the reference to TS1, TS2 and TS11. The other schemes listed within the justification text at para. 10.41 are outside of Kirklees boundary and have not therefore been included within the policy wording.

Paragraph/Site: **Policy PLP 19**

Consultee: **1049121 Mr Anthony Rae**

Agent:

Rep ID: **PDLP_SP128**

Soundness - Justified

Objection is made to Policy PLP19:: - the overall approach of policy PLP 19, and the related policy justification in paragraphs 10.31-32 on the grounds that they are fundamentally unsustainable in terms of generating increased and embedded volumes of road traffic, increased and embedded journeys to work by car, increased climate change emissions; and also that they are contradictory, as policy paragraph 1 states that Development will be strategically placed along core networks where available €| which will be improved and maintained where possible to reduce congestion and reliance on the private car. Consequently the policy is both increasing reliance on private car at the same time as it claims that it is reducing it. Similarly paragraph 10.32 refers contradictorily to €| reduce congestion and implement the user hierarchy approach in all schemes to encourage a modal shift from private car use. - The proposed focusing of development locations alongside the M62 motorway in the policy statement The Council is committed to ensuring that new developments have safe and convenient access to the West Yorkshire Key Route Network where possible, the main arterial routes and the West Yorkshire Core Bus Network that connect the region, and in paragraph 10.32: The council will seek to encourage development that is strategically placed along these core routes €|. Additionally paragraph 10.44 further supports the possible additional provision of more road capacity: It is possible that the WYIS may underestimate the overall impact of Local Plan development in Kirklees and, depending on the eventual mix of sites and land uses, the list of additional schemes to be included in the IDP may well change if any further capacity enhancement schemes are found to be necessary. This is the exact opposite of an approach seeking to locate development activity in more sustainable locations over the longer term. It is also short termist in that it will fill up increased capacity on the M 62 corridor that is now being made available at considerable cost. When these increased traffic volumes then proceed onto the local highway network, increasing congestion there, they will create economic disbenefits to businesses, towns, and individuals. There is no reference to the scale of TEMPRO measured forecast traffic growth across the period of the plan.

Proposed Change Requested

A reassessment of the overall spatial direction and sustainability of the approach of the Plan, and to the selection of Spatial Priority Areas in the LCR Strategic Economic Plan.

Council Response

No change - It is recognised that the transport system in West Yorkshire has suffered from decades of under investment, that this has not kept pace with population and employment growth and that congestion costs the West Yorkshire economy £61 million pounds per annum. It is widely accepted that road traffic volumes will increase between now and 2040. The Council considers it important that selective pinch points where congestion is and will be an issue as a result of Local Plan allocations, are unlocked and that traffic can flow efficiently and expediently on the highway network to the benefit of the local, West Yorkshire and national economies. The Local Plan is not in isolation from regional transport policy and strategy. Road improvements are only one part of a sophisticated policy mix. As part of the West Yorkshire Combined Authority, Kirklees Council is fully committed to the objectives and policies contained within

the the Leeds City Region Strategic Economic Plan and the emerging West Yorkshire Transport Strategy. Page 81 of the Strategic Economic Plan (CR9) explains how at a City Region level, the SEP will achieve its objective of Good Growth€, highlighting the sophisticated mix of transport schemes required to do this. Page 4 of the emerging West Yorkshire Strategy (CR8) shows how the various transport and land use strategies for Kirklees fit together and pages 16-20 show how the wide number of policies and schemes that go into creating the overall transport strategy for West Yorkshire and by association, Kirklees. The Local Plan has allowed for a growth in vehicle traffic in line with Department for Transport Forecasts. Highway schemes have been designed to reflect this growth and mitigate the traffic effects of the development allocation. The schemes are designed with multi-modes of transport in mind and as such will provide journey time improvements to buses and the incorporation of elements to encourage cycling and walking. The approach to land use allocation in the Local Plan is not only based on the location of potential development sites with respect to those served by sustainable transport solutions. This is explained in the Issues Facing Kirklees section of the Draft Local Plan Strategy and Policies document (SD1) and in the Employment and Housing Technical Papers (SD22 and SD23). The Employment Technical Paper (page 12). The traffic model paints a worst case scenario in that it assumes over time no modal shift from car to more sustainable forms of transport, in addition to levels of car growth. Furthermore the traffic model takes into account increases in traffic on the motorway network and Kirklees transport schemes have been designed with this in mind. The traffic forecasting work undertaken to assess the impacts of the Local Plan does not apply a TEMPRO Constraint€ to overall growth. It is important that the full growth of all the developments in the plan are taken into account and not limited to a growth that has been calculated based on a different set of planning assumptions. The growth is however informed by some of the data used within TEMPRO, such as car ownership forecasts. The process of applying growth in the transport model mimics that used in TEMPRO but with the local plan land use forecasts rather than the existing quantum of development assumed in TEMPRO.

Paragraph/Site: **Policy PLP 19**

Consultee: **1050803**

Cllr Kenneth Sims

Agent:

Rep ID: **PDLP_SP714**

Soundness - Justified

There will be no major transport infrastructure improvements during the life time of the plan to accommodate the increase in traffic movements, for the inhabitants of this part of Kirklees are largely reliant on the use of private cars. Bus and rail services are infrequent and unreliable with poor connectivity which means those people who commute to Leeds, Manchester, Sheffield, etc are reliant on cars. The emphasis for the plan is on Huddersfield and north Kirklees and that is where the infrastructure will be concentrated. Apart from one concession to look to invest in a new congestion relief scheme in the centre of Holmfirth, which we lobbied for, there are no other infrastructure schemes in Holme Valley South or rural south Kirklees.

Proposed Change Requested

Provide for transport schemes in Holme Valley area to relieve congestion.

Council Response

No change - The representation correctly states that the emphasis for the plan is on North Kirklees and Huddersfield. This is true as 77% of all the dwellings proposed are in the sub areas of Batley and Spen, Dewsbury and Mirfield and Huddersfield. The remaining 23% is allocated to Kirklees Rural see Housing Technical Paper. (SD23). With 77% of the housing allocations proposed in Huddersfield and North Kirklees it is therefore logical that the associated infrastructure to mitigate the effects of the accompanying traffic generation be located in Huddersfield and North Kirklees. The issue around New Mill junction has been dealt with at Page 2, paragraph 1.3 of The Transport Model, Technical Paper and Addendum€, (April 2017, BP12). The tables in this document over show rankings are not significantly high to generate the need for a strategic scheme to be included in the Local Plan. This does not mean that the junction does not suffer from localised congestion. The Council will seek a solution through other funding mechanisms. The authority believes that the levels of strategic transport infrastructure proposed as part of the Local Plan is proportionate with the allocations proposed and consummate with what is required at a Local Plan making level. Localised issues of congestion and other traffic and transport matters will of course be dealt with as part of the planning application process. Kirklees Council Local Plan Submission Document SD14, pages 11-13 lists the meetings that Kirklees Council has had as part of the preparation of the Local Plan including Wakefield Council. As a result of meetings with Wakefield in respect of Bretton roundabout, the following statement was forthcoming: Wakefield Council recognises that the highway network will experience significant congestion in 2030 without the Kirklees Local Plan site allocations, however it is also recognised that the site allocations will add to this issue. However Wakefield Council does acknowledge that there is a reasonable prospect that highway improvements could be provided. As such, we will work with Kirklees Council over time to discuss cross-boundary infrastructure and traffic impact issues.€

Paragraph/Site: **Policy PLP 19**

Consultee: **1050805**

Cllr Donald Firth

Agent:

Rep ID: **PDLP_SP713**

Soundness - Justified

There will be no major transport infrastructure improvements during the life time of the plan to accommodate the increase in traffic movements, for the inhabitants of this part of Kirklees are largely reliant on the use of private cars. Bus and rail services are infrequent and unreliable with poor connectivity

which means those people who commute to Leeds, Manchester, Sheffield, etc are reliant on cars. The emphasis for the plan is on Huddersfield and north Kirklees and that is where the infrastructure will be concentrated. Apart from one concession to look to invest in a new congestion relief scheme in the centre of Holmfirth, which we lobbied for, there are no other infrastructure schemes in Holme Valley South or rural south Kirklees.

Proposed Change Requested

Provide for transport schemes in Holme Valley area to relieve congestion.

Council Response

No change - The representation correctly states that the emphasis for the plan is on North Kirklees and Huddersfield. This is true as 77% of all the dwellings proposed are in the sub areas of Batley and Spen, Dewsbury and Mirfield and Huddersfield. The remaining 23% is allocated to Kirklees Rural see Housing Technical Paper. (SD23). With 77% of the housing allocations proposed in Huddersfield and North Kirklees it is therefore logical that the associated infrastructure to mitigate the effects of the accompanying traffic generation be located in Huddersfield and North Kirklees. The issue around New Mill junction has been dealt with at Page 2, paragraph 1.3 of The Transport Model, Technical Paper and Addendum€, (April 2017, BP12). The tables in this document over show rankings are not significantly high to generate the need for a strategic scheme to be included in the Local Plan. This does not mean that the junction does not suffer from localised congestion. The Council will seek a solution through other funding mechanisms. The authority believes that the levels of strategic transport infrastructure proposed as part of the Local Plan is proportionate with the allocations proposed and consummate with what is required at a Local Plan making level. Localised issues of congestion and other traffic and transport matters will of course be dealt with as part of the planning application process. Kirklees Council Local Plan Submission Document SD14, pages 11-13 lists the meetings that Kirklees Council has had as part of the preparation of the Local Plan including Wakefield Council. As a result of meetings with Wakefield in respect of Bretton roundabout, the following statement was forthcoming: Wakefield Council recognises that the highway network will experience significant congestion in 2030 without the Kirklees Local Plan site allocations, however it is also recognised that the site allocations will add to this issue. However Wakefield Council does acknowledge that there is a reasonable prospect that highway improvements could be provided. As such, we will work with Kirklees Council over time to discuss cross-boundary infrastructure and traffic impact issues.€

Paragraph/Site: 10.31

Consultee: 1049121

Mr Anthony Rae

Agent:

Rep ID: PDLP_SP129

Soundness - Justified

Objection is made to Policy PLP19:: - the overall approach of policy PLP 19, and the related policy justification in paragraphs 10.31-32 on the grounds that they are fundamentally unsustainable in terms of generating increased and embedded volumes of road traffic, increased and embedded journeys to work by car, increased climate change emissions; and also that they are contradictory, as policy paragraph 1 states that Development will be strategically placed along core networks where available €| which will be improved and maintained where possible to reduce congestion and reliance on the private car. Consequently the policy is both increasing reliance on private car at the same time as it claims that it is reducing it. Similarly paragraph 10.32 refers contradictorily to €| reduce congestion and implement the user hierarchy approach in all schemes to encourage a modal shift from private car use. - The proposed focusing of development locations alongside the M62 motorway in the policy statement The Council is committed to ensuring that new developments have safe and convenient access to the West Yorkshire Key Route Network where possible, the main arterial routes and the West Yorkshire Core Bus Network that connect the region, and in paragraph 10.32: The council will seek to encourage development that is strategically placed along these core routes €|. Additionally paragraph 10.44 further supports the possible additional provision of more road capacity: It is possible that the WYIS may underestimate the overall impact of Local Plan development in Kirklees and, depending on the eventual mix of sites and land uses, the list of additional schemes to be included in the IDP may well change if any further capacity enhancement schemes are found to be necessary. This is the exact opposite of an approach seeking to locate development activity in more sustainable locations over the longer term. It is also short termist in that it will fill up increased capacity on the M 62 corridor that is now being made available at considerable cost. When these increased traffic volumes then proceed onto the local highway network, increasing congestion there, they will create economic disbenefits to businesses, towns, and individuals. There is no reference to the scale of TEMPRO measured forecast traffic growth across the period of the plan.

Proposed Change Requested

A reassessment of the overall spatial direction and sustainability of the approach of the Plan, and to the selection of Spatial Priority Areas in the LCR Strategic Economic Plan.

Council Response

No change - It is recognised that the transport system in West Yorkshire has suffered from decades of under investment, that this has not kept pace with population and employment growth and that congestion costs the West Yorkshire economy £61 million pounds per annum. It is widely accepted that road traffic volumes will increase between now and 2040. T he Council considers it important that selective pinch points where congestion is and will be an issue as

a result of Local Plan allocations, are unlocked and that traffic can flow efficiently and expediently on the highway network to the benefit of the local, West Yorkshire and national economies. The Local Plan is not in isolation from regional transport policy and strategy. Road improvements are only one part of a sophisticated policy mix. As part of the West Yorkshire Combined Authority, Kirklees Council is fully committed to the objectives and policies contained within the the Leeds City Region Strategic Economic Plan and the emerging West Yorkshire Transport Strategy. Page 81 of the Strategic Economic Plan (CR9) explains how at a City Region level, the SEP will achieve its objective of Good Growth€, highlighting the sophisticated mix of transport schemes required to do this. Page 4 of the emerging West Yorkshire Strategy (CR8) shows how the various transport and land use strategies for Kirklees fit together and pages 16-20 show how the wide number of policies and schemes that go into creating the overall transport strategy for West Yorkshire and by association, Kirklees. The Local Plan has allowed for a growth in vehicle traffic in line with Department for Transport Forecasts. Highway schemes have been designed to reflect this growth and mitigate the traffic effects of the development allocation. The schemes are designed with multi-modes of transport in mind and as such will provide journey time improvements to buses and the incorporation of elements to encourage cycling and walking. The approach to land use allocation in the Local Plan is not only based on the location of potential development sites with respect to those served by sustainable transport solutions. This is explained in the Issues Facing Kirklees section of the Draft Local Plan Strategy and Policies document (SD1) and in the Employment and Housing Technical Papers (SD22 and SD23). The Employment Technical Paper (page 12). The traffic model paints a worst case scenario in that it assumes over time no modal shift from car to more sustainable forms of transport, in addition to levels of car growth. Furthermore the traffic model takes into account increases in traffic on the motorway network and Kirklees transport schemes have been designed with this in mind. The traffic forecasting work undertaken to assess the impacts of the Local Plan does not apply a TEMPRO Constraint€ to overall growth. It is important that the full growth of all the developments in the plan are taken into account and not limited to a growth that has been calculated based on a different set of planning assumptions. The growth is however informed by some of the data used within TEMPRO, such as car ownership forecasts. The process of applying growth in the transport model mimics that used in TEMPRO but with the local plan land use forecasts rather than the existing quantum of development assumed in TEMPRO.

Paragraph/Site: **10.32**

Consultee: **1049121 Mr Anthony Rae**

Agent:

Rep ID: **PDLP_SP130**

Soundness - Justified

Objection is made to Policy PLP19:: - the overall approach of policy PLP 19, and the related policy justification in paragraphs 10.31-32 on the grounds that they are fundamentally unsustainable in terms of generating increased and embedded volumes of road traffic, increased and embedded journeys to work by car, increased climate change emissions; and also that they are contradictory, as policy paragraph 1 states that Development will be strategically placed along core networks where available €| which will be improved and maintained where possible to reduce congestion and reliance on the private car. Consequently the policy is both increasing reliance on private car at the same time as it claims that it is reducing it. Similarly paragraph 10.32 refers contradictorily to €| reduce congestion and implement the user hierarchy approach in all schemes to encourage a modal shift from private car use. - The proposed focusing of development locations alongside the M62 motorway in the policy statement The Council is committed to ensuring that new developments have safe and convenient access to the West Yorkshire Key Route Network where possible, the main arterial routes and the West Yorkshire Core Bus Network that connect the region, and in paragraph 10.32: The council will seek to encourage development that is strategically placed along these core routes €| . Additionally paragraph 10.44 further supports the possible additional provision of more road capacity: It is possible that the WYIS may underestimate the overall impact of Local Plan development in Kirklees and, depending on the eventual mix of sites and land uses, the list of additional schemes to be included in the IDP may well change if any further capacity enhancement schemes are found to be necessary. This is the exact opposite of an approach seeking to locate development activity in more sustainable locations over the longer term. It is also short termist in that it will fill up increased capacity on the M 62 corridor that is now being made available at considerable cost. When these increased traffic volumes then proceed onto the local highway network, increasing congestion there, they will create economic disbenefits to businesses, towns, and individuals. There is no reference to the scale of TEMPRO measured forecast traffic growth across the period of the plan.

Proposed Change Requested

A reassessment of the overall spatial direction and sustainability of the approach of the Plan, and to the selection of Spatial Priority Areas in the LCR Strategic Economic Plan.

Council Response

No change - It is recognised that the transport system in West Yorkshire has suffered from decades of under investment, that this has not kept pace with population and employment growth and that congestion costs the West Yorkshire economy £61 million pounds per annum. It is widely accepted that road traffic volumes will increase between now and 2040. T he Council considers it important that selective pinch points where congestion is and will be an issue as a result of Local Plan allocations, are unlocked and that traffic can flow efficiently and expediently on the highway network to the benefit of the local, West

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Yorkshire and national economies. The Local Plan is not in isolation from regional transport policy and strategy. Road improvements are only one part of a sophisticated policy mix. As part of the West Yorkshire Combined Authority, Kirklees Council is fully committed to the objectives and policies contained within the the Leeds City Region Strategic Economic Plan and the emerging West Yorkshire Transport Strategy. Page 81 of the Strategic Economic Plan (CR9) explains how at a City Region level, the SEP will achieve its objective of Good Growth, highlighting the sophisticated mix of transport schemes required to do this. Page 4 of the emerging West Yorkshire Strategy (CR8) shows how the various transport and land use strategies for Kirklees fit together and pages 16-20 show how the wide number of policies and schemes that go into creating the overall transport strategy for West Yorkshire and by association, Kirklees. The Local Plan has allowed for a growth in vehicle traffic in line with Department for Transport Forecasts. Highway schemes have been designed to reflect this growth and mitigate the traffic effects of the development allocation. The schemes are designed with multi-modes of transport in mind and as such will provide journey time improvements to buses and the incorporation of elements to encourage cycling and walking. The approach to land use allocation in the Local Plan is not only based on the location of potential development sites with respect to those served by sustainable transport solutions. This is explained in the Issues Facing Kirklees section of the Draft Local Plan Strategy and Policies document (SD1) and in the Employment and Housing Technical Papers (SD22 and SD23). The Employment Technical Paper (page 12). The traffic model paints a worst case scenario in that it assumes over time no modal shift from car to more sustainable forms of transport, in addition to levels of car growth. Furthermore the traffic model takes into account increases in traffic on the motorway network and Kirklees transport schemes have been designed with this in mind. The traffic forecasting work undertaken to assess the impacts of the Local Plan does not apply a TEMPRO Constraint to overall growth. It is important that the full growth of all the developments in the plan are taken into account and not limited to a growth that has been calculated based on a different set of planning assumptions. The growth is however informed by some of the data used within TEMPRO, such as car ownership forecasts. The process of applying growth in the transport model mimics that used in TEMPRO but with the local plan land use forecasts rather than the existing quantum of development assumed in TEMPRO.

Paragraph/Site: **10.34**

Consultee: **942768**

Mr Andrew Wood

Agent:

Rep ID: **PDLP_SP337**

Soundness - Positively Prepared

Comments refer to paragraph 10.34 to 10.46. The road capacity increases perpetuate the road-dependence of economic development and ignores evidence that shows that additional road capacity just adds more vehicles to the network and so does not tackle congestion or the problem of air pollution.

Soundness - Justified

Comments refer to paragraphs 10.34 to 10.46. The road capacity increases are in direct contradiction of local authorities carbon reduction obligations and are therefore not legally compliant.

Proposed Change Requested

Drastically scale back the road capacity provisions in Chapter 10. Set out how the relationship between economic growth and development is designed to progressively reduce the road dependency of the economy and set out how any growth in road traffic will be achieved without contravening legal obligations on carbon reduction and air quality.

Council Response

No change - The starting point for the transport assessment of the Kirklees Local Plan is twofold: Analysis of the journey to work census data shows that the car is still the predominant mode of transport see page 2 of CR11: West Yorkshire draft Transport Strategy Evidence Base. The evidence points to road traffic growing and with an identified underinvestment in the regions transport infrastructure over the last decade (WY draft Transport Strategy, CR8) For these reasons, the Council considers it important that selective pinch points where congestion is and will be an issue as a result of Local Plan allocations, are unlocked and that traffic can flow efficiently and expediently on the highway network to the benefit of the local, West Yorkshire and national economies. The Local Plan is not in isolation from regional transport policy and strategy. Road improvements are only one part of a sophisticated policy mix. As part of the West Yorkshire Combined Authority, Kirklees Council is fully committed to the objectives and policies contained within the the Leeds City Region Strategic Economic Plan and the emerging West Yorkshire Transport Strategy. Page 81 of the Strategic Economic Plan (CR9) explains how at a City Region level, the SEP will achieve its objective of Good Growth, highlighting the sophisticated mix of transport schemes required to do this. Page 4 of the emerging West Yorkshire Strategy (CR8) shows how the various transport and land use strategies for Kirklees fit together and pages 16-20 show how the wide number of policies and schemes that go into creating the overall transport strategy for West Yorkshire and by association, Kirklees. The Council has undertaken an Air Quality Assessment of Development Associated with the Local Plan (LE118).

Paragraph/Site: **10.34**

Consultee: **1045848**

Mrs Toni Rios

Agent: **1045846**

Mr Christopher Yapp

Rep ID: **PDLP_SP79**

Council Response

No change - support noted.

Representations received on the Kirklees Publication Draft Local Plan PDLP - Strategies and PoliciesParagraph/Site: **10.34**Consultee: **1045848 Mrs Toni Rios**Agent: **1045846 Mr Christopher Yapp**Rep ID: **PDLP_SP77****Soundness - Justified**

The list of potential schemes in the final version of the Highways England West Yorkshire Infrastructure Study (WYIS) has changed with some new schemes added and others revised or removed. For the purposes of the Local Plan, we consider that detailed descriptions of the schemes will not be necessary and that a simple list of locations should suffice

Proposed Change Requested

It can be made sound if the suggested changes are made.

Council Response

Change - Proposed modification SPMM19 rectifies this issue at para 10.41.

Paragraph/Site: **10.34**Consultee: **1049121 Mr Anthony Rae**

Agent:

Rep ID: **PDLP_SP132****Soundness - Justified**

These comments apply to paragraphs 10.34 to 10.42 Object - on cumulative traffic impact grounds, in both Kirklees and Calderdale, and on the M62. We wholeheartedly agree with the statement in paragraph 10.37 that: The overall scale of development proposed in the Local Plan does have a significant adverse traffic impact on the operation of the SRN in West Yorkshire and its junctions with the local primary road network. The overall impact is greater when the land use development proposals for Kirklees are assessed in combination with those of neighbouring local planning authorities. Paragraph 10.38 then identifies the consequential modelling and assessment work undertaken with Highways England in order to respond to this significant adverse impact, which results at 10.41-42 in a list of eleven required new highway schemes - which are additional to the five already set out in paragraphs 10.34-36 - in the two periods up to 2022 and 2030, respectively. There are three overall points to make against this scale of proposed new road infrastructure: - That over the long-term this scale of new road capacity provision can only embed travel/journey to work/employment patterns that cannot be sustainable within the reducing carbon budgets required to fulfil the Climate Change Act 2008. - That this combination of locating new employment sites alongside the SHN, which then requires additional capacity, is self-defeating in that the new capacity is progressively occupied by the induced development traffic. The more sustainable alternative for the Local Plan would be to propose an entirely different pattern of development location which did not require, let alone encourage, major road capacity increases. - that it will divert scarce funding resources away from more important because more sustainable large-scale transport infrastructure schemes across West Yorkshire and beyond. This would be more consistent with the Priority 3 Low Carbon Economy overall objective of the LCR Strategic Economic Plan.

Proposed Change Requested

A reassessment of the overall spatial direction and sustainability of the approach of the Plan, and to the selection of Spatial Priority Areas in the LCR Strategic Economic Plan.

Council Response

No change The cumulative traffic impact of Kirklees local plan allocations and neighbouring authorities development growth aspirations (or TEMPRO where they are not available) has been assessed by Kirklees as part of the work undertaken during building and running the Kirklees Traffic model (BP12) Analysis of the journey to work census data shows that the car is still the predominant mode of transport. The following table is reproduced from page 2 of CR11: West Yorkshire draft Transport Strategy Evidence Base. The Department for Transport's 2015 Traffic Growth forecasts where the DfT offers a number of different scenarios, all of which forecast traffic to grow. The Local Plan needs to make provision for a growth in car traffic AND the fact that car traffic is the predominate mode of transport for journey to work data. The Local Plan should not be read in isolation from regional transport policy and Road improvements and strategy are only one part of a sophisticated policy mix. As part of the West Yorkshire Combined Authority, Kirklees Council is fully committed to the objectives and policies contained within the the Leeds City Region Strategic Economic Plan and the emerging West Yorkshire Transport Strategy. Page 81 of the Strategic Economic Plan (CR9) explains how at a City Region level, the SEP will achieve its objective of Good Growth, highlighting the sophisticated mix of transport schemes required to do this. Page 4 of the emerging West Yorkshire Strategy (CR8) shows how the various transport and land use strategies for Kirklees fit together and pages 16-20 show how the wide number of policies and schemes that go into creating the overall transport strategy for West Yorkshire and by association, Kirklees. There are a number of legislative tools around controlling air pollution. Page 12 of the Kirklees Air Quality Assessment (LE118) details these and the targets/limits that they have set. The Kirklees Air Quality Assessment pays heed to these targets and limits and the assessment is framed around achieving these. The Council has undertaken an Air Quality Assessment of Development Associated with the Local Plan (LE118). Three types of pollutant are modelled: Nitrogen Dioxide, Particulate Matter and Fine particulate Matter. Page 15 of the main report of LE118 states: A change in predicted annual mean concentrations of NO₂ or PM₁₀ of less than 0.5% (0.2 µg/m³) is considered to be so small as to be negligible. A change (impact) that is negligible, given normal bounds of variation, would not be capable of having a direct effect on local air quality that could be considered to be significant. A change in predicted annual mean concentrations of PM_{2.5} of less than 0.5% (0.12 µg/m³) is considered to be so small as to be negligible. A

Representations received on the Kirklees Publication Draft Local Plan PDLP - Strategies and Policies

change (impact) that is negligible, given normal bounds of variation, would not be capable of having a direct effect on local air quality that could be considered to be significant. Map-based representations can be found for sections of the District in appendices 2-7 of LE118. It can be seen that other than very a very small percentage of modelled receptors, the vast majority are showing negligible (green) impact. The conclusion of this piece of work is: The effect of the Local Plan on local air quality is therefore overall considered to be not significant for air quality. That this combination of locating new employment sites alongside the SHN, which then requires additional capacity, is self-defeating. West Yorkshire has suffered from decades of under investment in its transport system and the West Yorkshire Transport Fund, which is part of the emerging West Yorkshire Transport Strategy (CR8) has been designed to address this and provide capacity to support the areas economic ambitions (IE Local Plan development aspirations). The choice of where to allocate development is not based solely on a relationship with a sustainable transport system. There are many other factors in play. This is explained in the Issues Facing Kirklees section of the Draft Local Plan Strategy and Policies document (SD1) and in the Employment and Housing Technical Papers (SD22 and SD23). The Employment Technical Paper (page 12). There is a finite supply of developable land and this has to be balanced with the potential to improve the transport network, taking in to account the balanced mix of policies promoted through regional transport strategies such as the emerging West Yorkshire Transport Strategy (CR8). That it will divert scarce funding resources away from more important because more sustainable large-scale transport infrastructure schemes across West Yorkshire and beyond. The Local Plan should not be read in isolation from the emerging West Yorkshire Transport Strategy (CR8), particularly the policies, (pages 32 onwards) or the national funding given to rail infrastructure (CR10, page 54). Furthermore the West Yorkshire Transport Fund, agreement for which has been secured (pending delivery results) from central government, is a balanced programme of Road building and sustainable transport measures (CR9 pp81-83).

Paragraph/Site: **10.34** Consultee: **1053800** Agent: **1053797** **Mr James Beynon** Rep ID: **PDLP_SP683**

Soundness - Positively Prepared We have also noted some inconsistencies between the Strategic Road Network Improvements listed in the Strategies and Policies document and the Allocations and Designations document. The two lists should be consistent, or the reasons for the differences be identified, for the avoidance of any doubt.

Proposed Change Requested Ensure consistency between those Strategic Road Network Improvements listed in both the Strategies and Policies document and the Allocations and Designations documents

Council Response Change Proposed modification SPMM19 addresses this issue at para 10.41.

Paragraph/Site: **10.39** Consultee: **1045848** **Mrs Toni Rios** Agent: **1045846** **Mr Christopher Yapp** Rep ID: **PDLP_SP80**

Soundness - Justified The identified requirements should be consistent with the lists of schemes identified in the section 10 of the strategy and policies document and set out below under the section relating to the West Yorkshire Infrastructure Study

Proposed Change Requested The contents of the Infrastructure Development Plan and Addendum need to be updated to reflect the current programme as outlined above.

Council Response Change - Proposed modifications SPMM18, SPMM19, SPMM20, SPMM21 address these issues.

Paragraph/Site: **10.43** Consultee: **1045848** **Mrs Toni Rios** Agent: **1045846** **Mr Christopher Yapp** Rep ID: **PDLP_SP78**

Soundness - Justified The scheme is a West Yorkshire Plus Transport Fund (WY+TF) scheme and not a Highways England scheme. This should be made clear in the wording (as is acknowledged in the Infrastructure Delivery Plan Addendum

Proposed Change Requested The scheme is a West Yorkshire Plus Transport Fund (WY+TF) scheme and not a Highways England scheme. This should be made clear in the wording (as is acknowledged in the Infrastructure Delivery Plan Addendum

Council Response Change - Proposed modification SPMM21 rectifies this issue.

Paragraph/Site: **10.43** Consultee: **1049121** **Mr Anthony Rae** Agent: Rep ID: **PDLP_SP133**

Soundness - Justified This consultation response from Calderdale Friends of the Earth relates to cross boundary issues between Calderdale and Kirklees arising from particular site allocations/development proposals, and then to broad strategy issues that are connected to those proposals: location of development, Green Belt review, transport and climate change. Object - on cumulative traffic impact grounds, in both Kirklees and Calderdale, and on the M62, and in the context of proposed site allocations H351, H1747 and E1832c (alongside the proposed urban extension sites in Brighouse, Calderdale). Our separate comment on the identification

of strategic highway schemes (10.34 onwards) identified objections to the overall scale of those proposals, but then they are followed by this statement at 10.43: In addition the WYIS tests the addition of a new junction at 24a to the network. Initial modelling results indicate that this would provide strategic and local road network benefits through increased connectivity and network resilience. More detailed feasibility work involving Highways England, Kirklees and the West Yorkshire Combined Authority is ongoing. Modelling of the best performing option is underway with a view to providing a better understanding of the scheme benefits. So not only is this another increased capacity proposal affecting the SHN, in addition to the 16 listed between 10.34-42, but it should be noted that the scheme is separate from, and sequentially after in priority, all those other schemes which are identified as needed to cater for demand generated by development in Kirklees and neighbouring districts during the period to 2030. This seems to imply that the Junction 24a proposal is of lesser importance, and is also not necessarily required in the period up until 2030 - that is to say, almost at the end of this Local Plan period. That approach does not appear to be consistent with the proposals for the Bradley Road housing allocation in Kirklees (H351/H1747), or the adjacent Woodhouse urban extension proposal in Calderdale, which have all pointed to the severe adverse impacts of the traffic growth associated with these developments.

Proposed Change Requested

A reassessment of the overall spatial direction and sustainability of the approach of the Plan, and to the selection of Spatial Priority Areas in the LCR Strategic Economic Plan.

Council Response

No Change - Kirklees Council has worked with both Calderdale Council and Highways England as part of the DtC process and through extensive cross-boundary discussions as part of the West Yorkshire Transport Fund to arrive at a suitable transport solution for the area that encompasses the land use allocations referenced above. This work is ongoing. Junction 24a is not a scheme, that as the Kirklees Local plan was being produced, Highways England was actively promoting. Junction 24a is being tested as part of the mix of transport schemes referred to above, in order to understand what benefits (or not) it may bring over and above what is proposed by HE and Kirklees/Calderdale Councils as part of the West Yorkshire Transport Fund. There is no suggestion that J24a is sequential in priority or of lesser importance, merely that its overall impact when taking other schemes into account is not yet known. The more detailed modelling work referred to earlier will be finished by the end of June this year in readiness for the Examination in Public. Further information on the West Yorkshire Transport Fund can be found in the Transport Technical Paper and Addendum (BP12, pp41-45). The Transport Technical Paper Addendum (BP12 pp48-50) provides further information on the substantial improvements and the testing undertaken to understand the level of mitigation schemes might provide.

Paragraph/Site: 10.44

Consultee: 1049121 Mr Anthony Rae

Agent:

Rep ID: PDLP_SP131

Soundness - Justified

Objection is made to Policy PLP19:: - the overall approach of policy PLP 19, and the related policy justification in paragraphs 10.31-32 on the grounds that they are fundamentally unsustainable in terms of generating increased and embedded volumes of road traffic, increased and embedded journeys to work by car, increased climate change emissions; and also that they are contradictory, as policy paragraph 1 states that Development will be strategically placed along core networks where available €₁ which will be improved and maintained where possible to reduce congestion and reliance on the private car. Consequently the policy is both increasing reliance on private car at the same time as it claims that it is reducing it. Similarly paragraph 10.32 refers contradictorily to €₁ reduce congestion and implement the user hierarchy approach in all schemes to encourage a modal shift from private car use. - The proposed focusing of development locations alongside the M62 motorway in the policy statement The Council is committed to ensuring that new developments have safe and convenient access to the West Yorkshire Key Route Network where possible, the main arterial routes and the West Yorkshire Core Bus Network that connect the region, and in paragraph 10.32: The council will seek to encourage development that is strategically placed along these core routes €₁ . Additionally paragraph 10.44 further supports the possible additional provision of more road capacity: It is possible that the WYIS may underestimate the overall impact of Local Plan development in Kirklees and, depending on the eventual mix of sites and land uses, the list of additional schemes to be included in the IDP may well change if any further capacity enhancement schemes are found to be necessary. This is the exact opposite of an approach seeking to locate development activity in more sustainable locations over the longer term. It is also short termist in that it will fill up increased capacity on the M 62 corridor that is now being made available at considerable cost. When these increased traffic volumes then proceed onto the local highway network, increasing congestion there, they will create economic disbenefits to businesses, towns, and individuals. There is no reference to the scale of TEMPRO measured forecast traffic growth across the period of the plan.

Proposed Change Requested

A reassessment of the overall spatial direction and sustainability of the approach of the Plan, and to the selection of Spatial Priority Areas in the LCR Strategic Economic Plan.

Council Response

No change - It is recognised that the transport system in West Yorkshire has suffered from decades of under investment. that this has not kept pace with

population and employment growth and that congestion costs the West Yorkshire economy £61 million pounds per annum. It is widely accepted that road traffic volumes will increase between now and 2040. The Council considers it important that selective pinch points where congestion is and will be an issue as a result of Local Plan allocations, are unlocked and that traffic can flow efficiently and expediently on the highway network to the benefit of the local, West Yorkshire and national economies. The Local Plan is not in isolation from regional transport policy and strategy. Road improvements are only one part of a sophisticated policy mix. As part of the West Yorkshire Combined Authority, Kirklees Council is fully committed to the objectives and policies contained within the the Leeds City Region Strategic Economic Plan and the emerging West Yorkshire Transport Strategy. Page 81 of the Strategic Economic Plan (CR9) explains how at a City Region level, the SEP will achieve its objective of Good Growth, highlighting the sophisticated mix of transport schemes required to do this. Page 4 of the emerging West Yorkshire Strategy (CR8) shows how the various transport and land use strategies for Kirklees fit together and pages 16-20 show how the wide number of policies and schemes that go into creating the overall transport strategy for West Yorkshire and by association, Kirklees. The Local Plan has allowed for a growth in vehicle traffic in line with Department for Transport Forecasts. Highway schemes have been designed to reflect this growth and mitigate the traffic effects of the development allocation. The schemes are designed with multi-modes of transport in mind and as such will provide journey time improvements to buses and the incorporation of elements to encourage cycling and walking. The approach to land use allocation in the Local Plan is not only based on the location of potential development sites with respect to those served by sustainable transport solutions. This is explained in the Issues Facing Kirklees section of the Draft Local Plan Strategy and Policies document (SD1) and in the Employment and Housing Technical Papers (SD22 and SD23). The Employment Technical Paper (page 12). The traffic model paints a worst case scenario in that it assumes over time no modal shift from car to more sustainable forms of transport, in addition to levels of car growth. Furthermore the traffic model takes into account increases in traffic on the motorway network and Kirklees transport schemes have been designed with this in mind. The traffic forecasting work undertaken to assess the impacts of the Local Plan does not apply a TEMPRO Constraint to overall growth. It is important that the full growth of all the developments in the plan are taken into account and not limited to a growth that has been calculated based on a different set of planning assumptions. The growth is however informed by some of the data used within TEMPRO, such as car ownership forecasts. The process of applying growth in the transport model mimics that used in TEMPRO but with the local plan land use forecasts rather than the existing quantum of development assumed in TEMPRO.

Paragraph/Site: **10.46**

Consultee: **942768**

Mr Andrew Wood

Agent:

Rep ID: **PDLP_SP338**

Legally Compliant

Comments refer to paragraph 10.34 to 10.46

Soundness - Positively Prepared

Comments refer to paragraph 10.34 to 10.46. The road capacity increases perpetuate the road-dependence of economic development and ignores evidence that shows that additional road capacity just adds more vehicles to the network and so does not tackle congestion or the problem of air pollution.

Soundness - Justified

Comments refer to paragraph 10.34 to 10.46. The road capacity increases are in direct contradiction of local authorities carbon reduction obligations and are therefore not legally compliant.

Proposed Change Requested

Drastically scale back the road capacity provisions in Chapter 10. Set out how the relationship between economic growth and development is designed to progressively reduce the road dependency of the economy and set out how any growth in road traffic will be achieved without contravening legal obligations on carbon reduction and air quality.

Council Response

No change - The starting point for the transport assessment of the Kirklees Local Plan is twofold: Analysis of the journey to work census data shows that the car is still the predominant mode of transport see page 2 of CR11: West Yorkshire draft Transport Strategy Evidence Base. The evidence points to road traffic growing and with an identified underinvestment in the regions transport infrastructure over the last decade (WY draft Transport Strategy, CR8) For these reasons, the Council considers it important that selective pinch points where congestion is and will be an issue as a result of Local Plan allocations, are unlocked and that traffic can flow efficiently and expediently on the highway network to the benefit of the local, West Yorkshire and national economies. The Local Plan is not in isolation from regional transport policy and strategy. Road improvements are only one part of a sophisticated policy mix. As part of the West Yorkshire Combined Authority, Kirklees Council is fully committed to the objectives and policies contained within the the Leeds City Region Strategic Economic Plan and the emerging West Yorkshire Transport Strategy. Page 81 of the Strategic Economic Plan (CR9) explains how at a City Region level, the SEP will achieve its objective of Good Growth, highlighting the sophisticated mix of transport schemes required to do this. Page 4 of the emerging West Yorkshire Strategy (CR8) shows how the various transport and land use strategies for Kirklees fit together and pages 16-20 show how the wide number of policies and schemes that go into creating the overall transport strategy for West Yorkshire and by association, Kirklees. The Council has undertaken an Air Quality

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Assessment of Development Associated with the Local Plan (LE118).

Paragraph/Site:	Consultee:	Mr Andrew Wood	Agent:	Rep ID:
10.47	942768			PDLP_SP339
Soundness - Positively Prepared	Comments refer to paragraphs 10.47 to 10.57. No meaningful linkage is made between rail connectivity and the provision of housing and employment development.			
Proposed Change Requested	Paragraph 10.55 describes a new WYCA study into the availability of development land within reach of rail stations. No strategic scale development should take place in West Yorkshire that is not realistically rail-accessible. The proposed allocations of employment and housing land may need to be reviewed in the light of the findings of this study.			
Council Response	No change There are two rail lines in Kirklees. The Transpennine line running approximately east- west between Standedge tunnel through Huddersfeild and Dewsbury to Batley and onwards to Leeds and the Penistone Line which runs between Huddersfield in a southerly direction through rural south Kirklees to Sheffield via Barnsley. Current Department for Transport focus is on upgrading the Transpennine Line (CR10, p55). This involves improving line speeds and increasing capacity for inter urban routes. It is unclear whether as a result of this stopping service patterns will be effected, although there is an understanding that they wont improve beyond what they currently are. As this is the mainline through the District and with local frequencies not necessarily to improve in the intermediate future, it would not be advisable to focus strategic development purely in relation to the rail network.			
10.54	941518	Mrs Christine Sykes		PDLP_SP11
Soundness - Justified	RailPlan7 is unsound because it makes no mention of Mirfield Railway Station which is the third busiest station in Kirklees and the sole link with London. This station has shortcomings related to disabled access and parking.			
Proposed Change Requested	Mirfield Railway Station should be incorporated into the plan in order to identify improvements to the station in order to support economic growth, enhance quality of life and contribute to a low carbon transport network.			
Council Response	No Change - Mirfield Railway Station improvements are included in the Local Plan in the Allocation and Designations document at TS9.			
Policy PLP 20	942768	Mr Andrew Wood		PDLP_SP358
Soundness - Justified	The policy will not be effective because most of the proposed housing locations are not well connected to the employment locations by means other than the car. Growth of employment land round motorway junctions is contrary to the objectives of PLP20.			
Proposed Change Requested	The location of development should be reviewed to optimise the potential for sustainable travel.			
Council Response	No change The approach to land use allocation in the Local Plan is not only based on the location of potential development sites with respect to those served by sustainable transport solutions. This is explained in the Issues Facing Kirklees section of the Draft Local Plan Strategy and Polices document (SD1) and in the Employment and Housing Technical Papers (SD22 and SD23). This situation is the same for housing. Efficient and frequent public transport relies on a large supply of passengers for it to be economically effective. This is particularly important as the vast majority of public transport services in Britain and therefore Kirklees are run by the private sector for commercial benefit. Where possible housing has been allocated near to existing public transport routes and it is the intention through the planning process that diversions to existing bus routes can be provided. Furthermore, it is a key tenant of the West Yorkshire Transport Fund and reiterated in the SEP that the fund increase economic prosperity and sustainability over the next decade, especially for people living in more deprived areas giving better transport to access jobs, as well as providing faster journeys, decongestion and improved air quality for the sub-region. It is important not to read the Local Plan in isolation from regional transport policy and strategy. Road improvements are only one part of a sophisticated policy mix. As part of the West Yorkshire Combined Authority, Kirklees Council is fully committed to the objectives and policies contained within the Leeds City Region Strategic Economic Plan and the emerging West Yorkshire Transport Strategy. The decision why to locate to locate certain employment allocations where is detailed in BP8: Priority Employment Areas Methodology Paper. Transport is noted as one of several criteria that go into allocating land, but is specifically discussed on page 9. It should also be noted that provision for high grade office space throughout the plan period is made specifically in Huddersfield, a sustainable location due to the number of bus routes which originate and terminate there and the rail station with links to local and inter-urban rail networks. The DfT does have a rail freight strategy Success of the strategy relies on two things, collaboration within the industry and an identified market to grow. Preparation of the local plan cannot stall until these things happen. Rather the City Region must work around the current and future land			

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use arrangements to make the most of opportunities for modal transfer of freight as they arise.

Paragraph/Site: Policy PLP 20	Consultee: 947700	Mr G Maxwell	Agent:	Rep ID: PDLP_SP33
Soundness - Positively Prepared	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Sustainable Travel Policy PLP20 to that consulted upon DLP20			
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Sustainable Travel Policy PLP20 to that consulted upon DLP20			
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.			
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.			

Paragraph/Site: Policy PLP 20	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker	Rep ID: PDLP_SP687
Soundness - Effective	- Third paragraph and final paragraph starting "for larger schemes" say the same thing. Not necessary to include both. - Council does not define what it means by "major planning applications" and "larger schemes".				
Proposed Change Requested	- Review wording of third paragraph, amalgamate any points which are not referred to the final paragraph starting with for larger schemes€. Once amalgamated, delete third paragraph. - Council clarify what it means by "major planning applications" a				
Council Response	Change - Proposed modification SPMM22 rectifies this issue.				

Paragraph/Site: Policy PLP 20	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker	Rep ID: PDLP_SP485
Council Response	Change - Proposed modification SPMM22 rectifies this issue by deletion of reference to larger schemes.				

Paragraph/Site: Policy PLP 20	Consultee: 978518		Agent:	Rep ID: PDLP_SP150
Council Response	No change - support noted for the policy.			

Paragraph/Site: Policy PLP 21	Consultee: 942337	unknown	Agent: 941775	Mr Paul Butler	Rep ID: PDLP_SP549
Soundness - Consistent with National Policy	Object to PLP21 where is states that new development will not be permitted if it "adds to highway safety problems or in the case of development which will generate a substantial amount of trip generation that cannot be adequately served by the existing highway network". This wording is not consistent with the guidance presented in Paragraph 32 of the NPPF. Similar wording is contained in criterion (b). The Council should not apply more stringent assessment criteria than the NPPF.				
Proposed Change Requested	The policy should be amended to align to existing national planning guidance.				
Council Response	Change - Proposed modification SPMM23 addresses these changes required to the policy text.				

Paragraph/Site: Policy PLP 21	Consultee: 942493	unknown	Agent: 1060412	Mr Richard Walters	Rep ID: PDLP_SP408
Soundness - Consistent with National Policy	Policy PLP 21 states that new development will not be permitted it if adds to highway safety problems or in the case of development which will generate a substantial amount of rip generation, cannot be adequately served by the existing highway network. Paragraph 32 of the NPPF is clear that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe€. Contrary to the NPPF, as currently worded PLP 21 suggests that development will be prevented in the event that any level of adverse highway impact occurs and does not recognise that improvements can be undertaken within the transport network to limit the significant impacts of development.				
Proposed Change Requested	In order to be consistent with national planning policy the wording of this policy should be revisited.				
Council Response	Change - Proposed modification SPMM23 seeks to rectify this issue				

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Paragraph/Site: Policy PLP 21	Consultee: 947700	Mr G Maxwell	Agent:	Rep ID: PDLP_SP34
Soundness - Positively Prepared	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Highways and access Policy PLP21 to that consulted upon DLP21			
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Highways and access Policy PLP21 to that consulted upon DLP21			
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.			
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.			

Paragraph/Site: Policy PLP 21	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker	Rep ID: PDLP_SP486
Soundness - Justified	- Third Paragraph repeats those set out in first two paragraphs. Save for second sentence inclusion not justified.				
Soundness - Effective	- Highway safety only one part of consideration, Policy title should be amended. - Policy Does not make sense, in second sentence. If read in isolation criteria Do not allow for any potential Improvements to the Local Highway Network, which could adequately mitigate any potential Impact, as referred to in bullet point b of the same policy. - Parts d to h inclusive relate to layout and Design Issues, more appropriate to be located with other Design issues.				
Soundness - Consistent with National Policy	- Third paragraph includes reference to need to avoid a "detrimental impact" on highway safety and local highway network. No reference in NPPF to "detrimental".				
Proposed Change Requested	Insert wording underlined to read as follows: Highway impact, safety and access Proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users. New development will not be permitted if it leads to severe highway safety problems or in the case of development which will generate a substantial amount of trip generation, cannot be adequately served by the existing local highway network or that cannot be adequately mitigated (contrary to part b below) Proposals that may impact on the Strategic Road Network will be expected to consider this in a Transport Assessment, referred in part c below. All proposals shall: a. ensure the safe and efficient flow of traffic within the development and on the surrounding highway network; b. in locations where development is otherwise considered acceptable, new infrastructure or improvements on or off site may be required to ensure safe access from the highway network to the development site for pedestrians or disabled people, cyclists, public transport users, and private vehicles which will not severely impact highway safety or severely reduce the efficiency of the highway network; c. be accompanied by a supporting Transport Assessment or Transport Statement where the development would generate significant trip generation, providing detail as to the impact on highway safety, air quality, noise and light restrictions.€ - Parts d to h inclusive are deleted from this policy and included in policy PLP24 (Design).				
Council Response	Change - Proposed modification SPMM23 addresses changes to the text in this policy.				

Paragraph/Site: Policy PLP 21	Consultee: 1053800		Agent: 1053797	Mr James Beynon	Rep ID: PDLP_SP414
Soundness - Positively Prepared	- Inconsistencies between the Strategic road Network Improvements listed in the Strategies and Policies document and the Allocations and Designations document. the two lists should be consistent, or the reasons for the differences be identified, for the avoidance of any doubt.				
Soundness - Effective	- Development should not be held up awaiting infrastructure provision. If development complies with tests set out in NPPF and CIL regs, then development should proceed before planned infrastructure improvements - Contributions should be compliant with CIL				
Soundness - Consistent with National Policy	- Policy PLP 21 is not considered to be fully compliant with NPPF paragraph 32				
Proposed Change Requested	Local Plans must be prepared in the above context and we request that the policy be reworded to account for the above (i.e. both the NPPF and CIL Regulations).				
Council Response	Change - Proposed modification SPMM23 seeks to rectify the issue in relation to NPPF para. 32.				

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Paragraph/Site: Policy PLP 21	Consultee: 1061347 Mr John Fleming	Agent: 941808 John Fleming	Rep ID: PDLP_SP520
Soundness - Consistent with National Policy	Gladman raise concerns with the above policy which states that 'new development will not be permitted if it adds to highway safety problems or in the case of development which will generate a substantial amount of trip generation, cannot be adequately served by the existing local highway network.' This policy is not considered to be in accordance with paragraph 32 of the Framework which makes clear that improvements can be undertaken within the transport network and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are so severe that they cannot be mitigated.		
Proposed Change Requested	Amend policy to only refuse development on transport grounds where the residual cumulative impacts of development are so severe that they cannot be mitigated.		
Council Response	Change - Proposed modification SPMM23 seeks to rectify this issue re. para 32 of NPPF.		
Paragraph/Site: 10.77	Consultee: 978569 Tony Rivero	Agent:	Rep ID: PDLP_SP67
Soundness - Justified	There should be an inclusion of a policy statement which makes it clear to developers that no new rail crossings will be permitted, that proposals which increase the use of level crossings will generally be resisted and where development would prejudice the safe use of a level crossing an alternative bridge crossing will require to be provided at the developers expense.		
Proposed Change Requested	Suggested Modification to paragraph 10.77: The council recognises that all new development can potentially impact on the highway network, it is important that the extent of these impacts are fully understood and considered when determining planning applications. The overriding objective of Highways and Access policy is to build upon the Strategic Transport Infrastructure policy and Sustainable Travel policy to ensure that development proposals that would compromise the safe or effective operation of any part of the Districts transport network will be resisted. In the context of highway safety this also applies to railway level crossings, where the safety of both rail and road users is paramount .		
Council Response	No change There are six level crossings in Kirklees. One on the Caldervale Branch Line on Lower Quarry Road, providing both vehicular and pedestrian access to a residential property and Brearly Bridge. A further one is on Batley, providing only pedestrian access between Stoney Lane and Howley Street. The remaining 4 are on the Penistone Line, surrounding by large expanses of greenbelt with no development allocations in the vicinity. An examination of the location of the level crossings against the spatial distribution of the development proposals in the Local Plan leads the local planning authority to conclude that there is very little chance of intensification of use these level crossings as a result of local plan development. Therefore, the authority suggests no need to include the wording suggested by Network Rail.		
Paragraph/Site: Policy PLP 22	Consultee: 970990 Church Commissioners for England	Agent: 941839 Nolan Tucker	Rep ID: PDLP_SP487
Soundness - Justified	- Parts e to h inclusive can be adequately allowed for in Policy #REF! (Design) rather than separating the issue.		
Proposed Change Requested	- Include parts e to h (inclusive) in policy PLP24. Maybe some repetition between some points, include points not already addressed.		
Council Response	No change - it is considered points e to h of Policy PLP22 are required within this policy to encourage sustainable travel and ensure the required level/type of parking arrangements within sites.		
Paragraph/Site: Policy PLP 23	Consultee: 942768 Mr Andrew Wood	Agent:	Rep ID: PDLP_SP359
Council Response	No change - Support noted. The topography of the district can be a discouraging factor in encouraging residents to cycle/walk, comment noted.		
Paragraph/Site: Policy PLP 23	Consultee: 943847 Mrs Sally Barber	Agent:	Rep ID: PDLP_SP509
Soundness - Justified	Non-vehicular transport opportunities in the Holme Valley are limited by topography.		
Council Response	No change - comment noted. The Council will continue to work with various user/voluntary groups to implement new cycle/walkways. The topography of the district can be a discouraging factor in encouraging residents to cycle/walk, comment noted.		
Paragraph/Site: Policy PLP 23	Consultee: 951566 mr martyn coy	Agent:	Rep ID: PDLP_SP3
Soundness - Positively Prepared	Support the protection and enhancement of canals and waterways in the policy PLP23. Support the safeguarding of disused waterway routes as this helps to		

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enable that development is prevented along their routes so that a future restoration scheme can take place.

Proposed Change Requested

While PDLP23 is supported, it is proposed that the proposals map is amended to include a safeguarded route for canals.

Council Response

No change Policy PLP23 States: Disused railway lines and waterways throughout the district shall be protected from other forms of development to safeguard their potential to be reinstated to their former use for commercial or leisure purposes or to extend the cycling or footpath networks. Proposals that may prejudice the function, continuity or implementation of the core walking and cycling network will not be permitted.€ In the context of the proposed modification, it is considered that the policy carries sufficient weight to ensure that the canals are protected from future development. In addition the West Yorkshire draft cycling prospectus (CR12) makes a commitment to improving cycling facilities to a level that could be regarded as a step change. It proposes that this should happen by increasing the funding of cycling from £1.30 per head to almost on average £5 per head during the lifetime of the Local Transport Plan. Monies have already been allocated to the Huddersfield Narrow canal as part of the City Connect Programme. (<http://cyclecityconnect.co.uk/projects/huddersfield-narrow-canal-improvements/>). This shows that the process is already working and that there is no need to safeguard the canal route.

Paragraph/Site: **Policy PLP 23**

Consultee: **968336 Holme Valley Vision**

Agent:

Rep ID: **PDLP_SP571**

Soundness - Justified

Locating houses on the Valley slopes and hilltops does not encourage walking or cycling. The access roads are narrow, many with no footpaths and limited off street parking. Even though rural school routes are marked, parents have concerns about their and their childrens safety. Other locations are available for housing that would encourage cycling and walking, with the associated health benefits.

Council Response

No change - comment noted. The Council will continue to work with various user/voluntary groups to implement new cycle/walkways. The topography of the district can be a discouraging factor in encouraging residents to cycle/walk, comment noted.

Paragraph/Site: **11.1**

Consultee: **942154 unknown**

Agent: **941891 Paul Leeming**

Rep ID: **PDLP_SP438**

Council Response

No change. Support welcomed.

Paragraph/Site: **Policy PLP 24**

Consultee: **942154 unknown**

Agent: **941891 Paul Leeming**

Rep ID: **PDLP_SP439**

Soundness - Justified

It is important that in achieving such good design, that it is necessary and that the burden of individual and cumulative policy does not undermine the viability of development. It is important for the policy to distinguish between those elements which are mandatory and those which are desirable. Of particular issue is those which are required under Building Regulations and therefore are not a planning consideration.

Council Response

No change. The policy has been considered in the CIL and Local Plan Viability Study (CIL 003).The viability assumptions are based on BCIS build costs. These build costs also include an allowance for design and project fees. The build costs are based on an average of construction costs, so will include a range of schemes meeting or exceeding building regulations.

Paragraph/Site: **Policy PLP 24**

Consultee: **942337 unknown**

Agent: **941775 Mr Paul Butler**

Rep ID: **PDLP_SP550**

Soundness - Positively Prepared

There is support for sustainable design and construction initiatives. However, the Local Plan should not contain policies that infer or require design standards above those prescribed nationally in the Building Regulations nor seek requirements set out in non-planning legislation.

Proposed Change Requested

The following references under the heading "proposals should promote good design by ensuring high levels of sustainability through" :- using innovative construction materials and techniques, including reclaimed and recycled materials; & minimising resource use in the building by utilising passive solar design, incorporating vegetation and tree planting to assist heating and cooling and providing for the use of renewable energy should be amended to " good design will be promoted by encouraging ".

Council Response

No change. The policy has been considered in the CIL and Local Plan Viability Study (CIL 003).The viability assumptions are based on BCIS build costs. These build costs also include an allowance for design and project fees. The build costs are based on an average of construction costs, so will include a range of schemes meeting or exceeding building regulations.

Paragraph/Site: **Policy PLP 24**

Consultee: **942682 Mike Hogarth**

Agent:

Rep ID: **PDLP_SP634**

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Soundness - Justified	There should also be clear guidance given to builders about style and use of local materials. To use local stone€ is not enough. There needs to be a strategic planning group in all the regions of Kirklees to look at style and design of buildings in their immediate areas. This group, surely, has got to involve our own professional planners but could also listen to what contractors want to do and have greater input into design outcomes.		
Council Response	No change. The policy does not have a requirement to use local stone but requires development to respect the character of the townscape.		
Paragraph/Site: Policy PLP 24	Consultee: 942768	Mr Andrew Wood	Agent: Rep ID: PDLP_SP360
Proposed Change Requested	There is stong support for the policy, but amend the policy to add; Good design is crucial to implementing sustainable development by ensuring that higher development densities are achieved and are well integrated with public realm and green infrastructure to create excellent places€.		
Council Response	No change. The policy seeks to promote walkable neighbourhoods (which can be achieved by higher development densities) and seeks for development to contribute to the natural environment and be well connected to green infrastructure.		
Paragraph/Site: Policy PLP 24	Consultee: 943892	Mr Matthew Good	Agent: Rep ID: PDLP_SP499
Soundness - Justified	The HBF is supportive of good design however, Part D of the policy requires a number of sustainability criteria which must be fulfilled and there is no guidance whether all of these requirements are mandatory or whether they are examples. Energy requirements in new dwellings is now a matter solely for the Building Regulations. The impacts of this policy are not considered within the Local Plan viability study (table 2.1 suggests there are no cost implications of this policy). Policy wording should be amended to state that the Council will encourage rather than require the inclusion of these criteria.		
Soundness - Consistent with National Policy	Electric charging points should only be required where practical in accordance with NPPF paragraph 35 and NPPF does not seek this for every property.		
Proposed Change Requested	Policy wording should be amended to state that the Council will encourage rather than require the inclusion of these criteria.		
Council Response	No change. The policy acts as a prompt to ensure that heritage assets have been taken into account and steps have been taken to ensure that development provides high levels of sustainability, these will be considered on a case-by-case basis. The policy has been considered in the CIL and Local Plan Viability Study (CIL 003).The viability assumptions are based on BCIS build costs. These build costs also include an allowance for design and project fees. The build costs are based on an average of construction costs, so will include a range of schemes meeting or exceeding building regulations.		
Paragraph/Site: Policy PLP 24	Consultee: 943957	Mr Ian Smith	Agent: Rep ID: PDLP_SP763
Council Response	No change. Support welcomed.		
Paragraph/Site: Policy PLP 24	Consultee: 947700	Mr G Maxwell	Agent: Rep ID: PDLP_SP35
Soundness - Positively Prepared	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Design Policy PLP24 to that consulted upon DLP24		
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Design Policy PLP24 to that consulted upon DLP24		
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.		
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		
Paragraph/Site: Policy PLP 24	Consultee: 951566	mr martyn coy	Agent: Rep ID: PDLP_SP4
Soundness - Positively Prepared	As the canal network forms a key part of the urban and rural landscape of Kirklees, the plan should include a separate policy and additional text to focus on waterway design.		
Proposed Change Requested	An additional policy on canal design should be included in the Kirklees Local Plan along the lines of the following: "Development adjacent to, or in the vicinity of, canals should be designed to enhance the canal network and its surroundings, including the provision of waterway design.".		

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of, the canal will be expected to: a) Be of a high quality design that integrates the canal into the development proposal in a way that treats the waterway as an area of usable space; b) integrate the waterway, towing path and canal environment into the public realm in terms of design and management of the development; c) improve access to, along and from the waterway and improve the environmental quality of the waterway corridor; d) optimise views of water and generate natural surveillance of water space through the siting, configuration and orientation of buildings, recognising that appropriate boundary treatment and access issues may differ between the towing path and offside of the canal and; e) improve the amenity of the canal. Development that would have an adverse impact on the amenity of the canal by virtue of noise, odour or visual impact will not be supported.

Council Response

No change. The policy referred to at Hyndburn Council relates to a specific location of that district with development sites adjacent to the canal. This policy may be appropriate at an AAP / Neighbourhood Plan level. The canal network is recognised in the supporting text, stating that new development can help enhance its setting and support its recreational role. The principles set out in the policy particularly with regard to townscape, landscape, green infrastructure, active travel and the provision of public art can help support the canal as an asset in Kirklees.

Paragraph/Site: **Policy PLP 24**

Consultee: **965590**

Dave McGuire

Agent:

Rep ID: **PDLP_SP789**

Council Response

No change. Support welcomed.

Paragraph/Site: **Policy PLP 24**

Consultee: **970990**

Church Commissioners for England

Agent: **941839**

Nolan Tucker

Rep ID: **PDLP_SP488**

Soundness - Effective

- Policy over complicated. First paragraph, only one form of development masterplan necessary to ensure a site is adequately designed. Design reviews, not clear who would review design. Risk that delays in process could undermine delivery of development.

Proposed Change Requested

- Revisit wording of this Policy, taking into consideration the points raised above.

Council Response

No change. This is a wide-ranging policy that covers all types of development. It is acknowledged that development briefs, design codes and masterplans may not be necessary, though more than one of these could be used. The policy states where applicable as, for example, these may not be necessary for small sites. Whilst Design Review may not always be appropriate it is a nationally recognised method of improving the quality of development proposals, as identified in para 62 of NPPF. Design Review Principles and Practice (Design Council, 2013) states that design reviews are proportionate and is used on projects whose significance either at a local or national level, warrants the investment needed to provide the service. The cost of a Design Review would be incurred by the developer and they may see it as an appropriate tool to respond to any design issues identified at pre-application stage. It is unnecessary to define townscape and landscape in the policy. The policy acts as a prompt to ensure that heritage assets have been taken into account and steps have been taken to ensure that development provides high levels of sustainability. It is acknowledged that not all of these will be need to be considered depending on the type of site / proposal, but these should be considered on a case-by-case basis. The policy has been considered in the CIL and Local Plan Viability Study (CIL 003).The viability assumptions are based on BCIS build costs. These build costs also include an allowance for design and project fees. The build costs are based on an average of construction costs, so will include a range of schemes meeting or exceeding building regulations. The provision of Public Art shouldn't be seen as a costly add on to a scheme but should be an integral part of the design process. The use of innovative construction techniques and materials is acknowledged in Planning Practice Guidance to help achieve well designed homes and other buildings. The provision of charging points for electric / low-emission vehicles is identified in NPPF

Paragraph/Site: **Policy PLP 24**

Consultee: **1057467**

Mr Andrew Taylor

Agent:

Rep ID: **PDLP_SP162**

Soundness - Positively Prepared

Consider how much south facing roof space on any development can be expanded to include, wherever possible, Passivhaus methods or the next best alternatives that are realistically & cost effectively achievable.

Council Response

No change. This is recognised in part d of the policy regarding the orientation of buildings and utilising passive solar design. Passivhaus is identified in the supporting text as a construction standard that could be used in buildings.

Paragraph/Site: **11.4**

Consultee: **943957**

Mr Ian Smith

Agent:

Rep ID: **PDLP_SP764**

Council Response

No change. Support welcomed.

Paragraph/Site: **Policy PLP 25**

Consultee: **943957**

Mr Ian Smith

Agent:

Rep ID: **PDLP_SP765**

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Council Response	No change Support noted.		
Paragraph/Site: 12.1	Consultee: 942768	Mr Andrew Wood	Agent: Rep ID: PDLP_SP342
Soundness - Justified	The Core Evidence Paper submitted with this representation demonstrates that the Local Plan is very likely to worsen Kirklees carbon emissions and is therefore not fit for purpose in relation to reducing and mitigating climate change impacts.		
Proposed Change Requested	The Core Evidence Paper submitted with this representation demonstrates that the Local Plan is very likely to worsen Kirklees carbon emissions and is therefore not fit for purpose in relation to reducing and mitigating climate change impacts.		
Council Response	No change - The local plan Vision and Strategic Objective 7 set the context for addressing the issues of climate change. Specific policies including but not limited to: PLP5 Masterplanning Sites, PLP20 Sustainable Travel, PLP24 Design, PLP26 Renewable and low carbon energy, PLP27 Flood risk, are included in the plan to help deliver the Vision and Strategic Objectives of the local plan to reduce and mitigate climate change impacts.		
Paragraph/Site: 12.1	Consultee: 1049121	Mr Anthony Rae	Agent: Rep ID: PDLP_SP135
Soundness - Justified	This section of the Plan - and also the Transport section - makes no reference to the need to reduce (and therefore to plan the reduction over the long term of) carbon emissions from transport. As such it is ignoring the explicit warnings of the Committee on Climate Change in their 2016 Progress Report to Parliament:"Domestic transport is now the largest emitting sector, accounting for 24% of UK greenhouse gas emissions in 2015. Transport emissions increased in both 2014 and 2015. As demand for travel continues to grow, there is a need to decarbonise transport more rapidly to meet future carbon budgets. ... Our key policy recommendations for the Government's emission reduction plan reflect the lack of progress in decarbonising the sector and the urgent need to develop a cohesive set of policies to reduce transport emissions." p.135		
Soundness - Consistent with National Policy	Paragraphs 12.1 - 12.5 do not make reference to the need to reduce carbon emissions from transport contrary to paragraph 93 of the NPPF. In fact the spatial approach of the Plan is to do just the opposite : by planning and encouraging the location of new housing and employment development sites alongside the M62 corridor (see our comments on PLP 19) it must have the effect of increasing carbon emissions from transport. No supporting evidence has been included as to what will be the consequence in terms of quantified change in carbon emissions from this proposed spatial pattern of development.		
Proposed Change Requested	A quantified assessment of the carbon emissions forecast to be generated as a result of the spatial choice being made in relation to the location of development sites and the resultant pattern of modal split and journeys to work should be included in the plan. In accordance with NPPF para.93 a framework to constrain those emissions in accordance with NPPF para.93 should be identified. A re-assessment of the overall spatial direction and sustainability of the approach of the Plan, and to the selection of Spatial Priority Areas in the LCR Strategic Economic Plan should be undertaken.		
Council Response	No change. The Local Plan sets out its response to climate change in chapter 12 of the Strategy and Policies document, primarily through avoiding exacerbating flood risk and planning positively to deliver renewable and low carbon technology developments. Policy PLP20 (Sustainable Travel) seeks to set out travel planning measures to lower carbon emissions. Modes of travel which reduce carbon emissions are placed higher in the user hierarchy in the transport policies. Car parking standards will also be used to reduce carbon emissions where appropriate and consistent with national planning policy. Policy PLP26 focusses on renewable and low carbon energy and plans positively for such development. Kirklees council is also part of an initiative called Kirklees Climate Local (document ref - LE44). 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).		
Paragraph/Site: Policy PLP 26	Consultee: 942768	Mr Andrew Wood	Agent: Rep ID: PDLP_SP361
Soundness - Justified	There is general support for the policy, but it requires amendment and additional criteria.		
Proposed Change Requested	Amend criteria a) as follows; the proposal would not have an unacceptable impact , individually or cumulatively , on landscape character. Add an additional criteria: "All new built development should contribute to the low carbon future of Kirklees by achieving zero-carbon energy performance and,		

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	wherever possible, providing renewable energy capacity.€		
Council Response	No change - the assessment of the impact on landscape character will require assessment of the cumulate impacts based on the supporting landscape evidence as stated in the policy's supporting text.		
Paragraph/Site: Policy PLP 26	Consultee: 943957 Mr Ian Smith	Agent:	Rep ID: PDLP_SP766
Council Response	No change - support noted.		
Paragraph/Site: Policy PLP 26	Consultee: 947700 Mr G Maxwell	Agent:	Rep ID: PDLP_SP36
Soundness - Positively Prepared	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Renewable and low carbon energy Policy PLP26 to that consulted upon DLP 27		
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Renewable and low carbon energy Policy PLP26 to that consulted upon DLP 27		
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.		
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.		
Paragraph/Site: Policy PLP 26	Consultee: 978506 Cllr Nigel Patrick	Agent:	Rep ID: PDLP_SP582
Soundness - Justified	The suggestion that the entire Kirklees Planning Authority boundary is suitable for some scale of wind turbine development is not true. There are landscapes which should now be protected. The policy should reflect what exists now including all approvals and not be based on landscape studies from the past when the landscape looked very different. We therefore believe the policy is not sound because it relies on an old, out of date assessment.		
Proposed Change Requested	Use up to date landscape assessments as evidence base for this policy.		
Council Response	No change - It is considered that the landscape evidence supporting the policy is relevant and robust. The supporting text refers to the on-going cross border monitoring of turbine developments. This is a live tool which is updated at least annually to reflect new and emerging turbines and should be considered as part of any application as stated in the supporting text.		
Paragraph/Site: Policy PLP 26	Consultee: 978518	Agent:	Rep ID: PDLP_SP142
Council Response	No change - support noted.		
Paragraph/Site: Policy PLP 26	Consultee: 1050803 Cllr Kenneth Sims	Agent:	Rep ID: PDLP_SP716
Soundness - Justified	The suggestion that the entire Kirklees Planning Authority boundary is suitable for some scale of wind turbine development is not true. There are landscapes which should now be protected. The policy should reflect what exists now including all approvals and not be based on landscape studies from the past when the landscape looked very different. We therefore believe the policy is not sound because it relies on an old, out of date assessment.		
Proposed Change Requested	Use up to date landscape assessments as evidence base for this policy.		
Council Response	No change - It is considered that the landscape evidence supporting the policy is relevant and robust. The supporting text refers to the on-going cross border monitoring of turbine developments. This is a live tool which is updated at least annually to reflect new and emerging turbines and should be considered as part of any application as stated in the supporting text.		
Paragraph/Site: Policy PLP 26	Consultee: 1050805 Cllr Donald Firth	Agent:	Rep ID: PDLP_SP715
Soundness - Justified	The suggestion that the entire Kirklees Planning Authority boundary is suitable for some scale of wind turbine development is not true. There are landscapes		

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	which should now be protected. The policy should reflect what exists now including all approvals and not be based on landscape studies from the past when the landscape looked very different. We therefore believe the policy is not sound because it relies on an old, out of date assessment.
Proposed Change Requested	Use up to date landscape assessments as evidence base for this policy.
Council Response	No change - It is considered that the landscape evidence supporting the policy is relevant and robust. The supporting text refers to the on-going cross border monitoring of turbine developments. This is a live tool which is updated at least annually to reflect new and emerging turbines and should be considered as part of any application as stated in the supporting text.
Paragraph/Site: 12.13	Consultee: 943957 Mr Ian Smith Agent: Rep ID: PDLP_SP767
Council Response	No change - support noted.
Paragraph/Site: Policy PLP 27	Consultee: 942337 unknown Agent: 941775 Mr Paul Butler Rep ID: PDLP_SP551
Soundness - Justified	Object to identifying the whole of Kirklees as the starting point for the sequential test. Such an approach would not take into account the housing needs of different sub-areas. If evidence for smaller search areas is to be require on every occasion this would lead to unnecessary expense and delay. The policy fails to take into consideration the ability of developers to have flood risk maps amended through challenge to the EA.
Soundness - Consistent with National Policy	Using the whole district as the starting point for the area of search is contrary to national planning guidance. This says that for individual planning applications where there has been no sequential testing of the allocations in the development plan, or where the use of the site being proposed is not in accordance with the development plan, the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed.
Proposed Change Requested	The policy must be amended to ensure compliance with national guidance and should allow development to come forward in high flood risk areas where the EA have confirmed they have no objection.
Council Response	No change. The Local Plan has been subject to a flood risk sequential test (see BP24, Flood Risk Technical Paper). For windfall sites a sequential test would still be required. NPPG states that "the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed." (NPPG, ID: 7-033-20140306). The Local Plan does not prescribe a search area because the search area would depend on the circumstances of each proposal. Evidence provided by the applicant will be assessed by the council through the planning applications process. Challenges to the Environment Agency Flood Map are part of existing procedures. Any changes to the Flood Map would be taken into account in making decisions on planning applications and in future reviews of the Strategic Flood Risk Assessment (SFRA).
Paragraph/Site: Policy PLP 27	Consultee: 942768 Mr Andrew Wood Agent: Rep ID: PDLP_SP362
Soundness - Justified	The use of brownfield sites in river valleys is crucial to sustainable place-making. The policy should be amended to allow master-planning to reduce flood risk.
Proposed Change Requested	Additional text should be included in the policy as follows; Where the re-use of urban brownfield sites is desired within areas at flood risk, masterplans will be produced to combine flood management with green infrastructure measures to enable development that not re-uses the land but also reduces the flood risk in the catchment.€
Council Response	No change. Policy PLP 27 is consistent with NPPF paragraph 100 in relation to avoiding inappropriate development in the areas of highest flood risk including application of the Sequential Test and where appropriate the Exception Test.
Paragraph/Site: Policy PLP 27	Consultee: 947700 Mr G Maxwell Agent: Rep ID: PDLP_SP37
Soundness - Positively Prepared	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Flood Risk Policy PLP27 to that consulted upon DLP28
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Flood Risk Policy PLP27 to that consulted upon DLP28
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment

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upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.

Council Response

No change. The differences between the draft and publication draft Local Plan flood risk 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.

Paragraph/Site: **Policy PLP 27**Consultee: **978506**Cllr **Nigel Patrick**

Agent:

Rep ID: **PDLP_SP581****Soundness - Justified**

The policy needs to be tighter. Flood zones in the Holme Valley are based on modelling not actual events. Important flood events have not been kept by the Council or the Environment Agency. As a result flood risk sites can and are being built on. Official information on sites affected by surface water run-off is lacking and often the observations made by local people are discounted as not material.

Proposed Change Requested

We think the policy should accept evidence of flood events even if the Environment Agency and the Council has no record of it.

Council Response

No change. The approach set out in policy PLP 27 (Flood Risk) is consistent with NPPF (paragraphs 100 - 104) including using the Strategic Flood Risk Assessment as the basis for applying the Sequential Test. Where relevant, site-specific flood risk assessments will be required to assess the flooding issues relating to specific proposals in more detail.

Paragraph/Site: **Policy PLP 27**Consultee: **1050199**Cllr **Paula Sherriff**

Agent:

Rep ID: **PDLP_SP646****Soundness - Justified**

- Impact on flooding needs to be taken into account.

Council Response

No change. Comment noted.

Paragraph/Site: **Policy PLP 27**Consultee: **1050803**Cllr **Kenneth Sims**

Agent:

Rep ID: **PDLP_SP712****Soundness - Justified**

The policy needs to be tighter. Flood zones in the Holme Valley are based on modelling not actual events. Important flood events have not been kept by the Council or the Environment Agency. As a result flood risk sites can and are being built on. Official information on sites affected by surface water run-off is lacking and often the observations made by local people are discounted as not material.

Proposed Change Requested

We think the policy should accept evidence of flood events even if the Environment Agency and the Council has no record of it.

Council Response

No change. The approach set out in policy PLP 27 (Flood Risk) is consistent with NPPF (paragraphs 100 - 104) including using the Strategic Flood Risk Assessment as the basis for applying the Sequential Test. Where relevant, site-specific flood risk assessments will be required to assess the flooding issues relating to specific proposals in more detail.

Paragraph/Site: **Policy PLP 27**Consultee: **1050805**Cllr **Donald Firth**

Agent:

Rep ID: **PDLP_SP711****Soundness - Justified**

The policy needs to be tighter. Flood zones in the Holme Valley are based on modelling not actual events. Important flood events have not been kept by the Council or the Environment Agency. As a result flood risk sites can and are being built on. Official information on sites affected by surface water run-off is lacking and often the observations made by local people are discounted as not material.

Proposed Change Requested

We think the policy should accept evidence of flood events even if the Environment Agency and the Council has no record of it.

Council Response

No change. The approach set out in policy PLP 27 (Flood Risk) is consistent with NPPF (paragraphs 100 - 104) including using the Strategic Flood Risk Assessment as the basis for applying the Sequential Test. Where relevant, site-specific flood risk assessments will be required to assess the flooding issues relating to specific proposals in more detail.

Paragraph/Site: **Policy PLP 28**Consultee: **942337**Cllr **unknown**Agent: **941775****Mr Paul Butler**Rep ID: **PDLP_SP552****Soundness - Justified**

While the policy is generally supported, in practice (as set out), there are a number of issues that should be clarified.

Proposed Change Requested

The Council should set out in criteria d) exactly what would be expected as public open space where SuDS are employed. The policy needs to be applied flexibly as occasionally problems associated with drainage infrastructure are not within the control of developers.

Council Response

No change. The policy wording simply states that the role of open areas should be considered in assisting with the sustainable drainage of sites.

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Paragraph/Site: Policy PLP 28	Consultee: 968336	Holme Valley Vision	Agent:	Rep ID: PDLP_SP569	
Soundness - Justified	Cannot see how adequate mitigation measures or the measures needed to cope with increased sewage and large volumes of water can be afforded or taken practically, if the number of houses proposed in the Plan is built up the Valley sides and on the hilltops. Developments should include more tree planting as trees are known to be effective in flood prevention / contributing to a reduction of greenhouse gases.				
Council Response	No change. Policy PLP 27 (SD1, Strategy and Policies, pages 124-125) states that proposals for natural management such as targeted vegetation planting in upper catchments and along river banks will be supported in appropriate locations where consistent with national and local plan policies.				
Paragraph/Site: Policy PLP 28	Consultee: 1057416		Agent: 1057414	Miss Rachel Ford	Rep ID: PDLP_SP159
Soundness - Justified	In accordance with NPPF technical guidance, a 30% uplift would generally only be applicable where a 70 year design life is required.				
Soundness - Consistent with National Policy	In accordance with NPPF technical guidance, a 30% uplift would generally only be applicable where a 70 year design life is required.				
Proposed Change Requested	Amend part b to read: 'for proposals on brownfield sites there should be a minimum of 20% reduction in surface water run off...'				
Council Response	No change. The justification text for PLP 28 (Drainage) in SD1 (Strategy and Policies, paragraph 12.36) sets out the justification for the approach to the 30% reduction in run-off rates for brownfield sites. The 30% reductions to run-off rate on brownfield sites was agreed between Kirklees, its neighbouring West Yorkshire councils, the Environment Agency and Yorkshire Water. This 30% aims to get betterment. The 20% referred to in this representation may relate to the calculation of the storage required which can take account the lifetime of the proposed building.				
Paragraph/Site: 13.3	Consultee: 963361	Mrs Jacey Bedford	Agent:	Rep ID: PDLP_SP703	
Soundness - Justified	Wildlife safeguarded area and green infrastructure . The borders of the River Dearne have been given status as Wildlife Safeguarded Areas and Green Infrastructure, yet this protection ceases at the A629, completely ignoring the potentially fragile headwaters of the River Dearne and Park Dike. Why not continue this protection right to the start of the River Dearne and Park Dike? This shows either a lack of research and local knowledge on behalf of Kirklees Metropolitan Council, or a deliberate omission.				
Council Response	No change. The council consider the approach to identifying the Kirklees Wildlife Habitat Network and the Strategic Green Infrastructure Network is robust, justified and consistent with NPPF paragraphs 114 and 117. The Wildlife Habitat Network has been identified by West Yorkshire Ecology and connects designated sites of biodiversity and geological importance and notable habitat links within the district, such as woodlands, watercourses, natural and semi-natural areas. The council has worked in partnership with Natural England to develop a robust green infrastructure evidence base, resulting in the identification and justification of Strategic Green Infrastructure areas along the main river and water corridors. Further detail explaining the methodology used to identify these areas is provided in the Environmental Designations Technical Paper April 2017 (BP10) paragraphs 6.11 - 6.2.7 and 8.1.1 - 8.3.8.				
Paragraph/Site: 13.4	Consultee: 963361	Mrs Jacey Bedford	Agent:	Rep ID: PDLP_SP704	
Soundness - Justified	Wildlife safeguarded area and green infrastructure . The borders of the River Dearne have been given status as Wildlife Safeguarded Areas and Green Infrastructure, yet this protection ceases at the A629, completely ignoring the potentially fragile headwaters of the River Dearne and Park Dike. Why not continue this protection right to the start of the River Dearne and Park Dike? This shows either a lack of research and local knowledge on behalf of Kirklees Metropolitan Council, or a deliberate omission.				
Council Response	No change. The council consider the approach to identifying the Kirklees Wildlife Habitat Network and the Strategic Green Infrastructure Network is robust, justified and consistent with NPPF paragraphs 114 and 117. The Wildlife Habitat Network has been identified by West Yorkshire Ecology and connects designated sites of biodiversity and geological importance and notable habitat links within the district, such as woodlands, watercourses, natural and semi-natural areas. The council has worked in partnership with Natural England to develop a robust green infrastructure evidence base, resulting in the identification and justification of Strategic Green Infrastructure areas along the main river and water corridors. Further detail explaining the methodology used to identify these areas is provided in the Environmental Designations Technical Paper April 2017 (BP10) paragraphs 6.11 - 6.2.7 and 8.1.1 - 8.3.8.				
Paragraph/Site: Policy PLP 30	Consultee: 942337	unknown	Agent: 941775	Mr Paul Butler	Rep ID: PDLP_SP553

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Council Response No change required. Support for policy PLP 30 is noted.

Paragraph/Site: **Policy PLP 30**

Consultee: **942768 Mr Andrew Wood**

Agent:

Rep ID: **PDLP_SP363**

Council Response No change required. Support for policy PLP 30 is noted.

Paragraph/Site: **Policy PLP 30**

Consultee: **943608 Mr Robert Bamforth**

Agent:

Rep ID: **PDLP_SP586**

Legally Compliant

The plan does not appear to demonstrate required level of cooperation with Peak Park Planning Authority, neighbouring authorities and agencies concerned with protection and conservation of South Pennine Moorlands. The plan makes no mention of IMSACAP, SCOSPA, 'Pennine Prospects' or related conservation programmes.

Duty to Co-operate

The plan does not appear to demonstrate required level of cooperation with Peak Park Planning Authority, neighbouring authorities and agencies concerned with protection and conservation of South Pennine Moorlands. The plan makes no mention of IMSACAP, SCOSPA, 'Pennine Prospects' or related conservation programmes.

Council Response

No Change DTC Response: None of Kirklees's neighbouring local planning authorities consider that the council has failed to comply with the duty to co-operate. Meaningful cooperation has taken place and evidence to that effect is documented in SD14 (Duty to Cooperate Statement). Natural England is content with the conclusions of the HRA (SD10), i.e. that the plan will not have adverse effects on the integrity of the South Pennine Moors Phase 2 Special Protection Area (SPA) or the Peak District Moors (South Pennine Moors Phase 1) SPA as a result of the loss of functionally connected land for SPA birds. Their letter dated 3rd April 2017 confirms this (see BP28). Kirklees Council met with Peak Park on 5th Feb 2016. Furthermore SD14 identifies at paragraph 3.3 that the council has reflected Yorkshire West Local Nature Partnership's statement of principles and priorities at paragraph 13.20 of the Strategy and Policies document and that the Council also discussed the South Pennine Moors Special Protection Area (SPA) with YWLNP at their meeting on January 5th 2016. SD14 demonstrates how Kirklees Council has undertaken the required level of co-operation with neighbouring authorities (such as the Peak Park Planning Authority) and other agencies concerned with the protection and conservation of the South Pennine moorlands (such as Natural England and YWLNP). Policy PLP30 refers to the need to consider conservation objectives including SPA and SAC.

Paragraph/Site: **Policy PLP 30**

Consultee: **943608 Mr Robert Bamforth**

Agent:

Rep ID: **PDLP_SP591**

Soundness - Justified

The plan does not place sufficient strategic emphasis upon projecting areas adjacent to two core Pennine SPAs in Colne and Holme Valleys. The council has failed to capitalise on this asset in the Local Plan.

Council Response

No change. The council considers policy PLP 30 provides protection for the South Pennine Moors SPA/SAC in accordance with existing legislation set out in the Conservation of Habitats and Species Regulations 2010. A Habitats Regulations Assessment of the local plan has been carried out to consider the potential for adverse effects on the South Pennine Moors SPA/SAC. Further details are provided in the Publication Draft Local Plan Habitats Regulation Assessment March 2017 (SD10).

Paragraph/Site: **Policy PLP 30**

Consultee: **947700 Mr G Maxwell**

Agent:

Rep ID: **PDLP_SP39**

Soundness - Positively Prepared

This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Biodiversity and Geodiversity Policy PLP30 to that consulted upon DLP31

Soundness - Consistent with National Policy

This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Biodiversity and Geodiversity Policy PLP30 to that consulted upon DLP31

Proposed Change Requested

This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.

Council Response

No change. The changes to the biodiversity and geodiversity policy from the Draft Local Plan (policy DLP 31) to the Publication Draft Local Plan (policy PLP 30) are a result of consultation. The changes are identified in the Statement of Pre-Submission Consultation November 2016 (SD12). The Publication Draft Local Plan has been subject to a representations period in accordance with Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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Paragraph/Site: Policy PLP 30	Consultee: 968336	Holme Valley Vision	Agent:	Rep ID: PDLP_SP575
Soundness - Justified	Some of the sites identified for housing will have an adverse effect on local wildlife and flora, will add to light pollution and compromise the vistas across the Valley.			
Council Response	No change. The impact of housing development on local wildlife and biodiversity has been assessed through consultation with Natural England and West Yorkshire as part of the Council's site allocation methodology. The presence of important environmental features has resulted in the rejection of some development options and in other cases an adjustment has been to the developable area to ensure their protection. Further information is provided in the Council's Local Plan Methodology Statement Part 2: Site Allocation Methodology (BP23) paragraphs 4.41 - 4.43. Policy PLP 30 is included within the Local Plan to ensure the impact of development on wildlife and biodiversity is fully considered and appropriately mitigated where possible. Other policies seek to protect environmental quality, including light pollution (Policy PLP 52: Protection and Improvement of Environmental Quality), and ensure the impact on views and vistas due to the topography across much of the district is given particular consideration (Policy PLP 24: Design).			
Paragraph/Site: Policy PLP 30	Consultee: 969134	Mr Merlin Ash	Agent:	Rep ID: PDLP_SP798
Legally Compliant	Natural England disagrees with the screening assessments in table 4.4 of the Habitats Regulations Assessment (HRA) report with regards to the following sites as we do not consider that there is sufficient certainty or evidence to rule out likely significant effects on the South Pennine Moors Phase 2 Special Protection Area (SPA) and Peak District Moors (South Pennine Moors Phase 1) SPA with regards to loss of functionally linked land for golden plover and curlew. Appendix 4 identifies habitat on site suitable for golden plover. Natural England advise Allocations should be screened through the Appropriate Assessment stage. Natural England advise that the percentage of the South Pennine Moors Special Area of Conservation (SAC) affected by air pollution from the M62, as described in para 5.44 and 5.45 is a useful or relevant factor in the assessment of air quality impacts from the plan and therefore disagree with the conclusions of appropriate assessment regarding air quality. We note that para 5.39 refers to a forthcoming Air Quality Assessment that is forthcoming which may provide sufficient information. 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 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 Natural England and these issues have now been resolved. Natural England now consider the HRA is legally compliant. Further details are set out in Correspondence Received from Statutory Consultees after the Regulation 19 Publication Draft Local Plan Consultation April 2017 (BP28) Appendix B, and the revised Publication Draft Local Plan Habitats Regulation Assessment March 2017 (SD10), including Appendix 1 of the report setting out a schedule of comments and responses. In summary, Natural England's revised response welcomes the clarifications made in the Habitats Regulations Assessment March 2017 and the modification to the supporting text of policy PLP 30. Natural England is content with the conclusions of the HRA, i.e. that the plan will not have adverse effects on the integrity of the South Pennine Moors Phase 2 Special Protection Area (SPA) or the Peak District Moors (South Pennine Moors Phase 1) SPA as a result of the loss of functionally connected land for SPA birds. The revised wording to paragraph 13.10 agreed with Natural England is set out in the proposed minor modification SP-MM25 in document Proposed Modifications to the Local Plan (SD4).			
Paragraph/Site: Policy PLP 30	Consultee: 970990	Church Commissioners for England	Agent: 941839	Nolan Tucker Rep ID: PDLP_SP489
Soundness - Justified	- first Paragraph Does not include instances referred to later where there could be A case of overriding public interest for development proposal.			
Proposed Change Requested	- Amend first paragraph, insert wording underlined: The council will seek to protect and enhance the biodiversity and geodiversity of Kirklees, including the range of international, national and locally designated wildlife and geological sites, Habit			
Council Response	No change. The Council does not consider it necessary to amend the policy's first paragraph. This paragraph provides the principal objective that the policy seeks to protect and enhance the biodiversity and geodiversity. Exceptions relate only to specific features as set out in other paragraphs of the policy.			
Paragraph/Site: Policy PLP 30	Consultee: 978518		Agent:	Rep ID: PDLP_SP143
Council Response	No change required. Support for policy PLP 30 as it supports the Leeds City Region Strategic Economic Plan priority to address Clean Energy and Environmental Resilience is noted.			

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Paragraph/Site: **Policy PLP 30** Consultee: **1049860 Mr Nick Sandford** Agent: Rep ID: **PDLP_SP115**

Proposed Change Requested PLP30 should be strengthened by amending the wording to say that development will only be allowed to damage these assets in "wholly exceptional circumstances". This is the wording used in the NPPF for protection of world heritage sites and historic battlefields

Council Response No change. Support for the protection of ancient woodland and ancient/veteran trees in the policy is noted. However, the suggested amendment to the policy wording to only allow development in wholly exceptional circumstances is considered appropriate for features of international importance, whereas individual woodlands in Kirklees are unlikely to be of international importance. The council considers the protection provided in the policy for ancient woodland and ancient/veteran trees is consistent with the value of these features. Application of the mitigation hierarchy is included within the policy text. The council does not consider that it necessary to repeat existing policy set out in NPPF paragraph 118 (bullet point 5) which would be taken into account in the determination of planning applications.

Paragraph/Site: **Policy PLP 31** Consultee: **942142 unknown** Agent: **950095 Mr Jonathan Dunbavin** Rep ID: **PDLP_SP409**

Council Response No change required. Support for policy PLP 31.

Paragraph/Site: **Policy PLP 31** Consultee: **942337 unknown** Agent: **941775 Mr Paul Butler** Rep ID: **PDLP_SP554**

Soundness - Positively Prepared Objection to the lack of flexibility provided within the policy in association with the provision of criteria where the development of Strategic Green Infrastructure sites may be appropriate in certain circumstances.

Proposed Change Requested The following wording should be included within the policy: "Proposals will be required to protect Strategic Green Infrastructure unless: The benefits of the development clearly outweigh the importance of the specific Strategic Green Infrastructure interest; and The loss of the site and its functional role within the Strategic Green Infrastructure can be fully maintained or compensated for in the long term; and Compensatory measures will be secured through the establishment of a legally binding agreement."

Council Response No change. The council does not consider the suggested wording change to the policy is necessary. The policy has been amended from the Draft Local Plan (policy DLP 32) in response to consultation to provide further clarity regarding the requirements of development proposed within the Strategic Green Infrastructure Network. The changes are identified in the Statement of Pre-Submission Consultation November 2016 (SD12). Policy PLP 31 now provides sufficient flexibility to allow development with the Strategic Green Infrastructure Network where the function and connectivity of the network and green infrastructure assets can be safeguarded or replaced and where green infrastructure enhancements are proposed.

Paragraph/Site: **Policy PLP 31** Consultee: **942768 Mr Andrew Wood** Agent: Rep ID: **PDLP_SP456**

Council Response No change required. Support for policy PLP 31 is noted.

Paragraph/Site: **Policy PLP 31** Consultee: **947700 Mr G Maxwell** Agent: Rep ID: **PDLP_SP40**

Soundness - Positively Prepared This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Strategic Green Infrastructure Policy PLP31 to that consulted upon DLP32

Soundness - Consistent with National Policy This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Strategic Green Infrastructure Policy PLP31 to that consulted upon DLP32

Proposed Change Requested This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.

Council Response No change. The changes to the strategic green infrastructure policy from the Draft Local Plan (policy DLP 32) to the Publication Draft Local Plan (policy PLP 31) are a result of consultation to provide further clarity and explanation. The changes are identified in the Statement of Pre-Submission Consultation November 2016 (SD12). The Publication Draft Local Plan has been subject to a representations period in accordance with Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Paragraph/Site: **Policy PLP 31** Consultee: **951566 mr martyn coy** Agent: Rep ID: **PDLP_SP5**

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Soundness - Consistent with National Policy	Support the inclusion of the canal network within the strategic green infrastructure network. Additionally, support enhancements to ensure that it is fit for purpose in order to increase usage and improve access consistent with Section 8 'Promoting healthy communities' of the National Planning Policy Framework.
Council Response	No change required. Support for the inclusion of the canal network within the strategic green infrastructure network and the enhancement of green infrastructure is noted.

Paragraph/Site: **Policy PLP 31** Consultee: **972220** Agent: **941908** **Mr Andrew Rose** Rep ID: **PDLP_SP374**

Soundness - Justified Miller Homes understands and supports the concept of the Mirfield Promenade but is keen to understand the evidence base for the proposal and what it is seeking to achieve in order to reflect this in the Dewsbury Riverside masterplan. The evidence base for the proposal is not available therefore there is no justification.

Proposed Change Requested Provide evidence for the designation of SGI2110 - Mirfield Promenade.

Council Response No change. The boundary of the Mirfield Promenade (SGI2110) reflects the route proposed by the Mirfield Community Partnership and the Canals and Rivers Trust.

Paragraph/Site: **Policy PLP 31** Consultee: **978518** Agent: Rep ID: **PDLP_SP144**

Council Response No change required. Support for policy PLP 31 as it supports the Leeds City Region Strategic Economic Plan priority to address Clean Energy and Environmental Resilience is noted.

Paragraph/Site: **Policy PLP 32** Consultee: **942768** **Mr Andrew Wood** Agent: Rep ID: **PDLP_SP457**

Council Response No Change Support from CPRE for policy PLP32 is noted.

Paragraph/Site: **Policy PLP 32** Consultee: **943957** **Mr Ian Smith** Agent: Rep ID: **PDLP_SP768**

Council Response No change Support noted.

Paragraph/Site: **Policy PLP 32** Consultee: **951566** **mr martyn coy** Agent: Rep ID: **PDLP_SP6**

Soundness - Positively Prepared Support the approach to protecting the historic and natural landscapes associated with canals.

Proposed Change Requested We support the policy which would ensure that the impacts of proposals on canals should be designed to take into account and seek to enhance the landscape character of the area as the canal network forms a key component of Kirklees historic urban and rural landscapes.

Council Response No change Support for PLP32 from the Canal's Trust is noted.

Paragraph/Site: **Policy PLP 32** Consultee: **970990** **Church Commissioners for England** Agent: **941839** **Nolan Tucker** Rep ID: **PDLP_SP490**

Soundness - Consistent with National Policy - No objection to part a, rest of policy seeks to introduce additional tests. Blanket policy which may not apply to whole of district. - Paragraph 109 refers to protecting and enhancing valued landscapes. Only reference to landscape character in paragraph

Proposed Change Requested - Amend with new wording underlined: Landscape Proposals should be designed to take into account and where possible, seek to enhance the landscape character of the area. Where appropriate it should consider the following: a. the need to protect the

Council Response No Change The council considers that the policy is consistent with NPPF as set out in the Kirklees Publication Draft Local Plan paragraph 13.30. It also reflects the character of the area as referenced in paragraph 13.31 and is consistent with the council's vision and strategic objective 8 as set out at page 22.

Paragraph/Site: **Policy PLP 32** Consultee: **978518** Agent: Rep ID: **PDLP_SP145**

Council Response No Change Support from the West Yorkshire Combined Authority is noted.

Paragraph/Site: **Policy PLP 33** Consultee: **942154** **unknown** Agent: **941891** **Paul Leeming** Rep ID: **PDLP_SP440**

Soundness - Justified Policies on trees and tree cover should have regard to the function of woodland. particularly where (coniferous) plantations and woodland is grown as a crop.

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Proposed Change Requested Policies on trees and tree cover should have regard to the function of woodland, particularly where (coniferous) plantations and woodland is grown as a crop.
Council Response No change. The policy identifies a number of criteria to assess and protect trees as part of the development process and refers to British Standard BS 5837.

Paragraph/Site: **Policy PLP 33** Consultee: **942768** **Mr Andrew Wood** Agent: Rep ID: **PDLP_SP458**

Legally Compliant Comments refer to PLP30 to PLP35

Council Response No Change Support for policy PLP33 has been noted.

Paragraph/Site: **Policy PLP 33** Consultee: **947700** **Mr G Maxwell** Agent: Rep ID: **PDLP_SP41**

Soundness - Positively Prepared This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Trees Policy PLP33 to that consulted upon DLP34

Soundness - Consistent with National Policy This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Trees Policy PLP33 to that consulted upon DLP34

Proposed Change Requested This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.

Council Response No Change The differences between the draft and publication draft Local Plan tree 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

Paragraph/Site: **13.36** Consultee: **1049860** **Mr Nick Sandford** Agent: Rep ID: **PDLP_SP114**

Proposed Change Requested Clarify what the figure of 1.5% refers to: "representing 18% of the woodlands in the district or 1.5%" Consider using the Woodland Trust's Access to Woodland Standard to quantify how much new woodland you feel is needed.

Council Response Change Justification text deleted to provide clarity, see document SD4 Proposed Modifications to the Local Plan - ref SP-MM26.

Paragraph/Site: **Policy PLP 34** Consultee: **942768** **Mr Andrew Wood** Agent: Rep ID: **PDLP_SP459**

Council Response No change. Support noted.

Paragraph/Site: **14.1** Consultee: **967601** **Mrs Rachel Hogley** Agent: Rep ID: **PDLP_SP54**

Soundness - Justified In this Historic Environment section, reference is made to the importance of conservation areas. Without conservation area appraisals in place (which are a statutory duty), there is no clear definition of what is valued about an area or town. This has left towns such as Holmfirth (and indeed the majority of Conservation areas within Kirklees) with no criteria to ensure that the heritage is preserved and enhanced in the future. This has led to a proliferation of on-street signage, illuminated signs, unsuitable windows and unsightly changes to shop fronts and buildings thereby undermining the appearance of the area. Unless this gap is addressed and area appraisals are prepared, the policies listed have no real impact on the admirable aims since there are no 'rules' to use for enforcement action. Holmfirth's heritage was deemed 'at risk' in a report by Historic England in 2009 and yet no action has been taken since that time to address the lack of appraisal.

Proposed Change Requested A commitment to undertake (either directly or through third parties) Conservation Area Appraisals for all conservation areas within Kirklees over the next 3 years.

Council Response No change - Designation of Conservation Areas and their appraisals are not within the remit of the development plan.

Paragraph/Site: **14.1** Consultee: **1048808** **Mrs Anne Bacon** Agent: Rep ID: **PDLP_SP87**

Soundness - Consistent with National Policy - Holmfirth Conservation Area without an appraisal was identified by English Heritage as 'at risk and in decline' in 2009. No strategy has been put in place by Kirklees to reverse trend. Local Plan does not set out 'a positive strategy for the conservatio

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Proposed Change Requested - Kirklees Local Plan Section 14 to be rejected as it fails to meet the statutory requirements of the NPPF and in its current form its obligation to Heritage Assets is undeliverable.

Council Response No change - Designation of Conservation Areas and their appraisals are not within the remit of the development plan.

Paragraph/Site: **Policy PLP 35**

Consultee: **942768**

Mr Andrew Wood

Agent:

Rep ID: **PDLP_SP460**

Council Response No change - support for the policy noted.

Paragraph/Site: **Policy PLP 35**

Consultee: **943847**

Mrs Sally Barber

Agent:

Rep ID: **PDLP_SP512**

Soundness - Effective A conservation area appraisal is necessary for Holmfirth Town Centre to ensure that the policy is able to ensure that proposals within conservation areas conserve those elements which have been identified as contributing to their significance in the relevant Conservation Area Appraisal

Council Response No change - Designation of Conservation Areas and their appraisals are not within the remit of the development plan.

Paragraph/Site: **Policy PLP 35**

Consultee: **943957**

Mr Ian Smith

Agent:

Rep ID: **PDLP_SP769**

Soundness - Positively Prepared - The Policy would benefit from a small number of amendments, to improve its interpretation. - It would make easier for users of the Plan if Criterion 2 only dealt with non designated archaeology with other non designated heritage assets included in a sep

Soundness - Consistent with National Policy - Paragraph 135 of the NPPF makes it clear that when assessing the impact of development upon a non-designated heritage asset, a balanced judgement will be required. Therefore, the Criterion on non-designated heritage assets will need a slight amendment.

Proposed Change Requested Policy PLP35, Criterion 2: (a) Policy PLP35, Criterion 2, line 6 - delete that part of the Criterion beginning Proposals which would€ | € (b) Policy PLP35 insert a new Criterion dealing with non-designated heritage assets as follows:- Proposals which would remove, harm or undermine the significance of a nondesignated heritage asset, or its contribution to the character of a place are permitted only where the benefits of the development would outweigh the harm€. Policy PLP35, Criterion 3.c: (a) Policy PLP35, Criterion 3.c, line 1 delete: for heritage assets at risk" and (b) Insert the following additional Criterion: Securing a sustainable future for heritage assets identified as being at risk€

Council Response No change These comments do not raise soundness issues.

Paragraph/Site: **Policy PLP 35**

Consultee: **947700**

Mr G Maxwell

Agent:

Rep ID: **PDLP_SP42**

Soundness - Positively Prepared This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Historic environment Policy PLP35 to that consulted upon DLP36

Soundness - Consistent with National Policy This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Historic environment Policy PLP35 to that consulted upon DLP36

Proposed Change Requested This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.

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. 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 differences between the draft and publication draft Local Plan PLP35 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.

Paragraph/Site: **Policy PLP 35**

Consultee: **951566**

mr martyn coy

Agent:

Rep ID: **PDLP_SP7**

Soundness - Consistent with The lack of reference to "the historic canal network" in PLP35 in the Policy and supporting text is not compliant with NPPF Section 12 to ensure that heritage

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National Policy	assets are fully considered.
Proposed Change Requested	Amend PLP35 Historic Environment and supporting text to include a reference to "the historic canal network".
Council Response	No change - The council considers that reference specifically to the historic canal network is not necessary as many of the locks and bridges are listed structures in any case and so will be considered appropriately under PLP35 Historic Environment.
Paragraph/Site: Policy PLP 35	Consultee: 968336 Holme Valley Vision Agent: Rep ID: PDLP_SP573
Soundness - Justified	The conservation group has undertaken an appraisal of Holmfirth Conservation Area. . There is concern that, for example, features such as pumps, troughs and wells could easily be sacrificed for road improvements and the mixture of building types, many early Victorian, scattered in the Valley bottoms and on the hillsides could be dwarfed by modern estates and ribbon development.
Council Response	No change - Designation of Conservation Areas and their appraisals are not within the remit of the development plan. .
Paragraph/Site: 14.7	Consultee: 943957 Mr Ian Smith Agent: Rep ID: PDLP_SP770
Council Response	No change Support noted.
Paragraph/Site: 15.1	Consultee: 942768 Mr Andrew Wood Agent: Rep ID: PDLP_SP343
Soundness - Justified	Refer to the attached Minerals Evidence Paper. There is insufficient evidence that either the need for the significant increases in allocations, or the weight that should be given to their potential impacts, has been adequately demonstrated. Extensions to existing operations make them effectively permanent operations and their cumulative impact cannot be mitigated by restoration programmes.
Proposed Change Requested	Refer to the Mineral's Evidence Paper.
Council Response	No change. The council has allocated specific sites to accommodate the future mineral extraction need of the district to ensure an adequate and steady supply over the plan period. This is justified by evidence detailed in the Minerals Technical Paper April 2017 (BP9) paragraphs 5.18-5.38. Policy PLP 38 requires that the potential cumulative effects of mineral developments are satisfactorily considered as of any planning application.
Paragraph/Site: 15.3	Consultee: 943608 Mr Robert Bamforth Agent: Rep ID: PDLP_SP606
Soundness - Justified	Concerned about the open-ended nature of section 15 of the policies document. It appears to allow new mineral extraction proposals to be brought forward anywhere, anytime, in order to satisfy a perceived national demand.
Council Response	No change. The council considers the policies relating to the extraction, restoration and safeguarding of mineral resources are sound and address the need to ensure an adequate and steady supply of mineral over the plan period in accordance with NPPF paragraph 143.
Paragraph/Site: 15.3	Consultee: 963361 Mrs Jacey Bedford Agent: Rep ID: PDLP_SP701
Soundness - Positively Prepared	- Sites without willing land owners should not have been included in the plan. It has mislead the public into thinking there is a threat when there isn't one. This diverts public attention from other potentially unsuitable sites. - Why were some mineral e
Soundness - Justified	- Kirklees Metropolitan Council should have chosen alternative sites with willing land owners when selected sites were discovered to have unwilling landowners. - Why were some minerals extraction sites rejected even when they were only A small Number of objectors?
Soundness - Consistent with National Policy	- how can Kirklees Metropolitan Council say they have complied with NPPG when so many mineral extraction sites did not have A willing land owner? - If Kirklees Metropolitan Council had followed the NPPG then all sites should have been identified from A desk Top exercise etc.
Council Response	No change. Following consultation on the Draft Local Plan (November 2015), any mineral extraction site which did not have evidence of a willing landowner was re-considered for inclusion as either a preferred areas or areas of search within the plan. This approach is consistent with National Planning Practice Guidance paragraph 008. Sites have been rejected where there is insufficient evidence to support them. Further details are shown in the Publication Draft Local Plan Rejected Site Options Map (LE3) and the Publication Draft Local Plan Rejected Site Options Report (LE4). New mineral sites or amendments to mineral sites since the Draft Local Plan have resulted from consultation or up-dated evidence. The changes to policies from the Draft Local Plan (policy DLP

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37) to the Publication Draft Local Plan (policy PLP 36) are a result of consultation and clarification. The Publication Draft Local Plan has been subject to a representations period in accordance with Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Paragraph/Site: **15.4** Consultee: **942768** **Mr Andrew Wood** Agent: Rep ID: **PDLP_SP450**

Soundness - Justified The evidence base is stated to include 'Minerals Need Assessment' but this document has not been made available.

Proposed Change Requested Make the evidence paper available and allow further comment if required.

Council Response No change. The minerals needs assessment evidence is set out in the Minerals Site Methodology (LE100) paragraphs 4.1-4.20 and the Minerals Technical Paper April 2017 (BP9) paragraphs 5.1-5.47.

Paragraph/Site: **Policy PLP 36** Consultee: **943459** **Mr Anthony Northcote** Agent: Rep ID: **PDLP_SP151**

Council Response No change Support for policy noted

Paragraph/Site: **Policy PLP 36** Consultee: **943608** **Mr Robert Bamforth** Agent: Rep ID: **PDLP_SP607**

Soundness - Justified The policy seems to have been disregarded in the allocation of multiple quarry sites in the rural scarp around Shepley, Birdsedge, Cumberworth, Denby Dale, Skelmanthorpe and Shelley. The council should look again at the new quarry site allocations and examine their impact on communities and environment. The policies and allocations relating to the location and scope of quarry operations are far too market driven and wholly dependent on the voluntary co-operation of quarry operators.

Council Response No change. The council considers policy PLP 36 satisfactorily addresses the need to ensure that all potential impacts associated with mineral development are properly considered at the planning application stage in compliance with NPPF paragraph 144. The allocation of new mineral sites has been made in accordance with the Council's site allocation methodology and in conformity with guidance set out in NPPF paragraph 143. Further details are provided in the Minerals Technical Paper (BP9) sections 5, 6, 7 and 8.

Paragraph/Site: **Policy PLP 36** Consultee: **943957** **Mr Ian Smith** Agent: Rep ID: **PDLP_SP771**

Council Response No change Support noted.

Paragraph/Site: **Policy PLP 36** Consultee: **947700** **Mr G Maxwell** Agent: Rep ID: **PDLP_SP43**

Soundness - Positively Prepared This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Mineral Extraction Policy PLP36 to that consulted upon DLP37. The new policy contains additional criteria.

Soundness - Consistent with National Policy This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Mineral Extraction Policy PLP36 to that consulted upon DLP37. The new policy contains additional criteria.

Proposed Change Requested This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.

Council Response No change. The changes to the minerals extraction policy from the Draft Local Plan (policy DLP 37) to the Publication Draft Local Plan (policy PLP 36) represent a minor change to ensure that appropriate materials are available locally to ensure sympathetic repairs to heritage assets. The Publication Draft Local Plan has been subject to a representations period in accordance with Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Paragraph/Site: **Policy PLP 37** Consultee: **942768** **Mr Andrew Wood** Agent: Rep ID: **PDLP_SP451**

Soundness - Justified There is strong support for the requirement to allow mineral working subject to enhancement benefits through restoration, but the policy should be supported by a further requirement for landscape enhancement consistent with the Kirklees District Landscape Character Assessment.

Proposed Change Requested The policy should be supported by a requirement for landscape enhancement consistent with the Kirklees Landscape Character Assessment.

Council Response No change. The council considers that the criteria in policy PLP 37 satisfactorily addresses the need to ensure site restoration includes landscape

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enhancement. Criteria b requires that restoration proposals are designed to ensure they are appropriate to the characteristics of the sites surroundings, which it is considered includes landscape character.

Paragraph/Site: **Policy PLP 37** Consultee: **943459 Mr Anthony Northcote** Agent: Rep ID: **PDLP_SP152**

Council Response No change Support for this policy.

Paragraph/Site: **Policy PLP 38** Consultee: **943459 Mr Anthony Northcote** Agent: Rep ID: **PDLP_SP153**

Council Response No Change Support for policy noted

Paragraph/Site: **Policy PLP 38** Consultee: **943957 Mr Ian Smith** Agent: Rep ID: **PDLP_SP772**

Council Response No change required. Support noted.

Paragraph/Site: **Policy PLP 38** Consultee: **947700 Mr G Maxwell** Agent: Rep ID: **PDLP_SP44**

Soundness - Positively Prepared This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Minerals safeguarding Policy PLP38 to that consulted upon DLP38. For instance the whole section regarding buffer zones/stand off distances

Soundness - Consistent with National Policy This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Minerals safeguarding Policy PLP38 to that consulted upon DLP38. For instance the whole section regarding buffer zones/stand off distances

Proposed Change Requested This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.

Council Response No change. The changes to the minerals safeguarding policy from the Draft Local Plan (policy DLP 39) to the Publication Draft Local Plan (policy PLP 38) are a result of consultation. The changes are identified in the Statement of Pre-Submission Consultation November 2016 (SD12). Policy PLP 38 aims to safeguard the principal minerals found within the district and does not infer those minerals will be extracted but acts to protect them from sterilization from non-minerals development. This complies with NPPF paragraph 143. Mineral Safeguarding Areas (MSAs) have been extended, as a result of consultation, to include urban areas, and as such MSAs now cover the entire district. All development not included in the policy exceptions criteria will need to ensure minerals are not unnecessarily sterilised. This removes the need to apply buffer zones. Further details are provided in the Minerals Technical Paper April 2017 (BP9) paragraphs 6.1 6.7. The Publication Draft Local Plan has been subject to a representations period in accordance with Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Paragraph/Site: **Policy PLP 38** Consultee: **1061347 Mr John Fleming** Agent: **941808 John Fleming** Rep ID: **PDLP_SP519**

Soundness - Consistent with National Policy The inclusion of a 250m buffer zone around all safeguarded sites is inappropriate and is contrary to NPPF (para.143).

Proposed Change Requested Appropriate buffer zones should be determined on a 'case by case' basis.

Council Response No change. The council considers that policy PLP 38 adequately addresses the need to safeguard mineral resources from non-mineral development in compliance with NPPF paragraph 143. It is appropriate for the policy to ensure that the implications of any development within 250 metres of an operational minerals site are adequately considered with regard to the potential proximal sterilisation of mineral resources in the vicinity.

Paragraph/Site: **15.26** Consultee: **963361 Mrs Jacey Bedford** Agent: Rep ID: **PDLP_SP705**

Soundness - Justified Why have certain policies been changed which would have further protected the site? The whole of Kirklees is now a Mineral Safeguarding Area. The need for buffer zones has been removed.

Council Response No change. Policy PLP 38 aims to safeguard the principal minerals found within the district and does not infer those minerals will be extracted but acts to protect them from sterilization from non-minerals development. This complies with NPPF paragraph 143. Mineral Safeguarding Areas (MSAs) have been extended, as a result of consultation, to include urban areas, and as such MSAs now cover the entire district. Further details are provided in the Statement of

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Pre-submission Consultation November 2016 (SD12). All development not included in the policy exceptions criteria will need to ensure minerals are not unnecessarily sterilised. This removes the need to apply buffer zones. Further details are provided in the Minerals Technical Paper April 2017 (BP9) paragraphs 6.1 6.7.

Paragraph/Site: **Policy PLP 39** Consultee: **943459 Mr Anthony Northcote** Agent: Rep ID: **PDLP_SP154**

Council Response No change Support for policy noted.

Paragraph/Site: **Policy PLP 39** Consultee: **951566 mr martyn coy** Agent: Rep ID: **PDLP_SP8**

Soundness - Consistent with National Policy Support the safeguarding of the minerals infrastructure sites as outlined in PLP38 Minerals Safeguarding as this approach would ensure that wharf sites are protected to allow the movement of waterborne freight in accordance with National Policy.

Council Response No change required. Support noted.

Paragraph/Site: **Policy PLP 39** Consultee: **972220** Agent: **941908 Mr Andrew Rose** Rep ID: **PDLP_SP375**

Soundness - Justified Approach to identifying and safeguarding Minerals Infrastructure Sites lacks evidence and is inconsistent with the aims and objectives of the Plan towards the regeneration and rejuvenation of Dewsbury. The concept of retaining and safeguarding all Minerals Infrastructure Sites in this area is incompatible with the Vision for the South Dewsbury area. As such, the policy should have added flexibility. The restrictions on development within 100m of protected minerals sites are onerous.

Proposed Change Requested Review the approach towards protecting mineral infrastructure sites in Dewsbury and Ravensthorpe.

Council Response No change. The council considers its approach to identifying and safeguarding existing, planned and potential minerals infrastructure sites within the Dewsbury area is sound and complies with NPPF paragraph 143. The sites identified in policy PLP 39 are either operational or have been used in the past. It is considered that this approach is not incompatible with the vision for the regeneration Dewsbury as, whilst policy PLP 40 seeks to safeguard mineral infrastructure sites, it does not preclude alternative use subject to justification.

Paragraph/Site: **15.28** Consultee: **978569 Tony Rivero** Agent: Rep ID: **PDLP_SP66**

Soundness - Justified The allocation of Hillhouses Yard as safeguarded mineral infrastructure is not supported. It is not clear from the justification as to why the whole site has been given over to possible aggregates use given there has been no dialogue between any potential aggregates user and Network Rail. The status of the yard is one of a strategic freight site (one protected on privatisation in the 1993 Railways Act for freight use, subject to periodic review) but not exclusively for the minerals industry. It further should be noted there is no extant connection off the main line. To re-connect to the network would cost in excess of £2 million which is a significant investment unlikely to be funded by a single aggregates user. Note is taken of policy PLP 40 which set out criteria by which the site could be developed for alternative uses but there is no justification put forward why the site should be retained as being safeguarded for mineral use. There is a reference to allocations on the basis of the minerals background paper (which makes no mention of facilities) and discussions with users. Bearing in mind it is considered to be operational railway land in any event (save for the lone waste recovery facility on part of the site) other railway uses can be re-introduced into the yard without the need for consent and indeed it is likely to be needed for works associated with the Trans Pennine Upgrade and electrification by 2023. However in order to retain flexibility of uses on the site in planning terms our preference would be for the designation to be removed, leaving the site unallocated, which would be in line with previous discussions made by Network Rail to the Council prior to the publication of the Draft Plan.

Proposed Change Requested Modification: removal of safeguarding minerals infrastructure designation from Alder Street sidings

Council Response No change. The former railway sidings off Alder Street, Huddersfield have been safeguarded because they offer the potential to provide facilities to transport mineral via rail. This is consistent with NPPG paragraph 143 which states that Local Planning Authorities should safeguarded railheads which could be used for such purposes. Further details are provided in the Minerals Technical Paper (BP9) paragraph 7.1 and 7.2 which justifies the approach to safeguarding potential mineral infrastructure sites. Provision for alternative uses of such sites is recognised in policy PLP 40.

Paragraph/Site: **Policy PLP 40** Consultee: **947700 Mr G Maxwell** Agent: Rep ID: **PDLP_SP45**

Soundness - Positively Prepared This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Policy

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	PLP40 to that consulted upon DLP41
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Policy PLP40 to that consulted upon DLP41
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.
Council Response	No change. The changes to the Alternative Development on Protected Minerals Infrastructure Sites policy from the Draft Local Plan (policy DLP 41) to the Publication Draft Local Plan (policy PLP 40) are a result of concerns raised during consultation. The Publication Draft Local Plan has been subject to a representations period in accordance with Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
Paragraph/Site: Policy PLP 40	Consultee: 972220 Agent: 941908 Mr Andrew Rose Rep ID: PDLP_SP376
Soundness - Justified	Approach to identifying and safeguarding Minerals Infrastructure Sites lacks evidence and is inconsistent with the aims and objectives of the Plan towards the regeneration and rejuvenation of Dewsbury. The concept of retaining and safeguarding all Minerals Infrastructure Sites in this area is incompatible with the Vision for the South Dewsbury area. As such, the policy should have added flexibility. The restrictions on development within 100m of protected minerals sites are onerous.
Proposed Change Requested	Review the approach towards protecting mineral infrastructure sites in Dewsbury and Ravensthorpe.
Council Response	No change. The council considers its approach to identifying and safeguarding existing, planned and potential minerals infrastructure sites within the Dewsbury area is sound and complies with NPPF paragraph 143. The sites identified in policy PLP 39 are either operational or have been used in the past. It is considered that this approach is not incompatible with the vision for the regeneration Dewsbury as, whilst policy PLP 40 seeks to safeguard mineral infrastructure sites, it does not preclude alternative use subject to justification. It is considered prudent to create a safeguarded area of 100m around these sites in order that the implications of non-minerals development proposals close to such sites can be fully considered, thus avoiding potential problems associated with conflicting uses. The council considers that the problems likely to arise with conflicting land uses such as noise and dust would reduce beyond 100m to the point that any adverse impacts could be successfully mitigated against.
Paragraph/Site: Policy PLP 41	Consultee: 942768 Mr Andrew Wood Agent: Rep ID: PDLP_SP452
Soundness - Justified	The potential impacts from large numbers of lorry movements (used to bring large volumes of water to site) and their effect on highways and local amenity is not dealt with specifically as a likely significant adverse impact.
Council Response	No change. The council considers that criteria b in policy PLP 41 would satisfactorily address any adverse impacts associated with the transport of large volumes of water to and from the site, including effect on local amenity and highway safety.
Paragraph/Site: Policy PLP 41	Consultee: 943459 Mr Anthony Northcote Agent: Rep ID: PDLP_SP156
Council Response	No change Support for policy noted.
Paragraph/Site: Policy PLP 42	Consultee: 942768 Mr Andrew Wood Agent: Rep ID: PDLP_SP453
Soundness - Justified	The policy should be widened to include the impact of increased lorry movements and the protection of designated areas. A buffer zone is required to protect the setting of the Peak District National Park. Net zero impact is an unacceptably low aspiration in terms of criteria 'h'.
Proposed Change Requested	The policy should be amended as stated.
Council Response	No change. The council considers that criteria c in policy PLP 42 ensures the need to fully consider any potential adverse impacts, including those associated with increased lorry movements. The protection of sites designated for their biodiversity and geodiversity importance and the setting of the Peak District National Park are covered by other policies in the plan, particularly policy PLP 30 Biodiversity and Geodiversity and policy PLP 32 Landscape.
Paragraph/Site: Policy PLP 42	Consultee: 943459 Mr Anthony Northcote Agent: Rep ID: PDLP_SP157
Soundness - Justified	The Coal Authority objects to criteria f. and h. which are considered to lack justification and to not accord with the NPPF. Comment Whilst not forming part of

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<p>Soundness - Consistent with National Policy</p> <p>Council Response</p>	<p>our objection, the plan users may find it helpful if the text were to be clear on what role the Mineral Planning Authority has in relation to hydrocarbon extraction and what matters fall to be controlled by other regulators. Other plans have done this which seems to have been helpful.</p> <p>The Coal Authority objects to criteria f. and h. which are considered to lack justification and to not accord with the NPPF.</p> <p>No change. The council considers that criteria f of policy PLP 42 is sound as there may be local circumstances where the transport of hydrocarbons by means other than pipeline could be acceptable if this can be justified. There is no criterion h in policy PLP 42. The council does not consider it necessary to repeat NPPG paragraphs 109, 110 and 111, which recognise the different roles of the Minerals Planning Authority and other regulators associated with hydrocarbons production, including the Coal Authority,</p>
<p>Paragraph/Site: Policy PLP 42</p> <p>Soundness - Positively Prepared</p> <p>Soundness - Consistent with National Policy</p> <p>Proposed Change Requested</p> <p>Council Response</p>	<p>Consultee: 947700 Mr G Maxwell Agent: Rep ID: PDLP_SP46</p> <p>This plan has not been properly consulted upon and therefore does not comply with the NPPF There are differences between the current Productions of hydrocarbons Policy PLP43 to that consulted upon DLP42</p> <p>This plan has not been properly consulted upon and therefore does not comply with the NPPF There are differences between the current Productions of hydrocarbons Policy PLP43 to that consulted upon DLP42</p> <p>This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.</p> <p>No Change The differences between the draft and publication draft Local Plan 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.</p>
<p>Paragraph/Site: 15.35</p> <p>Soundness - Justified</p> <p>Proposed Change Requested</p> <p>Council Response</p>	<p>Consultee: 942768 Mr Andrew Wood Agent: Rep ID: PDLP_SP455</p> <p>There is a mismatch of text in 15.35 regarding the use of gas tankers/road transportation with the operation of small fields and the presumptive requirement for use of pipelines in criterion f.</p> <p>The scale of fields (presumably meaning oilfields) should be defined and/or subject to an appropriate threshold and the non-use of pipelines should be fully justified with supporting evidence.</p> <p>No change. The council does not consider there is a conflict between criteria f and paragraph 15.35. Criteria f requires development for the production of hydrocarbons to use pipelines, although does make provision for its transport by other means if pipelines are not feasible. The policy justification text set out in paragraph 15.35 provides further explanation that this could include the transport of hydrocarbons using tankers where appropriate. Setting thresholds in regard to the size of fields is considered to be too prescriptive as each case would need to be judged on its own merits.</p>
<p>Paragraph/Site: Policy PLP 44</p> <p>Council Response</p>	<p>Consultee: 943957 Mr Ian Smith Agent: Rep ID: PDLP_SP782</p> <p>No Change Support from Historic England for Policy PLP44, Criterion h noted. Historic England supports the requirement for proposals for new waste management facilities to demonstrate that the potential impact upon the historic environment has been fully considered and satisfactorily addressed.</p>
<p>Paragraph/Site: Policy PLP 45</p> <p>Soundness - Justified</p> <p>Proposed Change Requested</p> <p>Council Response</p>	<p>Consultee: 972220 Agent: 941908 Mr Andrew Rose Rep ID: PDLP_SP377</p> <p>The approach towards identifying and safeguarding Waste Management Facilities lacks evidence and is inconsistent with the aims and objectives of the Plan towards regenerating and rejuvenating Dewsbury and Ravensthorpe and its riverside areas. The designation of large areas of Waste Sites in the heart of Dewsbury and Ravensthorpe is incompatible with the Vision for the South Dewsbury area. Safeguarded waste management facilities along the River Calder in Dewsbury and Ravensthorpe should be re-designated to accord with the aims and objectives of the Plan and Vision for the area.</p> <p>Review the approach to safeguarding Waste Management Facilities in Dewsbury and Ravensthorpe.</p> <p>No Change It is important to safeguard sites in order to maintain waste capacity for the duration of the plan period and to also allow the council to effective</p>

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	monitor any changes in capacity. Policy PLP45 provides sufficient flexibility to consider alternative uses where there is no longer a need for the facility or where capacity can be met elsewhere in the district. Paragraph 6.5 of the Waste Technical Paper (BP26) also refers to alternative uses where justified.
Paragraph/Site: Policy PLP 47	Consultee: 942142 unknown Agent: 950095 Mr Jonathan Dunbavin Rep ID: PDLP_SP410
Council Response	No change - support noted.
Paragraph/Site: Policy PLP 47	Consultee: 965590 Dave McGuire Agent: Rep ID: PDLP_SP790
Council Response	No change - support noted.
Paragraph/Site: Policy PLP 47	Consultee: 969863 Mr Chris Holmes Agent: 866846 Mr Steve Simms Rep ID: PDLP_SP125
Soundness - Justified	Part (j) of the policy does not provide a clear indication of how a decision maker should react to a development proposal should be included in the plan.
Soundness - Consistent with National Policy	Part (j) of the policy does not comply with NPPF paragraph 154.
Proposed Change Requested	Part (j) of the policy should set out and justify specific criteria in order to comply with NPPF paragraph 154.
Council Response	No change - it is considered that the policy is suitably worded to be compliant with the NPPF.
Paragraph/Site: Policy PLP 48	Consultee: 143529 Mr Ross Anthony Agent: Rep ID: PDLP_SP1
Soundness - Consistent with National Policy	The Theatres Trust supports draft policy DLP48 as it aims to safeguard and promote cultural facilities, as required by para. 70 of the NPPF.
Proposed Change Requested	While Policy PLP48 is supported, the following additional text in the policy or supporting text could enhance the policy: The temporary and meanwhile use of vacant buildings and sites by creative, cultural and community organisations will also be supported, particularly where they help activate and revitalise town centre locations.
Council Response	No Change Policy PLP 48 already supports leisure and cultural facilities. The promotion of temporary uses is encouraged through other council strategies such as the Public Arts Strategy.
Paragraph/Site: Policy PLP 48	Consultee: 947700 Mr G Maxwell Agent: Rep ID: PDLP_SP47
Soundness - Positively Prepared	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are differences between the current Community facilities Policy PLP48 to that consulted upon DLP48
Soundness - Consistent with National Policy	This plan has not been properly consulted upon and therefore does not comply with the NPPF There are differences between the current Community facilities Policy PLP48 to that consulted upon DLP48
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.
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.
Paragraph/Site: Policy PLP 48	Consultee: 949796 Mr Mark Firth Agent: Rep ID: PDLP_SP651
Soundness - Consistent with National Policy	PLP48 does not go far enough to ensure community facilities are not lost, in accordance to NPPF para 70.
Proposed Change Requested	Change 'involve' to 'will result in'
Council Response	Change - Minor modification (SPMM27) suggests the following change: Insert text (fourth paragraph) of Policy PLP48 'Proposals which involve the loss of

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valued community facilities such as shops, public houses and other facilities of value to the local community (except sports and leisure facilities) will only be permitted where it can be demonstrated that:€

Paragraph/Site: **Policy PLP 48** Consultee: **965590 Dave McGuire** Agent: Rep ID: **PDLP_SP795**

Soundness - Effective Many sports venues would 'fail' the viability test included within this Policy 48 and would, therefore, be put at risk. Policy PLP 50 protects sport and leisure facilities so to include them within Policy PLP 48 is unnecessarily confusing.

Soundness - Consistent with National Policy The inclusion of sports venues within this policies remit leaves them vulnerable to loss, rather than actually offering them a level of protection equivalent to para.74 of the NPPF.

Proposed Change Requested Amend PLP 48 to reflect NPPF paragraph 74, or clarify that the policy scope does not include sports venues.

Council Response Change - Minor modification (SPMM27) suggests the following change: Insert text (fourth paragraph) of Policy PLP48 €|.Proposals which involve the loss of valued community facilities such as shops, public houses and other facilities of value to the local community (except sports and leisure facilities) will only be permitted where it can be demonstrated that:€

Paragraph/Site: **Policy PLP 48** Consultee: **970990 Church Commissioners for England** Agent: **941839 Nolan Tucker** Rep ID: **PDLP_SP491**

Council Response No change - Support noted.

Paragraph/Site: **Policy PLP 49** Consultee: **942169** Agent: **972788 Mr Nick Pleasant** Rep ID: **PDLP_SP529**

Soundness - Justified CIL should be used towards funding improvements to existing educational facilities. PLP50 does not reference the use of CIL to improve education or health facilities and accordingly the policy creates confusion in respect of delivery of identified needs. The policy should be reviewed in light of the Council's future adoption of CIL.

Council Response No change - The policy is openly worded to be considered in the context of other policies including PLP4: Providing Infrastructure. The council's approach to the types of infrastructure that will be funded by CIL are set out in the Regulation 123 List as part of the CIL Draft Charging Schedule evidence.

Paragraph/Site: **Policy PLP 49** Consultee: **942337 unknown** Agent: **941775 Mr Paul Butler** Rep ID: **PDLP_SP555**

Soundness - Effective CIL payments should be utilised towards funding necessary improvements to existing educational facilities as a result of new housing developments. Policy PLP49 does not reference the use of CIL to improve educational facilities or health facilities and accordingly the policy creates confusion in respect of the delivery of identified needs. The policy indicates officers may seek an additional involvement from Developers in the delivery of the required facilities beyond a financial payment (where not a site specific requirement).

Proposed Change Requested Remove the reference in the policy that developers may be required to deliver additional facilities or otherwise be involved beyond S106 obligations or CIL payments.

Council Response No change - The policy is openly worded to be considered in the context of other policies including PLP4: Providing Infrastructure. The council's approach to the types of infrastructure that will be funded by CIL and planning obligations are set out in the Regulation 123 List as part of the CIL Draft Charging Schedule evidence.

Paragraph/Site: **Policy PLP 49** Consultee: **943847 Mrs Sally Barber** Agent: Rep ID: **PDLP_SP507**

Soundness - Justified There is no analysis of the allocation of new housing or the provision of local services in the Holme Valley.

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: **Policy PLP 49** Consultee: **943943 Angela Royle** Agent: Rep ID: **PDLP_SP167**

Soundness - Positively Prepared The schools within the Parish are either full or close to capacity. The projected figure for new children in the area appears to be underestimated, compared

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with the actual situation. Health centres are also running at full capacity and would struggle to cope with additional patients. Kirklees Council needs to liaise with the NHS on the siting of new housing developments to ensure that all residents continue to have access to the health services they need.

Council Response

No change - The local plan is supported by the Infrastructure Delivery Plan (IDP) (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). Both the council's school planning team and the NHS have been consulted in producing the IDP and local plan to ensure that the infrastructure provision is sufficient or can be provided in line with the levels of development proposed.

Paragraph/Site: **Policy PLP 49**Consultee: **970990****Church Commissioners for England**Agent: **941839****Nolan Tucker**Rep ID: **PDLP_SP492****Soundness - Positively Prepared**

- Health care facilities not currently listed within Preliminary Draft Regulation 123 List. Planning obligations should only be sought for education and health care facilities where they meet all of the following tests to be consistent with the NPPF: n

Soundness - Consistent with National Policy

- Education provision provided is that which is agreed to be necessary and accords with paragraph 204. Table 3, Kirklees CIL Draft Regulation 123 list refers to "primary and secondary provision for Chidswell Strategic Site (MX1905)". Not clear whether thi

Proposed Change Requested

- Include additional underlined wording: Where the scale of development proposed may impact on education and health provision and result in the need to negotiate on additional capacity measures to meet an identified deficiency in provision , the coun

Council Response

No change - The policy is openly worded to be considered in the context of other policies including PLP4: Providing Infrastructure. The council's approach to the types of infrastructure that will be funded by CIL are set out in the Regulation 123 List as part of the CIL Draft Charging Schedule evidence.

Paragraph/Site: **Policy PLP 49**Consultee: **1062885****Mr John Pilgrim**

Agent:

Rep ID: **PDLP_SP616****Council Response**

No change Support noted

Paragraph/Site: **17.22**Consultee: **1048002****Mrs Katharine McNab**

Agent:

Rep ID: **PDLP_SP56****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 (in Lepton / Fenay Bridge) be incorrect. The council has calculated only 42 children of school age will be generated by the 850+ houses that it plans for our area. This figure has been calculated using inaccurate data.

Proposed Change Requested

Put contingency plans in place to provide proper funding to upgrade the roads, properly extend the schools, GP services and Health service as a whole.

Council Response

No change - The local plan is supported by the Infrastructure Delivery Plan (IDP) (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). Both the council's school planning team and the NHS have been consulted in producing the IDP and local plan to ensure that the infrastructure provision is sufficient or can be provided in line with the levels of development proposed.

Paragraph/Site: **17.25**Consultee: **1048002****Mrs Katharine McNab**

Agent:

Rep ID: **PDLP_SP136****Soundness - Effective**

The council has no regard to any possible contingency arrangements and alternative strategies should its calculation of the number of people needing to attend the local GP service and the health service as a whole due to the Huddersfield Royal infirmary being closed in the near future. In addition it has failed to develop an infrastructure delivery programme and action plan or include suitable monitoring arrangements.

Proposed Change Requested

Put contingency plans in place to provide proper funding to upgrade the roads, properly extend the schools, GP services and Health service as a whole.

Council Response

No change - The local plan is supported by the Infrastructure Delivery Plan (IDP) (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). Both the council's school planning team and the NHS have been consulted in producing the IDP and local plan to ensure that the infrastructure provision is sufficient or can be provided in line with the levels

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of development proposed.

Paragraph/Site: **Policy PLP 50** Consultee: **942142** **unknown** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP_SP411**

Council Response No change - support noted.

Paragraph/Site: **Policy PLP 50** Consultee: **965590** **Dave McGuire** Agent: Rep ID: **PDLP_SP791**

Council Response No change - support noted.

Paragraph/Site: **Policy PLP 51** Consultee: **942337** **unknown** Agent: **941775** **Mr Paul Butler** Rep ID: **PDLP_SP556**

Soundness - Justified Objection to the reference in the policy to the need for applicants to provide an air quality assessment within their planning applications where relevant. This matter relates to the Council's Validation Criteria and thus isn't necessarily a matter that should be included within a Local Plan policy. The Council's Validation Criteria can be updated as required and more frequently than a Local Plan policy.

Council Response No change - It is considered that the policy wording is justified.

Paragraph/Site: **Policy PLP 51** Consultee: **942768** **Mr Andrew Wood** Agent: Rep ID: **PDLP_SP364**

Council Response No change - support noted.

Paragraph/Site: **Policy PLP 51** Consultee: **947700** **Mr G Maxwell** Agent: Rep ID: **PDLP_SP48**

Soundness - Positively Prepared This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Air quality Policy PLP51 to that consulted upon DLP51

Soundness - Consistent with National Policy This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between the current Air quality Policy PLP51 to that consulted upon DLP51

Proposed Change Requested This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.

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.

Paragraph/Site: **Policy PLP 51** Consultee: **1049121** **Mr Anthony Rae** Agent: Rep ID: **PDLP_SP134**

Soundness - Justified This consultation response from Calderdale Friends of the Earth relates to cross boundary issues between Calderdale and Kirklees arising from particular site allocations/development proposals, and then to broad strategy issues that are connected to those proposals: location of development, Green Belt review, transport and climate change. This comment also relates to paragraph 18.7 We believe that the first paragraph of this policy is not consistent with the requirement of the Air Quality directive 2008 that annual mean limit value levels for nitrogen dioxide cannot lawfully exceed 40µg/m³ after 1st January 2010. (This has recently been the subject of two Supreme Court judgements in April 2015 and November 2016, as a result of which the national air quality plan has been required to be revised - anticipated to be published in July 2017). That paragraph states: 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. But firstly developments should not be expected to demonstrate that they are not likely to have some adverse impact on air quality standards; they should be required to demonstrate that they must not breach the limit values of the AQ directive. Secondly the test should not be whether a development will result in an increase in air pollution but rather whether, when combined with the existing background air pollution, it would result in an exceedance of the AQ directive limit values. So paragraph 18.7, whilst referring to Part IV of the Environment Act 1995 etc relating to AQMAs should also refer to the fundamental requirement, which the Plan must respect, to secure compliance with the Directive in timescales which according to the Supreme Court judgement of 2nd November 2016 will be between 2018-20. The Local Plan must be consistent with all the requirements of that judgement.

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Proposed Change Requested	Amend PLP51 to require proposals to demonstrate that they must not breach the limit values of the AQ directive Amend to ensure when combined with the existing background air pollution, it would not result in an exceedance of the AQ directive limit values Amend paragraph 18.7 to refer to Air Quality Directive				
Council Response	No change - it is considered that the policy is proportionate and justified by appropriate evidence.				
Paragraph/Site: Policy PLP 52	Consultee: 942337	unknown	Agent: 941775	Mr Paul Butler	Rep ID: PDLP_SP557
Soundness - Justified	Objection to the reference in the policy to the need for applicants to provide a number of environmental assessments within their planning applications where relevant. This matter relates to the Council's Validation Criteria and thus isn't necessarily a matter that should be included within a Local Plan policy. The Council's Validation Criteria can be updated as required and more frequently than a Local Plan policy.				
Council Response	No change - It is considered that the policy wording is justified.				
Paragraph/Site: Policy PLP 53	Consultee: 942337	unknown	Agent: 941775	Mr Paul Butler	Rep ID: PDLP_SP558
Soundness - Justified	Objection to the reference in the policy to the need for applicants to provide a number of contamination assessments within their planning applications where relevant. This matter relates to the Council's Validation Criteria and thus isn't necessarily a matter that should be included within a Local Plan policy. The Council's Validation Criteria can be updated as required and more frequently than a Local Plan policy.				
Council Response	No change - it is considered that the policy wording is justified.				
Paragraph/Site: Policy PLP 53	Consultee: 943459	Mr Anthony Northcote	Agent:		Rep ID: PDLP_SP160
Council Response	No change - support noted.				
Paragraph/Site: Policy PLP 53	Consultee: 951566	mr martyn coy	Agent:		Rep ID: PDLP_SP9
Soundness - Consistent with National Policy	Support PLP53 Contaminated and unstable land as it will ensure that developers fully consider land stability and potential impacts on canal infrastructure as required by paragraphs 120 121 of the National Planning Policy Framework (NPPF).				
Council Response	No change - support noted.				
Paragraph/Site: 19.1	Consultee: 947700	Mr G Maxwell	Agent:		Rep ID: PDLP_SP49
Soundness - Positively Prepared	I am most disappointed that KMC have chosen to remove a whole policy DLP Policy 55 Development in the Green belt . This plan has not been properly consulted upon and therefore does not comply with the NPPF.				
Soundness - Consistent with National Policy	I am most disappointed that KMC have chosen to remove a whole policy DLP Policy 55 Development in the Green belt . This plan has not been properly consulted upon and therefore does not comply with the NPPF.				
Proposed Change Requested	This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated				
Council Response	No change Following representation at Consultation Draft stage the Council deleted policy DLP 55 for the reason; The council considers that the policy does not aid the understanding of green belt policy. The criteria listed largely refer to policy areas that would need to be taken into consideration for any development proposal, including those in the green belt. This repetition is unnecessary and does not add clarity€. This reason was published in the Kirklees Local Plan Statement of Pre-submission Consultation November 2016 (document ref SD12). The Publication Draft Local Plan has been subject to a representation period in accordance with Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012.				
Paragraph/Site: 19.2	Consultee: 1049845	Ms Jane Scott	Agent:		Rep ID: PDLP_SP127
Soundness - Justified	The figure identified in relation to the proportion of the district overall that lies within the green belt is highly misleading as most of this is focused in the rural areas. This is not soundly linked to evidence, nor does it properly reflect national policy nor the functions of the green belt.				
Proposed Change Requested	The Council needs to provide the statistic which indicates the proportion of land which lies in the green belt in both Batley and Spen and in Dewsbury and				

Mirfield. The Council need to provide information about the proportion of that green belt land that will be lost if the development that is proposed in the plan goes ahead.

Council Response

No change The percentage figure in paragraph 19.2 indicates the approximate proportion of the district that is within the green belt where green belt policies will apply. The Council has undertaken a review of the green belt as set out in the Kirklees Local Plan Green Belt Review April 2017 (document ref SD19) and accompanying Green Belt Review Supporting Document (document ref BP25). These set out the role and function of the green belt throughout Kirklees and the exceptional circumstances that exist to justify amending the green belt boundary. New allocations have been accepted following a comprehensive assessment process as detailed in the Kirklees Local Plan Methodology Part 2: Site Allocation Methodology April 2017 (BP23). This includes a detailed green belt assessment of every relevant site option, irrespective of its location in any part of the district. The decision to accept any development option is carried out through the Local Plan process as a whole in line with the Local Plan spatial development strategy.

Paragraph/Site: 19.5

Consultee: 942142 unknown

Agent: 950095 Mr Jonathan Dunbavin

Rep ID: PDLP_SP315

Soundness - Positively Prepared

Whether a site serves green belt purposes and provides sustainable development in line with the Local Plan strategy has not been the key driver in decision making, which has been whether it is possible or desirable to access land through any particular green belt edge.

Soundness - Justified

The green belt review is unsupported by critical evidence. Test 1 is not supported by critical evidence on environmental constraints, how a slope would make a site undevelopable or how the presence of a listed building would preclude development of an entire site. There is no explanation of the weighting used in the Green Belt Review Assessment Matrix, such as how different combinations of colours lead to the final outcome. The approach taken to justify adding land to the green belt, removing land from the green belt and in the assessment of small sites is arguably unlawful as assessing whether past boundaries were incorrectly drawn is not an exceptional circumstance that justifies a change to the boundary and this is confirmed in case law.

Soundness - Consistent with National Policy

There is no direct justification for applying either three tests or for the gateway approach that rules out further consideration of the role and function of the green belt. Test 2 which rules out further consideration of green belt purposes if the site is deemed to be a strategic gap is inconsistent with the NPPF. This is not the fundamental purpose of the green belt and only appears second in the list of bullet points on green belt purposes in paragraph 80 of NPPF. The fundamental purpose of the green belt is to prevent sprawl which is given greater weighting than other green belt purposes in the assessment matrix. Test 2d has assessed green belt land for its ability to preserve the setting of historic assets. This is not consistent with the purposes of including land in the green belt set out in NPPF. Test 3 of the green belt review should not be applied to brownfield land in the green belt. Paragraph 80 of the NPPF identifies urban regeneration achieved through creating pressure to develop outside the green belt as the purpose green belt serves, not the purpose it may inhibit, which is the development of brownfield sites in the green belt. No additional test should therefore be applied. The review does not contain any assessment of a sites ability to meet the terms of paragraphs 84 and 85 of the NPPF or section 39 of the 2004 Planning and Compulsory Purchase Act. The NPPF requires authorities to promote sustainable patterns of development when reviewing green belt boundaries (paragraph 84) and ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development (paragraph 85). Meeting objectively assessed need for housing and employment can constitute the exceptional circumstances required to amend the position of the green belt boundary. The Council should make it clear if this is not the circumstance being relied on to justify a review of the green belt. The green belt review methodology should not take as its starting point a consideration of how robust current boundaries are. This is not one of the purposes of the green belt, nor do physical changes to boundaries over time or forming a view over a position for a better boundary amount to the exceptional circumstances required to amend them. The Consequential Changes identified in the Green Belt Boundary Changes document are not sound as they have been identified based on an unsound green belt review methodology.

Proposed Change Requested

The Council should specifically set out what exceptional circumstances exist that justify the review of the green belt.

Council Response

No change. The Green Belt Review in Kirklees does not, in itself, identify parcels of land for removal from the green belt. It is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees and supports the overall assessment of specific development options in accordance with the site allocation methodology. It is through this comprehensive process that decisions on the acceptability or otherwise of sites is made, in accordance with the Kirklees Local Plan strategy for growth. The first part of the green belt review was to check for the presence of constraints along the green belt boundary or in land adjacent to the edge of the settlement that may inhibit the possibility of settlement extension. In terms of the topographical constraint, to be assessed as red (severe) the degree of slope must be >20% (1:5) and be on or very close to the edge of the settlement so that development impact would be immediate. Physical constraints to development can be either a physical constraint on the boundary, such as the M62

motorway, a railway line or river, or a physical constraint on land beyond the boundary, such as areas at high risk of flooding, sewage works, cemeteries etc. The presence of a listed building is a physical constraint to development and is correctly noted at test 1b but there are no green belt edges assessed as red at test 1b solely for the presence of listed buildings or conservation areas. Environmental constraints can include for example areas of ancient woodland, a significant number of protected trees or buffer zones for example alongside high pressure gas pipelines. Land affected by these constraints to the extent that the assessment is red need not be assessed against green belt purposes as part of the Green Belt Review as these areas are unlikely to be able to accommodate settlement extension. In accordance with the site allocation methodology however, all sites undergo a site-specific green belt assessment, irrespective of the colour of the edge they abut, and may still be acceptable if it can be demonstrated that their release would not significantly harm any green belt purpose and that there would no other overriding constraint indicated by the technical site assessment. The Assessment Matrix (Appendix 1 of the Green Belt Review) is a tool that allows a combination of assessments to be translated into a single conclusion in a manner that is transparent and consistent. The matrix also allows weighting to be applied to land that is important in preventing the unrestricted sprawl of urban areas, recognising this as a fundamental purpose of the green belt. There is no prescribed method of undertaking a Green Belt Review set out in national planning policy or guidance. The method adopted by the council constitutes relevant and proportionate evidence consistent with its role in supporting the assessment of development options as part of the Local Plan site allocation methodology. The purpose of the Green Belt Review in Kirklees is to aid the assessment of development options. Where the needs for development cannot be accommodated in the non-green belt area new allocations will be considered firstly as an extension to an existing settlement. It is entirely consistent with this approach that an assessment should be made of the degree of constraint that may inhibit the extension of a settlement and where this is deemed to be severe that land need not progress through to be tested against green belt purposes. Land that progressed through at Test 1 was then tested firstly to determine whether it functioned as a strategic gap between settlements. The Council does not regard the bullet point list of purposes of the green belt in NPPF as a hierarchy of the importance of the issues and considers it reasonable to discount from further assessment land deemed to be serving an important green belt role such that any extension to the settlement could significantly undermine that role. It is accepted that Kirklees does not have any historic towns and this is stated in paragraph 3.20 of the Green Belt Review. Test 2d assesses the presence of historic assets and the degree to which development would be prejudicial to that asset or its setting. In terms of test 3, the Council states at paragraph 3.23 of the Green Belt Review that a purpose of the green belt is to assist in urban regeneration by encouraging the recycling of derelict and other urban land and it does this throughout its extent by channelling development into urban areas. The Council accepts that it cannot remove isolated brownfield sites from the green belt as this is contrary to the purposes of including land in the green belt, but could examine sites on the edges of the settlement to see if they are properly located within the green belt and this is the purpose of test 3. The Council accept that exceptional circumstances would still be required to adjust the green belt boundary to remove a site from the green belt, even if assessment demonstrated that the green belt was likely to inhibit its beneficial re-use. A sustainable pattern of development has been achieved through the Local Plan process as a whole. Each development option underwent a detailed sustainability appraisal against 19 sustainability appraisal objectives and the results of these have been published in the Sustainability Appraisal document. Exceptional circumstances are required to amend the position of the green belt boundary and in terms of the accepted development options it is the inability of the non-green belt areas to meet objectively assessed need for housing and employment land that conveys the exceptional circumstances necessary to remove sites from the green belt. The same exceptional circumstance applies to the removal of land that no longer performs a green belt role and function as a consequence of accepting development options (the consequential changes). As part of the preparation of the Local Plan the Council has carried out an exercise to transfer the existing green belt boundary (paper based at 1:10,000 scale) on to an up to date Ordnance Survey base so that the boundary is presented in electronic format. This is both necessary and appropriate. It is not an exercise to review the position of the boundary, nor does it consider how robust current boundaries are. For the vast majority of the extent of the boundary no change is proposed. As stated in the Green Belt Boundary Changes document it was not always possible to place the boundary on the modern map with a high degree of certainty, either because of the inadequacies of the original map base, in which case a best fit scenario was adopted, or because of changes that have occurred over time. The Council has been quite clear that exceptional circumstances are required to make a deliberate change to the position of the boundary and the Council has investigated in every case whether there is any material change in circumstances that would make it necessary to update the position of the boundary. All changes made to the position of the boundary have been published. The same is true of the small sites (sites of less than 0.4ha), the add land to the green belt options and the remove land from the green belt options that have been submitted to the Council for consideration. These sites are not required as development options therefore the need to meet OAN does not apply. In all cases the request to amend the boundary has been scrutinised to establish whether exceptional circumstances exist that justifies a change.

Representations received on the Kirklees Publication Draft Local Plan PDLP - Strategies and Policies

Paragraph/Site: 19.5	Consultee: 942144	unknown	Agent: 941843	Mr James Hobson	Rep ID: PDLP_SP773
Soundness - Justified	It would appear from para 3.2 the favoured approach of the Green Belt Review is to review the Green Belt edge and land immediately adjacent from it. From the associated plans, the focus is associated more with the Green Belt edge and it becomes unclear how much consideration has been given to associated land parcels. Green Belt edges provide a useful starting point but 'parcels' / 'general areas' and potential boundaries should be tested.				
Soundness - Consistent with National Policy	The test does not attempt to establish where new Green Belt boundaries could be defined.				
Council Response	No change The Kirklees Green Belt Review is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees. The extent of assessed land around any particular settlement depends on its individual characteristics. The review methodology at paragraph 3.2 states The extent of adjoining land taken into consideration depends on the features it contains and whether and how such features could form a new boundary€. The Kirklees Green Belt Review is not an exercise in itself to draw back the green belt boundary and it does not result in the removal of parcels of land from the green belt. It is an aid to the comprehensive assessment of sites in accordance with the site allocation methodology, one part of which is the ability of a site to establish a strong new green belt boundary.				
Paragraph/Site: 19.5	Consultee: 942154	unknown	Agent: 941891	Paul Leeming	Rep ID: PDLP_SP441
Soundness - Positively Prepared	While Savile Estate is supportive of the Council's review of the Green Belt to identify areas to be released for development, the Council should be more ambitious in delivering growth and meeting the objectively assessed needs of the District.				
Proposed Change Requested	Be more ambitious in meeting the objectively assessed needs of the district. A Government White Paper and accompanying changes to the guidance for development in Green Belts is anticipated in the New Year. Such changes should be taken on board.				
Council Response	No change. Exceptional circumstances are required to amend the position of the green belt boundary and it is the inability of non-green belt areas to meet the objectively assessed need for housing and employment land that convey the exceptional circumstances required. While the Council is therefore supportive of the removal of land from the green belt to accommodate new development options to meet that need, the Council remains committed to the efficient use of previously developed land. The Housing White Paper was published by the Department for Communities and Local Government on 7 th February 2017. It sets out a range of proposals but does not introduce any new planning guidance or policy. It cannot therefore be used at the present time to formulate green belt policy or green belt review methodology.				
Paragraph/Site: 19.5	Consultee: 942155	unknown	Agent: 941779	Stephen Sadler	Rep ID: PDLP_SP736
Soundness - Justified	The green belt edge in this location is incorrectly assessed as having an important role in preventing merger (test 2a) as new development would be a modest extension of existing development south of Shillbank Lane and would not impact on the extent of the gap between Mirfield and Ravensthorpe any more than the existing development at Spring Place Court. It is also incorrectly assessed as having an important role in preventing sprawl (test 2b) as there are landscape features that could present new long term defensible boundaries. It also does not warrant a red assessment for encroachment (test 2c) as this area is not part of the wider countryside. It is an area of urban fringe which is not of high landscape quality. Topography and land use features also restrict views into the area.				
Proposed Change Requested	Re-assess the green belt edge in this location.				
Council Response	No change. The reason for the assessment of DW3 as an edge with a score of 5 is set out in the Green Belt Review document and is based on a comprehensive assessment of green belt purposes compatible with the Green Belt Review methodology. This area is considered to be a restricted gap separating Mirfield from Ravensthorpe but where some limited settlement extension could be achieved without fundamentally undermining that role. This is evidenced by the amber assessment at Test 2a in terms of its role in preventing the merger of settlements. The green belt is then assessed as playing an important role in terms of checking sprawl and safeguarding the countryside from encroachment as the existing boundary is not a strong feature on the ground and that there is limited opportunity to contain new development. It is not accepted that this is an area of urban fringe as there is a clear distinction between land that is residential and land that is green belt and the treed areas and watercourse give the area a general countryside character. In accordance with the Assessment Matrix the green belt in this location is deemed to be performing strongly against green belt purposes and has been scored as 5. The assessment of the potential impact of the removal of site H594 from the green belt was carried out in line with the Council's Local Plan Site Allocation Methodology (November				

2016). The red assessment for green belt edge reinforced the green belt review and reflected the sprawl of the site to the west. The red assessment for the green belt overall reflected the extent and configuration of the site relative to the area of green belt in which it is located. Both the assessment of edge ref DW3 and the assessment of site H594 properly reflect the role and function of the green belt and the impact that the removal of site H594 would have on the green belt in this location.

Paragraph/Site: 19.5

Consultee: 942155 unknown

Agent: 941779 Stephen Sadler

Rep ID: PDLP_SP416

Soundness - Justified

The green belt review is unsupported by critical evidence. There is little clarity of evidence to underpin the application of test 1, such as how a slope would make a site undevelopable or how mitigation may apply to a site. There is no clear evidence to underpin the categorisation of sites based on physical or environmental constraints. The Council should have taken into consideration detailed site specific evidence of how any such constraints could be overcome.

Soundness - Consistent with National Policy

The Council's approach to the green belt review appears not to align with advice in NPPF. There is no justification for the three tests or for the gateway approach of ruling out further consideration in any national policy or legal requirements. Test 2a is a gateway test as only if this test is passed are the other purposes of the green belt assessed. Merger however only appears second in the list of green belt purposes in NPPF and it is sprawl, not merger that is the fundamental aim of green belt policy. This makes test 2a inconsistent with the NPPF. Kirklees does not have any historic towns so test 2d is also inconsistent with national guidance. The origin of test 3 is the fifth purpose of the green belt as defined by NPPF which is a strategic matter concerned with encouraging urban regeneration by channelling development towards urban areas. It should not be applied on a site by site basis for brownfield sites in the green belt. The Council's approach to the green belt review rules out further consideration of a sites ability to meet development needs in a sustainable manner and an overall judgement against all green belt purposes if a single severe constraint is identified in test 1 or if it fails test 2a. There has been no assessment of a sites ability to meet paragraph 84 and 85 of the NPPF or section 39 of the Act in terms of promoting sustainable patterns of development. These are factors relevant to the choices about where development should be accommodated alongside green belt purposes in a green belt review. The approach the Council is taking in assessing options to add land to the green belt, remove land from the green belt and in relation to small sites is arguably unlawful as it asks whether the original boundaries were incorrectly drawn. This has been shown by case law not to amount to exceptional circumstances.

Proposed Change Requested

The Council should define clearly what exceptional circumstances are being relied upon to justify amendments to the position of the green belt boundary.

Council Response

No change. The first part of the green belt review was to check for the presence of constraints along the green belt boundary or in land adjacent to the edge of the settlement that may inhibit the possibility of settlement extension. In terms of the topographical constraint, to be assessed as red (severe) the degree of slope must be >20% (1:5) and be on or very close to the edge of the settlement so that development impact would be immediate. Physical constraints to development can be either a physical constraint on the boundary, such as the M62 motorway, a railway line or river, or a physical constraint on land beyond the boundary, such as areas at high risk of flooding, sewage works, cemeteries etc. The presence of a listed building is a physical constraint to development and is correctly noted at test 1b but there are no green belt edges assessed as red at test 1b solely for the presence of listed buildings or conservation areas. Environmental constraints can include for example areas of ancient woodland, a significant number of protected trees or buffer zones for example alongside high pressure gas pipelines. Land affected by these constraints to the extent that the assessment is red need not be assessed against green belt purposes as part of the Green Belt Review as these areas are unlikely to be able to accommodate settlement extension. In accordance with the site allocation methodology however, all sites undergo a site-specific green belt assessment, irrespective of the colour of the edge they abut, and may still be acceptable if it can be demonstrated that their release would not significantly harm any green belt purpose and that there would no other overriding constraint indicated by the technical site assessment. There is no prescribed method of undertaking a Green Belt Review set out in national planning policy or guidance. The method adopted by the council constitutes relevant and proportionate evidence consistent with its role in supporting the assessment of development options as part of the Local Plan site allocation methodology. The purpose of the Green Belt Review in Kirklees is to aid the assessment of development options. Where the needs for development cannot be accommodated in the non-green belt area new allocations will be considered firstly as an extension to an existing settlement. It is entirely consistent with this approach that an assessment should be made of the degree of constraint that may inhibit the extension of a settlement and where this is deemed to be severe that land need not progress through to be tested against green belt purposes. Land that progressed through at Test 1 was then tested firstly to determine whether it functioned as a strategic gap between settlements. The Council does not regard the bullet point list of purposes of the green belt in NPPF as a hierarchy of the importance of the issues and considers it reasonable to discount from further assessment land deemed to be serving an important green belt role such that any extension to the settlement could significantly undermine that role. It is accepted that Kirklees does not have any historic towns and this is stated in paragraph 3.20 of the Green Belt Review. Test 2d assesses the presence of historic assets and

the degree to which development would be prejudicial to that asset or its setting. In terms of test 3, the Council states at paragraph 3.23 of the Green Belt Review that a purpose of the green belt is to assist in urban regeneration by encouraging the recycling of derelict and other urban land and it does this throughout its extent by channelling development into urban areas. The Council accepts that it cannot remove isolated brownfield sites from the green belt as this is contrary to the purposes of including land in the green belt, but could examine sites on the edges of the settlement to see if they are properly located within the green belt and this is the purpose of test 3. The Council accept that exceptional circumstances would still be required to adjust the green belt boundary to remove a site from the green belt, even if assessment demonstrated that the green belt was likely to inhibit its beneficial re-use. A sustainable pattern of development has been achieved through the Local Plan process as a whole. Each development option underwent a detailed sustainability appraisal against 19 sustainability appraisal objectives and the results of these have been published in the Sustainability Appraisal document. Exceptional circumstances are required to amend the position of the green belt boundary and in terms of the accepted development options it is the inability of the non-green belt areas to meet objectively assessed need for housing and employment land that conveys the exceptional circumstances necessary to remove sites from the green belt. The same exceptional circumstance applies to the removal of land that no longer performs a green belt role and function as a consequence of accepting development options (the consequential changes). As part of the preparation of the Local Plan the Council has carried out an exercise to transfer the existing green belt boundary (paper based at 1:10,000 scale) on to an up to date Ordnance Survey base so that the boundary is presented in electronic format. This is both necessary and appropriate. It is not an exercise to review the position of the boundary, nor does it consider how robust current boundaries are. For the vast majority of the extent of the boundary no change is proposed. As stated in the Green Belt Boundary Changes document it was not always possible to place the boundary on the modern map with a high degree of certainty, either because of the inadequacies of the original map base, in which case a best fit scenario was adopted, or because of changes that have occurred over time. The Council has been quite clear that exceptional circumstances are required to make a deliberate change to the position of the boundary and the Council has investigated in every case whether there is any material change in circumstances that would make it necessary to update the position of the boundary. All changes made to the position of the boundary have been published. The same is true of the small sites (sites of less than 0.4ha), the add land to the green belt options and the remove land from the green belt options that have been submitted to the Council for consideration. These sites are not required as development options therefore the need to meet OAN does not apply. In all cases the request to amend the boundary has been scrutinised to establish whether exceptional circumstances exist that justifies a change.

Paragraph/Site: 19.5

Consultee: 942225 Mr Matthew Naylor

Agent: 969464 Mr Adam Jackson

Rep ID: PDLP_SP648

Soundness - Justified

The red overall green belt assessment does not concur with the amber score from the green belt edge review. It is Windy Bank Lane and Hare Park Lane that prevent sprawl not the existing green belt boundary, which is ill-defined. It is agreed that the site does not preserve the setting of a historic town, that the presence of the listed building would not influence the result for the site, the site has no environmental or physical features best protected by a green belt designation and that the land does not serve a green belt purpose contained in NPPF. The land to the north east that would be severed from the remainder of the green belt could be designated as open space. Removal of the parcel of land would round off the settlement.

Proposed Change Requested

Allocate site H596 for housing in the Local Plan.

Council Response

No change. The Green Belt Review is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees. In this case the assessment has resulted in an amber (score 3) at edge HT7 which includes all the green belt land bounded by Hare Park Lane and Windy Bank Lane. The assessment concludes that the existing settlement pattern and land use features and characteristics of the green belt in this location could present opportunities for settlement extension without significant harm to the role and function of the green belt. This assessment is translated into a RAG rating for the purposes of the site allocation methodology and how this is achieved is set out in paragraphs 4.50 to 4.54 of the Kirklees Local Plan Methodology Part 2: Site Allocation Methodology document. Each site abutting the settlement edge had a two part green belt assessment, resulting in an edge assessment RAG rating with the reason for the assessment set out, and an overall site assessment RAG rating with the reason set out. The amber green belt edge RAG rating for the site reinforces the conclusions of the green belt review. The overall site assessment looked at the sites configuration and location relative to the settlement and the impact release of the site would have on the role and function of the green belt. It is clearly indicated in the site allocation methodology that a red RAG rating could apply to a site deemed to be poorly located in relation to the settlement edge. Site H596 has a very poor relationship with the existing settlement pattern and the red RAG rating is therefore entirely consistent with the site allocation methodology. H596 borders with accepted option H198 but this would still leave a large area of land to the north entirely severed from the wider green belt. The Green Belt Review is not an exercise in itself to

amend the position of the green belt boundary, for which exceptional circumstances are required. A judgement that the existing boundary is ill-defined and that Windy Bank Lane would make a better or stronger green belt boundary than the existing boundary does not convey the exceptional circumstances required to amend it.

Paragraph/Site: 19.5

Consultee: 942301

Mr Sarah and Peter Hall

Agent: 942076

Mr Richard Irving

Rep ID: PDLP_SP737

Soundness - Justified

The reference of the site in the green belt review is CK3. The site could be released without compromising the strategic extent of the Green Belt in this location. The main concern appears to relate to the area of land that would remain between Hightown Road and Quaker Lane which they consider would become vulnerable to development pressure. This concern does not therefore relate to the actual acceptability of removing the site itself from the Green Belt. Should the remaining land to the east remain in the Green Belt, national and local planning policy would still give the Council sufficient control over development in that area. The rejection of the site on this basis is clearly not justified when the Council has confirmed the site is well contained and would not compromise the strategic extent of the Green Belt.

Council Response

No change. The Green Belt Review is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees. In this case the assessment has resulted in an amber (score 3) at edge CK3, which extends from the rear of properties at The Highlands to the green belt edge west of Pyenot Gardens, indicating that this area of green belt displays similar characteristics and that the existing settlement pattern and land use features within the green belt could accommodate some settlement extension without significant harm to green belt purposes. This assessment is translated into a RAG rating for the purposes of the site allocation methodology and how this is achieved is set out in paragraphs 4.50 to 4.54 of the Kirklees Local Plan Methodology Part 2: Site Allocation Methodology document. Each site abutting the settlement edge had a two part green belt assessment, resulting in an edge assessment RAG rating with the reason for the assessment set out, and an overall site assessment RAG rating with the reason set out. The edge assessment looked at the conclusion from the green belt review. In this case the amber RAG rating for the green belt edge for site H226 reinforced the conclusion of the green belt review in that H226 could be released from the green belt without undermining the strategic role of the green belt in this location. The overall site assessment looked at the sites configuration and location relative to the settlement and the impact release of the site would have on the role and function of the green belt. It is clearly indicated in the site allocation methodology that a red RAG rating could apply to a site deemed to be poorly located in relation to the settlement edge. In the case of H226 a significant area of land between the site and Quaker Lane would effectively be cut off from the wider green belt should the area of H226 be removed from the green belt and impact on the role and function of remaining green belt is a legitimate concern of a green belt assessment. This land would be vulnerable to development pressure contrary to the purposes of including land in the green belt.

Paragraph/Site: 19.5

Consultee: 942301

Mr Sarah and Peter Hall

Agent: 942076

Mr Richard Irving

Rep ID: PDLP_SP311

Soundness - Positively Prepared

Whether a site serves green belt purposes and provides sustainable development in line with the Local Plan strategy has not been the key driver in decision making, which has been whether it is possible or desirable to access land through any particular green belt edge.

Soundness - Justified

The green belt review is unsupported by critical evidence. Test 1 is not supported by critical evidence on environmental constraints, how a slope would make a site undevelopable or how the presence of a listed building would preclude development of an entire site. There is no explanation of the weighting used in the Green Belt Review Assessment Matrix, such as how different combinations of colours lead to the final outcome. The approach taken to justify adding land to the green belt, removing land from the green belt and in the assessment of small sites is arguably unlawful as assessing whether past boundaries were incorrectly drawn is not an exceptional circumstance that justifies a change to the boundary and this is confirmed in case law.

Soundness - Consistent with National Policy

There is no direct justification for applying either three tests or for the gateway approach that rules out further consideration of the role and function of the green belt. Test 2 which rules out further consideration of green belt purposes if the site is deemed to be a strategic gap is inconsistent with the NPPF. This is not the fundamental purpose of the green belt and only appears second in the list of bullet points on green belt purposes in paragraph 80 of NPPF. The fundamental purpose of the green belt is to prevent sprawl which is given greater weighting than other green belt purposes in the assessment matrix. Test 2d has assessed green belt land for its ability to preserve the setting of historic assets. This is not consistent with the purposes of including land in the green belt set out in NPPF. Test 3 of the green belt review should not be applied to brownfield land in the green belt. Paragraph 80 of the NPPF identifies urban regeneration achieved through creating pressure to develop outside the green belt as the purpose green belt serves, not the purpose it may inhibit, which is

the development of brownfield sites in the green belt. No additional test should therefore be applied. The review does not contain any assessment of a sites ability to meet the terms of paragraphs 84 and 85 of the NPPF or section 39 of the 2004 Planning and Compulsory Purchase Act. The NPPF requires authorities to promote sustainable patterns of development when reviewing green belt boundaries (paragraph 84) and ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development (paragraph 85). Meeting objectively assessed need for housing and employment can constitute the exceptional circumstances required to amend the position of the green belt boundary. The Council should make it clear if this is not the circumstance being relied on to justify a review of the green belt. The green belt review methodology should not take as its starting point a consideration of how robust current boundaries are. This is not one of the purposes of the green belt, nor do physical changes to boundaries over time or forming a view over a position for a better boundary amount to the exceptional circumstances required to amend them. The Consequential Changes identified in the Green Belt Boundary Changes document are not sound as they have been identified based on an unsound green belt review methodology.

Proposed Change Requested

The Council should specifically set out what exceptional circumstances exist that justify the review of the green belt.

Council Response

No change. The Green Belt Review in Kirklees does not, in itself, identify parcels of land for removal from the green belt. It is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees and supports the overall assessment of specific development options in accordance with the site allocation methodology. It is through this comprehensive process that decisions on the acceptability or otherwise of sites is made, in accordance with the Kirklees Local Plan strategy for growth. The first part of the green belt review was to check for the presence of constraints along the green belt boundary or in land adjacent to the edge of the settlement that may inhibit the possibility of settlement extension. In terms of the topographical constraint, to be assessed as red (severe) the degree of slope must be >20% (1:5) and be on or very close to the edge of the settlement so that development impact would be immediate. Physical constraints to development can be either a physical constraint on the boundary, such as the M62 motorway, a railway line or river, or a physical constraint on land beyond the boundary, such as areas at high risk of flooding, sewage works, cemeteries etc. The presence of a listed building is a physical constraint to development and is correctly noted at test 1b but there are no green belt edges assessed as red at test 1b solely for the presence of listed buildings or conservation areas. Environmental constraints can include for example areas of ancient woodland, a significant number of protected trees or buffer zones for example alongside high pressure gas pipelines. Land affected by these constraints to the extent that the assessment is red need not be assessed against green belt purposes as part of the Green Belt Review as these areas are unlikely to be able to accommodate settlement extension. In accordance with the site allocation methodology however, all sites undergo a site-specific green belt assessment, irrespective of the colour of the edge they abut, and may still be acceptable if it can be demonstrated that their release would not significantly harm any green belt purpose and that there would no other overriding constraint indicated by the technical site assessment. The Assessment Matrix (Appendix 1 of the Green Belt Review) is a tool that allows a combination of assessments to be translated into a single conclusion in a manner that it transparent and consistent. The matrix also allows weighting to be applied to land that is important in preventing the unrestricted sprawl of urban areas, recognising this as a fundamental purpose of the green belt. There is no prescribed method of undertaking a Green Belt Review set out in national planning policy or guidance. The method adopted by the council constitutes relevant and proportionate evidence consistent with its role in supporting the assessment of development options as part of the Local Plan site allocation methodology. The purpose of the Green Belt Review in Kirklees is to aid the assessment of development options. Where the needs for development cannot be accommodated in the non-green belt area new allocations will be considered firstly as an extension to an existing settlement. It is entirely consistent with this approach that an assessment should be made of the degree of constraint that may inhibit the extension of a settlement and where this is deemed to be severe that land need not progress through to be tested against green belt purposes. Land that progressed through at Test 1 was then tested firstly to determine whether it functioned as a strategic gap between settlements. The Council does not regard the bullet point list of purposes of the green belt in NPPF as a hierarchy of the importance of the issues and considers it reasonable to discount from further assessment land deemed to be serving an important green belt role such that any extension to the settlement could significantly undermine that role. It is accepted that Kirklees does not have any historic towns and this is stated in paragraph 3.20 of the Green Belt Review. Test 2d assesses the presence of historic assets and the degree to which development would be prejudicial to that asset or its setting. In terms of test 3, the Council states at paragraph 3.23 of the Green Belt Review that a purpose of the green belt is to assist in urban regeneration by encouraging the recycling of derelict and other urban land and it does this throughout its extent by channelling development into urban areas. The Council accepts that it cannot remove isolated brownfield sites from the green belt as this is contrary to the purposes of including land in the green belt, but could examine sites on the edges of the settlement to see if they are properly located within the green belt and this is the purpose of test 3. The Council accept that exceptional circumstances would still be required to adjust the green belt boundary to remove a site from the green belt, even if assessment demonstrated that the green belt was likely to inhibit its beneficial re-use. A

sustainable pattern of development has been achieved through the Local Plan process as a whole. Each development option underwent a detailed sustainability appraisal against 19 sustainability appraisal objectives and the results of these have been published in the Sustainability Appraisal document. Exceptional circumstances are required to amend the position of the green belt boundary and in terms of the accepted development options it is the inability of the non-green belt areas to meet objectively assessed need for housing and employment land that conveys the exceptional circumstances necessary to remove sites from the green belt. The same exceptional circumstance applies to the removal of land that no longer performs a green belt role and function as a consequence of accepting development options (the consequential changes). As part of the preparation of the Local Plan the Council has carried out an exercise to transfer the existing green belt boundary (paper based at 1:10,000 scale) on to an up to date Ordnance Survey base so that the boundary is presented in electronic format. This is both necessary and appropriate. It is not an exercise to review the position of the boundary, nor does it consider how robust current boundaries are. For the vast majority of the extent of the boundary no change is proposed. As stated in the Green Belt Boundary Changes document it was not always possible to place the boundary on the modern map with a high degree of certainty, either because of the inadequacies of the original map base, in which case a best fit scenario was adopted, or because of changes that have occurred over time. The Council has been quite clear that exceptional circumstances are required to make a deliberate change to the position of the boundary and the Council has investigated in every case whether there is any material change in circumstances that would make it necessary to update the position of the boundary. All changes made to the position of the boundary have been published. The same is true of the small sites (sites of less than 0.4ha), the add land to the green belt options and the remove land from the green belt options that have been submitted to the Council for consideration. These sites are not required as development options therefore the need to meet OAN does not apply. In all cases the request to amend the boundary has been scrutinised to establish whether exceptional circumstances exist that justifies a change.

Paragraph/Site: 19.5

Consultee: 942405 unknown

Agent: 941908 Mr Andrew Rose

Rep ID: PDLP_SP386

Soundness - Consistent with National Policy

The Green Belt Review appears to take the form of an urban edge assessment and does not thoroughly consider the role and purpose of the Green Belt in all areas and locations. The review should have taken a three stage approach including identifying general areas within the green belt, technical site assessment and re-appraisal of resultant land parcels.

Proposed Change Requested Council Response

Undertake a full and robust and detailed Green Belt Assessment.

No change. The Kirklees Green Belt Review is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees. The extent of assessed land around any particular settlement depends on its individual characteristics. The review methodology at paragraph 3.2 states The extent of adjoining land taken into consideration depends on the features it contains and whether and how such features could form a new boundary€. The initial assessment at test 1 indicates where the boundary, or land immediately beyond it, may be constrained such that new settlement extensions would be unlikely to be accommodated. While such land does not progress to a general assessment against green belt purposes, every site received for consideration as a development option in the green belt has been assessed in a manner consistent with the site assessment methodology contained in Local Plan Methodology Statement Part 2: Site Allocation Methodology (November 2016). This individual assessment was published in the technical assessment of sites, both for accepted and rejected options. The Kirklees Green Belt Review is not an exercise in itself to draw back the green belt boundary and it does not result in the removal of parcels of land from the green belt. It is an aid to the comprehensive assessment of sites in accordance with the site allocation methodology. The green belt is one part of this comprehensive assessment of the suitability of a site to form a new allocation in the Local Plan.

Paragraph/Site: 19.5

Consultee: 942405 unknown

Agent: 941908 Mr Andrew Rose

Rep ID: PDLP_SP734

Soundness - Justified

Test 2b of edge SHL11 is incorrectly assessed as 'red' and should be re-assessed as 'green' as development would not lead to unrestricted sprawl. The site is well contained and would present stronger boundaries than the existing rear garden boundaries. Edge SHL11 is therefore incorrectly assessed as (4) and should be assessed as (1) or (2) i.e. 'green'. The site is well contained, does not lead to coalescence, and would not lead to unrestricted sprawl or encroachment. Test 2c of edge SHL11 is incorrectly assessed as 'amber' and should be re-assessed as 'green' as the site is well contained by development, is urban fringe and is not associated with wider countryside. Edge SHL11 is therefore incorrectly assessed as (4) and should be assessed as (1) or (2) i.e. 'green'. The site is well contained, does not lead to coalescence, and would not lead to unrestricted sprawl or encroachment.

Proposed Change Requested

Test 2b of edge SHL11 is incorrectly assessed as 'red' and should be re-assessed as 'green'. Test 2c of edge SHL11 is incorrectly assessed as 'amber' and should

be re-assessed as 'green'.

Council Response

No change. Paragraph 3.16 of the Green Belt Review report states that an area's importance in checking the unrestricted sprawl of large built up areas will in part be judged on the presence of strong physical boundaries or landform which would contain an extension of development into the green belt. The existing green belt edge that delineates the western edge of Shelley is formed by the garden boundaries of properties on Park Avenue. The existing green belt boundary follows a strong, linear edge and there is a very clear distinction between land that is residential and land that is agricultural. It is not accepted that the existing boundary is weak, nor that the adjacent land does not fulfil a strong green belt role as it prevents the sprawl of Shelley to the west. Edge SHL11 is therefore correctly assessed as 'red' at test 2b and as '4' overall. Assessing the edge as 'green' would be inconsistent with assessment elsewhere in the district and fail to recognise the characteristics of different parts of the settlement edge. It is not accepted that the agricultural land to the west of Shelley is well contained by development or that it is an area of urban fringe. While there is some minor frontage development on Penistone Road the area consists entirely of open agricultural land, bounded by trees to the north. There is overlooking from properties on Park Avenue but this does not diminish the area's countryside character. The property at Healey Farm is considered to be sufficiently remote from the urban edge not to influence its appearance as countryside and farm access roads and tracks do not constitute urban fringe features. Landform restricts the relationship of the site to the countryside to the north, but the site is visible in long distance views from the south as open rising land very different in character from the strong urban edge of Shelley. Edge SHL11 is therefore correctly assessed as 'amber' at test 2c and as '4' overall. Assessing the edge as 'green' would be inconsistent with assessment elsewhere in the district and fail to recognise the characteristics of different parts of the settlement edge.

Paragraph/Site: 19.5

Consultee: 942410

Agent: 950095

Mr Jonathan Dunbavin

Rep ID: PDLP_SP739

Soundness - Justified

Green belt boundary L1 is identified as a black boundary as it fails Test 1 in relation to physical and environmental constraints. In respect to L1, the Council consider that Grimescar Dyke, and open watercourse, streams and numerous listed buildings create physical features that would prevent development from happening and that protected trees form a strong linear edge in places. On this basis no further assessment of the green belt boundary has been carried out and the site has been discounted. The review disregards technical information submitted which show there are no constraints to development and this is evidenced by the site being a strategic location for development in the Core Strategy. Boundary L2 is assessed as amber (4) which is the second most important Green Belt boundary defined in the Council's review. The Council consider this boundary meets the Test 1 criteria relating to constraints and the site only scores one red against the Green Belt purposes, this being in relation to sprawl with the issue identified being that the developed area of Calderdale is immediately to the northwest of the site. This judgement seems to contradict the judgement in relation to merging where the Council consider that Brighouse Road prevents merger with Calderdale. In any event, the area to the northwest whilst in Calderdale, visually, physically and functionally relates to Huddersfield and there is no perceived gap between the Huddersfield and Calderdale urban areas in this location. In this context, the red criteria in relation to sprawl is considered unjustified and should be an amber/yellow.

Proposed Change Requested

Edges L1 and L2 should be assessed as green or amber (3) with no reds against the purposes of including land in the green belt.

Council Response

No change. Paragraph 3.5 and 3.6 of the Green Belt Review states that for tests 1b and 1c physical and environmental constraints, the presence of features including watercourses, protected trees and listed buildings and the degree to which they would be considered to inhibit development is considered. The presence of numerous listed buildings and the length of the open watercourse running through areas of protected trees would clearly constrain new development from abutting the settlement edge and L1 is therefore correctly assessed as a black constrained edge. This approach is consistent with the assessment of edges elsewhere in the district and to change this approach would fail to recognise the constraints to development along the green belt edge in this location. In compliance with the site assessment methodology, each proposed development site option was assessed for the impact removing the site would have on the role and function of the green belt. This assessment consisted of two parts; an edge assessment and an overall site assessment. The edge assessment considers the site relative to the strategic role the green belt adjacent to the edge plays, as well the degree of constraint along that edge. The overall assessment considers the relationship of the site to the settlement and the degree to which removing the site would impact on the purposes of including land in the green belt, including safeguarding the countryside from encroachment and the prevention of sprawl. The assessment of site MX1904 has concluded that development would significantly impact on the purposes of including land in the green belt, and has been assessed as red for both the edge assessment and the overall assessment. This included the consideration that development that respected the watercourse and protected trees and their sensitive environmental habitats would be poorly related to the settlement it adjoins. Information relating to how constraints could be overcome that has

been submitted in support of the site has been considered elsewhere as part of the technical assessment of the site, consistent with the site allocation methodology. The area was not proposed as a strategic location for housing or employment in the Core Strategy proposed Submission DPD September 2012: Submission date 2nd April 2013. In any case, the council has updated the evidence base to support the Local Plan since that date and the decisions made are based upon the most up to date evidence available. In respect to edge L2, the conclusions and assessments in relation to sprawl and encroachment were amended from the draft Plan to better reflect the role and function of the green belt in this location. This included a revised reason for the amber assessment at test 2a (merger) and a reversal from red to green between tests 2b (sprawl) and 2c (encroachment) resulting in green for test 2b and red for test 2c. The revision reflects the assessment in paragraph 2.23 of the Green Belt Review which states that development at Ainley Top has straddled the Kirklees and Calderdale boundaries and effectively the two authorities are already merged, but that the retention of open space in this location would retain long distance views to the east and would help retain a sense of openness and separation. The revised assessment of edge L2 has been published in the Green Belt Review as an amber 3 edge, amended from amber 4 in the draft plan. The Council maintains that the red assessment for the role this area plays in safeguarding the countryside from encroachment is justified.

Paragraph/Site: 19.5

Consultee: 942410

Agent: 950095

Mr Jonathan Dunbavin

Rep ID: PDLP_SP313

Soundness - Positively Prepared

Whether a site serves green belt purposes and provides sustainable development in line with the Local Plan strategy has not been the key driver in decision making, which has been whether it is possible or desirable to access land through any particular green belt edge.

Soundness - Justified

The green belt review is unsupported by critical evidence. Test 1 is not supported by critical evidence on environmental constraints, how a slope would make a site undevelopable or how the presence of a listed building would preclude development of an entire site. There is no explanation of the weighting used in the Green Belt Review Assessment Matrix, such as how different combinations of colours lead to the final outcome. The approach taken to justify adding land to the green belt, removing land from the green belt and in the assessment of small sites is arguably unlawful as assessing whether past boundaries were incorrectly drawn is not an exceptional circumstance that justifies a change to the boundary and this is confirmed in case law.

Soundness - Consistent with National Policy

There is no direct justification for applying either three tests or for the gateway approach that rules out further consideration of the role and function of the green belt. Test 2 which rules out further consideration of green belt purposes if the site is deemed to be a strategic gap is inconsistent with the NPPF. This is not the fundamental purpose of the green belt and only appears second in the list of bullet points on green belt purposes in paragraph 80 of NPPF. The fundamental purpose of the green belt is to prevent sprawl which is given greater weighting than other green belt purposes in the assessment matrix. Test 2d has assessed green belt land for its ability to preserve the setting of historic assets. This is not consistent with the purposes of including land in the green belt set out in NPPF. Test 3 of the green belt review should not be applied to brownfield land in the green belt. Paragraph 80 of the NPPF identifies urban regeneration achieved through creating pressure to develop outside the green belt as the purpose green belt serves, not the purpose it may inhibit, which is the development of brownfield sites in the green belt. No additional test should therefore be applied. The review does not contain any assessment of a sites ability to meet the terms of paragraphs 84 and 85 of the NPPF or section 39 of the 2004 Planning and Compulsory Purchase Act. The NPPF requires authorities to promote sustainable patterns of development when reviewing green belt boundaries (paragraph 84) and ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development (paragraph 85). Meeting objectively assessed need for housing and employment can constitute the exceptional circumstances required to amend the position of the green belt boundary. The Council should make it clear if this is not the circumstance being relied on to justify a review of the green belt. The green belt review methodology should not take as its starting point a consideration of how robust current boundaries are. This is not one of the purposes of the green belt, nor do physical changes to boundaries over time or forming a view over a position for a better boundary amount to the exceptional circumstances required to amend them. The Consequential Changes identified in the Green Belt Boundary Changes document are not sound as they have been identified based on an unsound green belt review methodology.

Proposed Change Requested

The Council should specifically set out what exceptional circumstances exist that justify the review of the green belt.

Council Response

No change. The Green Belt Review in Kirklees does not, in itself, identify parcels of land for removal from the green belt. It is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees and supports the overall assessment of specific development options in accordance with the site allocation methodology. It is through this comprehensive process that decisions on the acceptability or otherwise of sites is made, in accordance with the Kirklees Local Plan strategy for growth. The first part of the green belt review was to check for the presence of constraints along the green belt boundary or in land adjacent to the edge of the settlement that may inhibit the possibility of settlement extension. In terms of the

topographical constraint, to be assessed as red (severe) the degree of slope must be >20% (1:5) and be on or very close to the edge of the settlement so that development impact would be immediate. Physical constraints to development can be either a physical constraint on the boundary, such as the M62 motorway, a railway line or river, or a physical constraint on land beyond the boundary, such as areas at high risk of flooding, sewage works, cemeteries etc. The presence of a listed building is a physical constraint to development and is correctly noted at test 1b but there are no green belt edges assessed as red at test 1b solely for the presence of listed buildings or conservation areas. Environmental constraints can include for example areas of ancient woodland, a significant number of protected trees or buffer zones for example alongside high pressure gas pipelines. Land affected by these constraints to the extent that the assessment is red need not be assessed against green belt purposes as part of the Green Belt Review as these areas are unlikely to be able to accommodate settlement extension. In accordance with the site allocation methodology however, all sites undergo a site-specific green belt assessment, irrespective of the colour of the edge they abut, and may still be acceptable if it can be demonstrated that their release would not significantly harm any green belt purpose and that there would no other overriding constraint indicated by the technical site assessment. The Assessment Matrix (Appendix 1 of the Green Belt Review) is a tool that allows a combination of assessments to be translated into a single conclusion in a manner that is transparent and consistent. The matrix also allows weighting to be applied to land that is important in preventing the unrestricted sprawl of urban areas, recognising this as a fundamental purpose of the green belt. There is no prescribed method of undertaking a Green Belt Review set out in national planning policy or guidance. The method adopted by the council constitutes relevant and proportionate evidence consistent with its role in supporting the assessment of development options as part of the Local Plan site allocation methodology. The purpose of the Green Belt Review in Kirklees is to aid the assessment of development options. Where the needs for development cannot be accommodated in the non-green belt area new allocations will be considered firstly as an extension to an existing settlement. It is entirely consistent with this approach that an assessment should be made of the degree of constraint that may inhibit the extension of a settlement and where this is deemed to be severe that land need not progress through to be tested against green belt purposes. Land that progressed through at Test 1 was then tested firstly to determine whether it functioned as a strategic gap between settlements. The Council does not regard the bullet point list of purposes of the green belt in NPPF as a hierarchy of the importance of the issues and considers it reasonable to discount from further assessment land deemed to be serving an important green belt role such that any extension to the settlement could significantly undermine that role. It is accepted that Kirklees does not have any historic towns and this is stated in paragraph 3.20 of the Green Belt Review. Test 2d assesses the presence of historic assets and the degree to which development would be prejudicial to that asset or its setting. In terms of test 3, the Council states at paragraph 3.23 of the Green Belt Review that a purpose of the green belt is to assist in urban regeneration by encouraging the recycling of derelict and other urban land and it does this throughout its extent by channelling development into urban areas. The Council accepts that it cannot remove isolated brownfield sites from the green belt as this is contrary to the purposes of including land in the green belt, but could examine sites on the edges of the settlement to see if they are properly located within the green belt and this is the purpose of test 3. The Council accept that exceptional circumstances would still be required to adjust the green belt boundary to remove a site from the green belt, even if assessment demonstrated that the green belt was likely to inhibit its beneficial re-use. A sustainable pattern of development has been achieved through the Local Plan process as a whole. Each development option underwent a detailed sustainability appraisal against 19 sustainability appraisal objectives and the results of these have been published in the Sustainability Appraisal document. Exceptional circumstances are required to amend the position of the green belt boundary and in terms of the accepted development options it is the inability of the non-green belt areas to meet objectively assessed need for housing and employment land that conveys the exceptional circumstances necessary to remove sites from the green belt. The same exceptional circumstance applies to the removal of land that no longer performs a green belt role and function as a consequence of accepting development options (the consequential changes). As part of the preparation of the Local Plan the Council has carried out an exercise to transfer the existing green belt boundary (paper based at 1:10,000 scale) on to an up to date Ordnance Survey base so that the boundary is presented in electronic format. This is both necessary and appropriate. It is not an exercise to review the position of the boundary, nor does it consider how robust current boundaries are. For the vast majority of the extent of the boundary no change is proposed. As stated in the Green Belt Boundary Changes document it was not always possible to place the boundary on the modern map with a high degree of certainty, either because of the inadequacies of the original map base, in which case a best fit scenario was adopted, or because of changes that have occurred over time. The Council has been quite clear that exceptional circumstances are required to make a deliberate change to the position of the boundary and the Council has investigated in every case whether there is any material change in circumstances that would make it necessary to update the position of the boundary. All changes made to the position of the boundary have been published. The same is true of the small sites (sites of less than 0.4ha), the add land to the green belt options and the remove land from the green belt options that have been submitted to the Council for consideration. These sites are not required as development options therefore the need to

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meet OAN does not apply. In all cases the request to amend the boundary has been scrutinised to establish whether exceptional circumstances exist that justifies a change.

Paragraph/Site: **19.5**Consultee: **942768 Mr Andrew Wood**

Agent:

Rep ID: **PDLP_SP731****Soundness - Justified**

The Green Belt Review does not adequately assess the role of the Green Belt as a whole, nor of specific sites, in contributing the urban regeneration by encouraging the re-use of brownfield land. Allocation of land near motorway junctions will shift emphasis of development activity away from the urban areas.

Proposed Change Requested

Re-run the Green Belt review to take proper account of the Green Belts purpose in encouraging urban regeneration.

Council Response

No change One of the purposes of the green belt is to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. On a strategic level the entirety of the green belt in Kirklees achieves this by channelling development into urban areas and in the past 11 years almost 85% of all housing completions within Kirklees have been on brownfield land. The Green Belt Review has considered the green belt in its regional context, its varying role and function in different parts of the district as well as the role and function of land around every settlement. It is not an exercise in itself to revise the green belt boundary and it does not result in the removal of parcels of land from the green belt. The acceptance of development options is carried out through a comprehensive assessment of sites of which the green belt assessment is one part, and in line with the spatial development strategy.

Paragraph/Site: **19.5**Consultee: **943608 Mr Robert Bamforth**

Agent:

Rep ID: **PDLP_SP609****Soundness - Justified**

It is appalling that the Green Belt Review never even discusses merits of releasing individual parcels of land for development, considered against purposes of including land in the Green Belt.

Council Response

No change. The Green Belt Review is a method of assessing land around settlements in Kirklees for the strength of its green belt role and function to aid the overall assessment of development options as part of the preparation of the Local Plan. The Green Belt Review informs the individual green belt assessment of development options in accordance with the site allocation methodology.

Paragraph/Site: **19.5**Consultee: **968829 Farnley Estates Ltd**Agent: **942125 Chris Creighton**Rep ID: **PDLP_SP449****Soundness - Justified**

The assessment of green belt edge AL9 states it is topographically, physically and environmentally constrained but this ignores the fact that there is existing property on land immediately to the north with an identical physical profile. The site does not meet any green belt purpose, is bounded by existing development on three sides and by Penistone Road to the west, and has a limited visual relationship with open countryside.

Council Response

No change. Green belt edge AL9 assesses the green belt adjacent to the settlement edge from Fenay Lane to Jumble Wood. Where site H27 is located between the edge of the settlement and Penistone Road the topographical constraint is considered to be severe and in addition it contains an extensive area of protected trees. Fenay Beck and its floodplain lies immediately west of Penistone Road. The red assessment for the physical and environmental constraints identified at edge AL9 is therefore consistent with the Green Belt Review methodology paragraphs 3.3 to 3.8. In accordance with the Site Allocation Methodology site H27 underwent a two part green belt assessment. This individual site assessment reinforced the conclusion of the Green Belt Review that this is a steep and narrow area of land that appears as a wooded edge to the settlement. The Green Belt Review methodology adopted by Kirklees is a method of assessing the green belt around settlements in Kirklees to aid the overall assessment of development options as part of the preparation of the Local Plan. It does not, by itself, result in any amendment to the green belt boundary. This is done only through the acceptance of a development option in accordance with the site allocation methodology of which the green belt assessment is one part. A judgement that Penistone Road would make a better or stronger green belt boundary than the existing boundary does not convey the exceptional circumstances required to amend it.

Paragraph/Site: **19.5**Consultee: **969350 Mrs Charlotte McKay**Agent: **969343 Mrs Charlotte McKay**Rep ID: **PDLP_SP668****Soundness - Justified**

The council has not demonstrated that there has been a material change in circumstances or exceptional justification for the Sites removal. The Green Belt review is therefore flawed and does not accord with the NPPF requirements

Council Response

No change. The Green Belt Review is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees. It does not, by itself, result in any amendment to the green belt boundary. Exceptional circumstances are required to amend the position of the green belt boundary and it is the inability of non-green belt areas to meet the objectively assessed need for development that constitute the exceptional circumstances

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required to remove sites from the green belt and allocate them for development purposes. In addition to the need for new housing, whether a site is to be removed from the green belt is a decision that is taken through the comprehensive assessment of sites in accordance with the site allocation methodology, of which the green belt assessment is a part, and in accordance with the Local Plan strategy for growth.

Paragraph/Site: 19.5

Consultee: 972565

Agent: 1059531

Rachael Martin

Rep ID: PDLP_SP738

Soundness - Justified

Green belt boundaries HB2 and adjoining boundary HB1 are identified as pink boundaries (significant conflict) and relate to the boundary between Bradshaw Road and Meltham Road. The boundaries fail tests 2b and 2c in relation to safeguarding against sprawl and encroachment into the countryside. Site H2598 therefore scores 5 in the green belt review so no further assessment is carried out and the site has been discounted. The red scores at Test 2 are unjustified and should be amber. The roads, wall features and Highfield Farm would create defensible new green belt boundaries and the topography, landscape and intervening features would significantly limit and control encroachment and sprawl.

Proposed Change Requested

Boundaries HB1 and HB2 should be altered to either light green or light yellow with no reds against the purposes of including land in the green belt.

Council Response

No change. The Green Belt Review is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees. In this case the assessment has resulted in a pink (score 5) at edges HB1 and HB2. This assessment is translated into a RAG rating for the purposes of the site allocation methodology and how this is achieved is set out in paragraphs 4.50 to 4.54 of the Kirklees Local Plan Methodology Part 2: Site Allocation Methodology document. Each site abutting the settlement edge had a two part green belt assessment, resulting in an edge assessment RAG rating with the reason for the assessment set out, and an overall site assessment RAG rating with the reason set out. The edge assessment looked at the conclusion from the green belt review. The overall site assessment looked at the sites configuration and location relative to the settlement and the impact release of the site would have on the role and function of the green belt. While it is accepted that there are roads, field boundaries and other land use features that could provide potential new green belt boundaries, the Green Belt Review methodology at paragraphs 3.16 and 3.17 in relation to Test 2b state that assessment should have regard to the presence of boundaries or landform and the degree of containment that could be achieved. This is an elevated area of rising land where the extension of the existing settlement pattern could result in an elongated and poorly related built form sprawling along Bradshaw Road. Test 2c considers an areas importance in safeguarding the countryside from encroachment which involves an assessment of the character of the land in relation to its surroundings. The more that an area appears to relate to an urban edge rather than open countryside or is screened from the wider countryside the less will be its importance in achieving this purpose. There is a very strong urban edge in this location and a clear distinction between land that is urban and land that is countryside. This is elevated and rising land very prominent both locally and in long distance views where development would significantly impact on the purposes of including land in the green belt.

Paragraph/Site: 19.5

Consultee: 972565

Agent: 1059531

Rachael Martin

Rep ID: PDLP_SP312

Soundness - Positively Prepared

Whether a site serves green belt purposes and provides sustainable development in line with the Local Plan strategy has not been the key driver in decision making, which has been whether it is possible or desirable to access land through any particular green belt edge.

Soundness - Justified

The green belt review is unsupported by critical evidence. Test 1 is not supported by critical evidence on environmental constraints, how a slope would make a site undevelopable or how the presence of a listed building would preclude development of an entire site. There is no explanation of the weighting used in the Green Belt Review Assessment Matrix, such as how different combinations of colours lead to the final outcome. The approach taken to justify adding land to the green belt, removing land from the green belt and in the assessment of small sites is arguably unlawful as assessing whether past boundaries were incorrectly drawn is not an exceptional circumstance that justifies a change to the boundary and this is confirmed in case law.

Soundness - Consistent with National Policy

There is no direct justification for applying either three tests or for the gateway approach that rules out further consideration of the role and function of the green belt. Test 2 which rules out further consideration of green belt purposes if the site is deemed to be a strategic gap is inconsistent with the NPPF. This is not the fundamental purpose of the green belt and only appears second in the list of bullet points on green belt purposes in paragraph 80 of NPPF. The fundamental purpose of the green belt is to prevent sprawl which is given greater weighting than other green belt purposes in the assessment matrix. Test 2d has assessed green belt land for its ability to preserve the setting of historic assets. This is not consistent with the purposes of including land in the green belt set out in NPPF. Test 3 of the green belt review should not be applied to brownfield land in the green belt. Paragraph 80 of the NPPF identifies urban regeneration achieved through creating pressure to develop outside the green belt as the purpose green belt serves, not the purpose it may inhibit, which is

the development of brownfield sites in the green belt. No additional test should therefore be applied. The review does not contain any assessment of a sites ability to meet the terms of paragraphs 84 and 85 of the NPPF or section 39 of the 2004 Planning and Compulsory Purchase Act. The NPPF requires authorities to promote sustainable patterns of development when reviewing green belt boundaries (paragraph 84) and ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development (paragraph 85). Meeting objectively assessed need for housing and employment can constitute the exceptional circumstances required to amend the position of the green belt boundary. The Council should make it clear if this is not the circumstance being relied on to justify a review of the green belt. The green belt review methodology should not take as its starting point a consideration of how robust current boundaries are. This is not one of the purposes of the green belt, nor do physical changes to boundaries over time or forming a view over a position for a better boundary amount to the exceptional circumstances required to amend them. The Consequential Changes identified in the Green Belt Boundary Changes document are not sound as they have been identified based on an unsound green belt review methodology.

Proposed Change Requested

The Council should specifically set out what exceptional circumstances exist that justify the review of the green belt.

Council Response

No change. The Green Belt Review in Kirklees does not, in itself, identify parcels of land for removal from the green belt. It is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees and supports the overall assessment of specific development options in accordance with the site allocation methodology. It is through this comprehensive process that decisions on the acceptability or otherwise of sites is made, in accordance with the Kirklees Local Plan strategy for growth. The first part of the green belt review was to check for the presence of constraints along the green belt boundary or in land adjacent to the edge of the settlement that may inhibit the possibility of settlement extension. In terms of the topographical constraint, to be assessed as red (severe) the degree of slope must be >20% (1:5) and be on or very close to the edge of the settlement so that development impact would be immediate. Physical constraints to development can be either a physical constraint on the boundary, such as the M62 motorway, a railway line or river, or a physical constraint on land beyond the boundary, such as areas at high risk of flooding, sewage works, cemeteries etc. The presence of a listed building is a physical constraint to development and is correctly noted at test 1b but there are no green belt edges assessed as red at test 1b solely for the presence of listed buildings or conservation areas. Environmental constraints can include for example areas of ancient woodland, a significant number of protected trees or buffer zones for example alongside high pressure gas pipelines. Land affected by these constraints to the extent that the assessment is red need not be assessed against green belt purposes as part of the Green Belt Review as these areas are unlikely to be able to accommodate settlement extension. In accordance with the site allocation methodology however, all sites undergo a site-specific green belt assessment, irrespective of the colour of the edge they abut, and may still be acceptable if it can be demonstrated that their release would not significantly harm any green belt purpose and that there would no other overriding constraint indicated by the technical site assessment. The Assessment Matrix (Appendix 1 of the Green Belt Review) is a tool that allows a combination of assessments to be translated into a single conclusion in a manner that it transparent and consistent. The matrix also allows weighting to be applied to land that is important in preventing the unrestricted sprawl of urban areas, recognising this as a fundamental purpose of the green belt. There is no prescribed method of undertaking a Green Belt Review set out in national planning policy or guidance. The method adopted by the council constitutes relevant and proportionate evidence consistent with its role in supporting the assessment of development options as part of the Local Plan site allocation methodology. The purpose of the Green Belt Review in Kirklees is to aid the assessment of development options. Where the needs for development cannot be accommodated in the non-green belt area new allocations will be considered firstly as an extension to an existing settlement. It is entirely consistent with this approach that an assessment should be made of the degree of constraint that may inhibit the extension of a settlement and where this is deemed to be severe that land need not progress through to be tested against green belt purposes. Land that progressed through at Test 1 was then tested firstly to determine whether it functioned as a strategic gap between settlements. The Council does not regard the bullet point list of purposes of the green belt in NPPF as a hierarchy of the importance of the issues and considers it reasonable to discount from further assessment land deemed to be serving an important green belt role such that any extension to the settlement could significantly undermine that role. It is accepted that Kirklees does not have any historic towns and this is stated in paragraph 3.20 of the Green Belt Review. Test 2d assesses the presence of historic assets and the degree to which development would be prejudicial to that asset or its setting. In terms of test 3, the Council states at paragraph 3.23 of the Green Belt Review that a purpose of the green belt is to assist in urban regeneration by encouraging the recycling of derelict and other urban land and it does this throughout its extent by channelling development into urban areas. The Council accepts that it cannot remove isolated brownfield sites from the green belt as this is contrary to the purposes of including land in the green belt, but could examine sites on the edges of the settlement to see if they are properly located within the green belt and this is the purpose of test 3. The Council accept that exceptional circumstances would still be required to adjust the green belt boundary to remove a site from the green belt, even if assessment demonstrated that the green belt was likely to inhibit its beneficial re-use. A

sustainable pattern of development has been achieved through the Local Plan process as a whole. Each development option underwent a detailed sustainability appraisal against 19 sustainability appraisal objectives and the results of these have been published in the Sustainability Appraisal document. Exceptional circumstances are required to amend the position of the green belt boundary and in terms of the accepted development options it is the inability of the non-green belt areas to meet objectively assessed need for housing and employment land that conveys the exceptional circumstances necessary to remove sites from the green belt. The same exceptional circumstance applies to the removal of land that no longer performs a green belt role and function as a consequence of accepting development options (the consequential changes). As part of the preparation of the Local Plan the Council has carried out an exercise to transfer the existing green belt boundary (paper based at 1:10,000 scale) on to an up to date Ordnance Survey base so that the boundary is presented in electronic format. This is both necessary and appropriate. It is not an exercise to review the position of the boundary, nor does it consider how robust current boundaries are. For the vast majority of the extent of the boundary no change is proposed. As stated in the Green Belt Boundary Changes document it was not always possible to place the boundary on the modern map with a high degree of certainty, either because of the inadequacies of the original map base, in which case a best fit scenario was adopted, or because of changes that have occurred over time. The Council has been quite clear that exceptional circumstances are required to make a deliberate change to the position of the boundary and the Council has investigated in every case whether there is any material change in circumstances that would make it necessary to update the position of the boundary. All changes made to the position of the boundary have been published. The same is true of the small sites (sites of less than 0.4ha), the add land to the green belt options and the remove land from the green belt options that have been submitted to the Council for consideration. These sites are not required as development options therefore the need to meet OAN does not apply. In all cases the request to amend the boundary has been scrutinised to establish whether exceptional circumstances exist that justifies a change.

Paragraph/Site: 19.5

Consultee: 973538

Agent: 950095

Mr Jonathan Dunbavin

Rep ID: PDLP_SP314

Soundness - Positively Prepared

Whether a site serves green belt purposes and provides sustainable development in line with the Local Plan strategy has not been the key driver in decision making, which has been whether it is possible or desirable to access land through any particular green belt edge.

Soundness - Justified

The green belt review is unsupported by critical evidence. Test 1 is not supported by critical evidence on environmental constraints, how a slope would make a site undevelopable or how the presence of a listed building would preclude development of an entire site. There is no explanation of the weighting used in the Green Belt Review Assessment Matrix, such as how different combinations of colours lead to the final outcome. The approach taken to justify adding land to the green belt, removing land from the green belt and in the assessment of small sites is arguably unlawful as assessing whether past boundaries were incorrectly drawn is not an exceptional circumstance that justifies a change to the boundary and this is confirmed in case law.

Soundness - Consistent with National Policy

There is no direct justification for applying either three tests or for the gateway approach that rules out further consideration of the role and function of the green belt. Test 2 which rules out further consideration of green belt purposes if the site is deemed to be a strategic gap is inconsistent with the NPPF. This is not the fundamental purpose of the green belt and only appears second in the list of bullet points on green belt purposes in paragraph 80 of NPPF. The fundamental purpose of the green belt is to prevent sprawl which is given greater weighting than other green belt purposes in the assessment matrix. Test 2d has assessed green belt land for its ability to preserve the setting of historic assets. This is not consistent with the purposes of including land in the green belt set out in NPPF. Test 3 of the green belt review should not be applied to brownfield land in the green belt. Paragraph 80 of the NPPF identifies urban regeneration achieved through creating pressure to develop outside the green belt as the purpose green belt serves, not the purpose it may inhibit, which is the development of brownfield sites in the green belt. No additional test should therefore be applied. The review does not contain any assessment of a sites ability to meet the terms of paragraphs 84 and 85 of the NPPF or section 39 of the 2004 Planning and Compulsory Purchase Act. The NPPF requires authorities to promote sustainable patterns of development when reviewing green belt boundaries (paragraph 84) and ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development (paragraph 85). Meeting objectively assessed need for housing and employment can constitute the exceptional circumstances required to amend the position of the green belt boundary. The Council should make it clear if this is not the circumstance being relied on to justify a review of the green belt. The green belt review methodology should not take as its starting point a consideration of how robust current boundaries are. This is not one of the purposes of the green belt, nor do physical changes to boundaries over time or forming a view over a position for a better boundary amount to the exceptional circumstances required to amend them. The Consequential Changes identified in the Green Belt Boundary Changes document are not sound as they have been identified based on an unsound green belt review methodology.

Proposed Change Requested

The Council should specifically set out what exceptional circumstances exist that justify the review of the green belt.

Council Response

No change. The Green Belt Review in Kirklees does not, in itself, identify parcels of land for removal from the green belt. It is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees and supports the overall assessment of specific development options in accordance with the site allocation methodology. It is through this comprehensive process that decisions on the acceptability or otherwise of sites is made, in accordance with the Kirklees Local Plan strategy for growth. The first part of the green belt review was to check for the presence of constraints along the green belt boundary or in land adjacent to the edge of the settlement that may inhibit the possibility of settlement extension. In terms of the topographical constraint, to be assessed as red (severe) the degree of slope must be >20% (1:5) and be on or very close to the edge of the settlement so that development impact would be immediate. Physical constraints to development can be either a physical constraint on the boundary, such as the M62 motorway, a railway line or river, or a physical constraint on land beyond the boundary, such as areas at high risk of flooding, sewage works, cemeteries etc. The presence of a listed building is a physical constraint to development and is correctly noted at test 1b but there are no green belt edges assessed as red at test 1b solely for the presence of listed buildings or conservation areas. Environmental constraints can include for example areas of ancient woodland, a significant number of protected trees or buffer zones for example alongside high pressure gas pipelines. Land affected by these constraints to the extent that the assessment is red need not be assessed against green belt purposes as part of the Green Belt Review as these areas are unlikely to be able to accommodate settlement extension. In accordance with the site allocation methodology however, all sites undergo a site-specific green belt assessment, irrespective of the colour of the edge they abut, and may still be acceptable if it can be demonstrated that their release would not significantly harm any green belt purpose and that there would no other overriding constraint indicated by the technical site assessment. The Assessment Matrix (Appendix 1 of the Green Belt Review) is a tool that allows a combination of assessments to be translated into a single conclusion in a manner that it transparent and consistent. The matrix also allows weighting to be applied to land that is important in preventing the unrestricted sprawl of urban areas, recognising this as a fundamental purpose of the green belt. There is no prescribed method of undertaking a Green Belt Review set out in national planning policy or guidance. The method adopted by the council constitutes relevant and proportionate evidence consistent with its role in supporting the assessment of development options as part of the Local Plan site allocation methodology. The purpose of the Green Belt Review in Kirklees is to aid the assessment of development options. Where the needs for development cannot be accommodated in the non-green belt area new allocations will be considered firstly as an extension to an existing settlement. It is entirely consistent with this approach that an assessment should be made of the degree of constraint that may inhibit the extension of a settlement and where this is deemed to be severe that land need not progress through to be tested against green belt purposes. Land that progressed through at Test 1 was then tested firstly to determine whether it functioned as a strategic gap between settlements. The Council does not regard the bullet point list of purposes of the green belt in NPPF as a hierarchy of the importance of the issues and considers it reasonable to discount from further assessment land deemed to be serving an important green belt role such that any extension to the settlement could significantly undermine that role. It is accepted that Kirklees does not have any historic towns and this is stated in paragraph 3.20 of the Green Belt Review. Test 2d assesses the presence of historic assets and the degree to which development would be prejudicial to that asset or its setting. In terms of test 3, the Council states at paragraph 3.23 of the Green Belt Review that a purpose of the green belt is to assist in urban regeneration by encouraging the recycling of derelict and other urban land and it does this throughout its extent by channelling development into urban areas. The Council accepts that it cannot remove isolated brownfield sites from the green belt as this is contrary to the purposes of including land in the green belt, but could examine sites on the edges of the settlement to see if they are properly located within the green belt and this is the purpose of test 3. The Council accept that exceptional circumstances would still be required to adjust the green belt boundary to remove a site from the green belt, even if assessment demonstrated that the green belt was likely to inhibit its beneficial re-use. A sustainable pattern of development has been achieved through the Local Plan process as a whole. Each development option underwent a detailed sustainability appraisal against 19 sustainability appraisal objectives and the results of these have been published in the Sustainability Appraisal document. Exceptional circumstances are required to amend the position of the green belt boundary and in terms of the accepted development options it is the inability of the non-green belt areas to meet objectively assessed need for housing and employment land that conveys the exceptional circumstances necessary to remove sites from the green belt. The same exceptional circumstance applies to the removal of land that no longer performs a green belt role and function as a consequence of accepting development options (the consequential changes). As part of the preparation of the Local Plan the Council has carried out an exercise to transfer the existing green belt boundary (paper based at 1:10,000 scale) on to an up to date Ordnance Survey base so that the boundary is presented in electronic format. This is both necessary and appropriate. It is not an exercise to review the position of the boundary, nor does it consider how robust current boundaries are. For the vast majority of the extent of the boundary no change is proposed. As stated in the Green Belt Boundary Changes document it was not always possible to place the boundary on the modern map with a high degree of certainty, either because of the inadequacies of the

original map base, in which case a best fit scenario was adopted, or because of changes that have occurred over time. The Council has been quite clear that exceptional circumstances are required to make a deliberate change to the position of the boundary and the Council has investigated in every case whether there is any material change in circumstances that would make it necessary to update the position of the boundary. All changes made to the position of the boundary have been published. The same is true of the small sites (sites of less than 0.4ha), the add land to the green belt options and the remove land from the green belt options that have been submitted to the Council for consideration. These sites are not required as development options therefore the need to meet OAN does not apply. In all cases the request to amend the boundary has been scrutinised to establish whether exceptional circumstances exist that justifies a change.

Paragraph/Site: 19.5

Consultee: 973538

Agent: 950095

Mr Jonathan Dunbavin

Rep ID: PDLP_SP741

Soundness - Justified

The Green Belt assessment of H672 is not sound. Drighlington was not assessed and as such there has been no formal assessment of this site in the Green Belt Review and this is a fundamental error in the process. Other boundaries with the adjoining Local Authority have been assessed, for instance, BS11 and B/EB1 so there is no justification for not considering a boundary review in this location particularly given the sites relationship to the built form of Drighlington, its local facilities and the A650. The Drighlington boundary bears a remarkable physical similarity and relationship to development as the Bradley Golf Course boundary and it is considered that if it were assessed against the same criteria, it would become a light yellow Green Belt boundary of medium importance with only three ambers in relation to the purpose of identifying land within Green Belt, these being merger, sprawl and encroachment. There are no topographical, physical or environmental constraints that would result in the site failing Test 1 and as such, it would be assessed against Test 2 with the conclusions as set out above.

Proposed Change Requested

Assess the green belt edge in this location as an amber boundary with an amber assessment for merger, sprawl and encroachment.

Council Response

No change. The Kirklees/Leeds administrative boundary runs along the edge of the A650, meaning that Drighlington as a settlement is within Leeds. The Kirklees green belt boundary abuts the road, which is in Leeds, so any development in this location would be wholly unrelated to any settlement in Kirklees. For comparison, edge ref BS11 delineates the boundary of the built up area of the West Yorkshire Retail Park, but the road it abuts, (the M62), is within Kirklees. Edge BS11 has also been assessed as 'black constrained', in that it is not physically possible to extend the settlement into the motorway. B/EB1 assesses the green belt edge where it meets properties at Toftshaw, Bradford. However, the properties on the south side of Toftshaw Lane are within the Kirklees administrative district. In this case, it would be possible to extend the settlement further into Kirklees if necessary. This is also the case at Bradley, where both the existing settlement and the adjoining green belt are within Kirklees. Map 4ii of the Green Belt Review shows the relationship of the Kirklees green belt with Leeds and states that in this location development could have a significant effect in undermining the key function of the green belt in this location, particularly where Drighlington in Leeds extends to the boundary. While the Kirklees Green Belt Review has assessed the settlement edge of Birkenshaw locally as amber, meaning that some settlement extension could be accommodated without significantly undermining the role and function of the green belt, this is for the potential to extend beyond the existing edge of Birkenshaw, not an extension to Drighlington.

Paragraph/Site: 19.5

Consultee: 974190

Agent: 941908

Mr Andrew Rose

Rep ID: PDLP_SP733

Soundness - Justified

MSL question the conclusions of green belt edges AS5 and AS6. A more robust green belt boundary for the long term would be the M62 motorway. The current green belt boundary is drawn along back gardens of properties but the distinctive feature is the motorway and along with adjacent woodland would form a long term robust and defensible boundary. The motorway would also be a more robust boundary than that proposed for accepted option H351. The Green Belt Review only considers green belt edges against the five purposes of the Green Belt and is therefore not a full consideration or strategic review. The assessment does not reflect the contained setting and strong physical features and boundaries surrounding the area.

Proposed Change Requested

Review the Green Belt boundary around sites H2600 and H2601 along Bradford Road and the proposed M62 Junction 24A (TS2).

Council Response

No change. The Green Belt Review methodology that resulted in an amber edge at AS5 (score 3) and an amber edge at AS6 (score 4) has been arrived at by an assessment of the green belt beyond the edge of the settlement against the green belt purposes set out in NPPF and in accordance with paragraphs 3.16 to 3.20 of the Green Belt Review methodology. The Assessment Matrix is then applied to combine the outcome of tests 2b to 2d into a conclusion score for the edge. The score of 3 for edge AS5 compared to the score of 4 for edge AS6 reflects the subtle differences in the role of the green belt in those locations. Land beyond edge AS5 is considered to be contained by hedgerows and landform and has a limited visual relationship with the wider countryside. Existing land use

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features and degree of containment mean that settlement extension could be possible with less potential harm to openness or the role and function of the green belt than on land beyond AS6 which is less contained and where development could be more prominent. The Green Belt Review methodology adopted by Kirklees is a method of assessing the green belt around settlements in Kirklees to aid the overall assessment of development options as part of the preparation of the Local Plan. It does not, by itself, result in any amendment to the green belt boundary. This is done only through the acceptance of a development option in accordance with the site allocation methodology of which the green belt assessment is one part. Exceptional circumstances are required to amend the green belt boundary and these are conveyed by the need to meet objectively assessed needs for development. The fact that an alternative boundary would represent a strong potential new green belt boundary does not convey the exceptional circumstances necessary to move the boundary. The new green belt boundary around accepted option H351 follows a field boundary which is discernible and complies with the requirements of NPPF.

Paragraph/Site: 19.5

Consultee: 974190

Agent: 941908

Mr Andrew Rose

Rep ID: PDLP_SP392

Soundness - Consistent with National Policy

The Green Belt Review appears to take the form of an urban edge assessment and does not thoroughly consider the role and purpose of the Green Belt in all areas and locations. The review should have taken a three stage approach including identifying general areas within the green belt, technical site assessment and re-appraisal of resultant land parcels.

Proposed Change Requested Council Response

Undertake a full and robust and detailed Green Belt Assessment.

No change. The Kirklees Green Belt Review is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees. The extent of assessed land around any particular settlement depends on its individual characteristics. The review methodology at paragraph 3.2 states The extent of adjoining land taken into consideration depends on the features it contains and whether and how such features could form a new boundary. The initial assessment at test 1 indicates where the boundary, or land immediately beyond it, may be constrained such that new settlement extensions would be unlikely to be accommodated. While such land does not progress to a general assessment against green belt purposes, every site received for consideration as a development option in the green belt has been assessed in a manner consistent with the site assessment methodology contained in Local Plan Methodology Statement Part 2: Site Allocation Methodology (November 2016). This individual assessment was published in the technical assessment of sites, both for accepted and rejected options. The Kirklees Green Belt Review is not an exercise in itself to draw back the green belt boundary and it does not result in the removal of parcels of land from the green belt. It is an aid to the comprehensive assessment of sites in accordance with the site allocation methodology. The green belt is one part of this comprehensive assessment of the suitability of a site to form a new allocation in the Local Plan.

Paragraph/Site: 19.5

Consultee: 975291

Gareth Lloyd

Agent: 969464

Mr Adam Jackson

Rep ID: PDLP_SP623

Soundness - Justified

The methodology for the green belt review is set out in the Green Belt Review and Outcomes report but it is not clear how this translates into a red overall score for the site in the Rejected Site Options Report. Explanation is limited to paragraph 4.48 of the Site Allocation Methodology. The red overall site assessment would seem to indicate that the site plays a more important green belt role than the green belt review would justify. The site has been incorrectly assessed as red overall as it is located adjacent to an edge that the Council considers not to play an important green belt role. A review of the green belt undertaken by Pegasus Group concurs with the Council's assessment that there is no risk of sprawl or merger to the north. It is agreed that the trees and watercourse are sensitive environmental features but these do not influence the perception or role of the green belt. Existing development at Wheatleys Farm and the hotel and car park are urbanising features which erode the role of the green belt and the boundary should be redrawn along Moor Lane thereby bringing this area into the settlement of Gomersal. This is an urban fringe landscape and while the site displays parkland characteristics and has a number of protected trees this is significantly disrupted by the M62. The site is not part of open countryside and plays no role in preserving the setting of historic towns. The M62 could form a strong new boundary to the north and the line of the drive to the hotel could be strengthened to form a new green belt boundary if necessary to the east. The protected trees could be sympathetically integrated into the scheme.

Proposed Change Requested Council Response

Allocate site H231 for housing in the Local Plan

No change. The Green Belt Review is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees. In this case the assessment has resulted in a green (score 2) at edge GS8 indicating that the green belt role and function of adjacent land is relatively weak, and a

black constrained edge at GS7 indicating that settlement extension would be constrained, in this case by the presence of a Tree Preservation Order area which protects trees in their parkland setting. This assessment is translated into a RAG rating for the purposes of the site allocation methodology and how this is achieved is set out in paragraphs 4.50 to 4.54 of the Kirklees Local Plan Methodology Part 2: Site Allocation Methodology document. Each site abutting the settlement edge had a two part green belt assessment, resulting in an edge assessment RAG rating with the reason for the assessment set out, and an overall site assessment RAG rating with the reason set out. Paragraph 4.6 of the Green Belt Review states that for tests 1b and 1c physical and environmental constraints the presence of features, including protected trees, and the degree to which they would be considered to inhibit development is considered. The red RAG rating is entirely consistent with both the Green Belt Review and the Site Allocation Methodology. The Green Belt Review is not an exercise in itself to amend the position of the green belt boundary, for which exceptional circumstances are required. A judgement that Moor Lane or the motorway would make a better or stronger green belt boundary than the existing boundary does not convey the exceptional circumstances required to amend it.

Paragraph/Site: 19.5

Consultee: 975291

Gareth Lloyd

Agent: 969464

Mr Adam Jackson

Rep ID: PDLP_SP639

Soundness - Justified

The methodology for the green belt review is set out in the Green Belt Review and Outcomes report but it is not clear how this translates into a red overall score for the site in the Rejected Site Options Report. Explanation is limited to paragraph 4.48 of the Site Allocation Methodology. The red overall site assessment would seem to indicate that the site plays a more important green belt role than the green belt review would justify. The site is not currently contained by development but land to the south and south west is proposed as allocations. Leeds Road provides a strong boundary to the north. Removal of the whole pocket of land within which the site sits would allow Mirfield to expand while being contained by the strong boundary of Leeds Road. Development of the site would continue the strong urban development along Leeds Road and there is no risk of sprawl. Development would be rounding off of Mirfield and would not merge settlements. Strategically this is an urban fringe landscape and the site itself does not appear part of wider countryside beyond the A62. It has no role in preserving the setting of historic towns.

Proposed Change Requested

Allocate site H476 for housing in the Local Plan.

Council Response

No change. The Green Belt Review is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees. In this case the assessment has resulted in an amber (score 3) at edge MF20 which assesses the majority of this area of land as playing a similar green belt role and with similar land use characteristics. This assessment is translated into a RAG rating for the purposes of the site allocation methodology and how this is achieved is set out in paragraphs 4.50 to 4.54 of the Kirklees Local Plan Methodology Part 2: Site Allocation Methodology document. Each site abutting the settlement edge had a two part green belt assessment, resulting in an edge assessment RAG rating with the reason for the assessment set out, and an overall site assessment RAG rating with the reason set out. The edge assessment was informed by the conclusion from the green belt review. In this case the amber RAG rating for the green belt edge for site H476 reinforced the conclusion of the green belt review. The overall site assessment looked at the sites configuration and location relative to the settlement and the impact release of the site would have on the role and function of the green belt. It is clearly indicated in the site allocation methodology that a red RAG rating could apply to a site deemed to be poorly located in relation to the settlement edge. There are no accepted options in this area of green belt between Slipper Lane and Stocks Bank Road and the release of this site would significantly impact on the purposes of including the remaining land within the green belt, particularly that between the site and the settlement to the south. This land would be somewhat isolated from the wider green belt and therefore vulnerable to development pressure contrary to the purposes of including land in the green belt.

Paragraph/Site: 19.5

Consultee: 975291

Gareth Lloyd

Agent: 969464

Mr Adam Jackson

Rep ID: PDLP_SP641

Soundness - Justified

The methodology for the green belt review is set out in the Green Belt Review and Outcomes report but it is not clear how this translates into a red overall score for the site in the Rejected Site Options Report. Explanation is limited to paragraph 4.48 of the Site Allocation Methodology. The red overall site assessment would seem to indicate that the site plays a more important green belt role than the green belt review would justify. The site is well contained with two boundaries adjacent to the existing settlement and two further boundaries formed by roads. Existing properties in the north eastern corner of the site also increase the perception of rounding off. The more elevated part of the site abuts existing property so would not be prominent. The site plays no role in preventing the merger of settlements. Strategically this is a rural fringe landscape and while it does have some characteristics associated with the wider pastoral landscape this is lessened by the horse grazing and stabling which marks the site as transitional between rural fringe and urban fringe. This is reinforced by the separation from the wider landscape by kerb lined and street-lit roads. The site plays no role in preserving the setting of historic towns.

Proposed Change Requested

Allocate site H575 for housing in the Local Plan.

Representations received on the Kirklees Publication Draft Local Plan PDLP - Strategies and Policies

Council Response No change The Green Belt Review is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees. In this case the assessment has resulted in an amber (score 3) at edge KH4. This assessment is translated into a RAG rating for the purposes of the site allocation methodology and how this is achieved is set out in paragraphs 4.50 to 4.54 of the Kirklees Local Plan Methodology Part 2: Site Allocation Methodology document. Each site abutting the settlement edge had a two part green belt assessment, resulting in an edge assessment RAG rating with the reason for the assessment set out, and an overall site assessment RAG rating with the reason set out. In this case the amber RAG rating for the green belt edge for site H575 reinforced the conclusion of the green belt review. The overall site assessment looked at the sites configuration and location relative to the settlement and the impact release of the site would have on the role and function of the green belt. In this case it was concluded that the characteristic of this extensive site was not rural fringe but open countryside, visually linked to the wider countryside beyond. The site therefore plays an important role in safeguarding the countryside from encroachment.

Paragraph/Site: 19.5

Consultee: 1045883 Mr Jeff Ellis

Agent:

Rep ID: PDLP_SP407

Soundness - Justified

Green belt edge AL13 adjacent to sites H2684a and H2730a should have been assessed as moderate at test 1a and severe at test 1b and 1c. The inclines within the sites have not been tested and are therefore not known. A listed building to the north and Beldon Brook to the south both form physical constraints to development that should justify a severe assessment. The severe environmental constraints consist of both protected trees and Lepton Great Wood. This scoring of the edge would have resulted in the sites (H2684a and H2730a) being rejected. The green belt review methodology should be widened to include a realistic sustainable scale of development.

Proposed Change Requested

Amend the scoring of test 1a to moderate, 1b to severe and 1c to severe and reject H2684a and H2730a.

Council Response

No change. Test 1a of the Green Belt Review considers topography which in accordance with the methodology set out in paragraphs 3.3 and 3.4 is assessed as severe if the degree of slope is greater than 20% (1:5). The degree of slope adjacent to edge AL13 and in the land beyond the edge is in the main less than 15% which equates to a green assessment. There is no evidence to suggest therefore that the land adjacent to edge AL13 should be assessed as red or severe for the purposes of test 1a. There are a number of individually protected trees close to the green belt edge but no listed buildings or other heritage assets within the green belt adjacent to edge AL13. There is nothing to suggest therefore that the land adjacent to the edge of the settlement in this location is so constrained that it should not progress through to an assessment against green belt purposes in accordance with the green belt review methodology. In any case, all development options (even those which fail test 1) are subject to a full technical assessment on a site-specific basis including consideration of the green belt impacts. The Green Belt Review is used to inform the assessment of development options and does not attempt to establish any acceptable scale of development or where new boundaries could be found. The scale of development and whether an option presents a reasonable settlement extension is a matter for the Local Plan strategy for growth in accordance with the site allocation methodology.

Paragraph/Site: 19.5

Consultee: 1049857 Mr Ged Collingwood

Agent: 1049852 Miss Philippa Plumtree-Varley

Rep ID: PDLP_SP415

Soundness - Justified

The green belt review is unsupported by critical evidence. There is little clarity of evidence to underpin the application of test 1, such as how a slope would make a site undevelopable or how mitigation may apply to a site. There is no clear evidence to underpin the categorisation of sites based on physical or environmental constraints. The Council should have taken into consideration detailed site specific evidence of how any such constraints could be overcome.

Soundness - Consistent with National Policy

The Council's approach to the green belt review appears not to align with advice in NPPF. There is no justification for the three tests or for the gateway approach of ruling out further consideration in any national policy or legal requirements. Test 2a is a gateway test as only if this test is passed are the other purposes of the green belt assessed. Merger however only appears second in the list of green belt purposes in NPPF and it is sprawl, not merger that is the fundamental aim of green belt policy. This makes test 2a inconsistent with the NPPF. Kirklees does not have any historic towns so test 2d is also inconsistent with national guidance. The origin of test 3 is the fifth purpose of the green belt as defined by NPPF which is a strategic matter concerned with encouraging urban regeneration by channelling development towards urban areas. It should not be applied on a site by site basis for brownfield sites in the green belt. The Council's approach to the green belt review rules out further consideration of a sites ability to meet development needs in a sustainable manner and an overall judgement against all green belt purposes if a single severe constraint is identified in test 1 or if it fails test 2a. There has been no assessment of a sites ability to meet paragraph 84 and 85 of the NPPF or section 39 of the Act in terms of promoting sustainable patterns of development. These are factors relevant to the choices about where development should be accommodated alongside green belt purposes in a green belt review. The approach the Council

is taking in assessing options to add land to the green belt, remove land from the green belt and in relation to small sites is arguably unlawful as it asks whether the original boundaries were incorrectly drawn. This has been shown by case law not to amount to exceptional circumstances.

Proposed Change Requested

The Council should define clearly what exceptional circumstances are being relied upon to justify amendments to the position of the green belt boundary.

Council Response

No change. The first part of the green belt review was to check for the presence of constraints along the green belt boundary or in land adjacent to the edge of the settlement that may inhibit the possibility of settlement extension. In terms of the topographical constraint, to be assessed as red (severe) the degree of slope must be >20% (1:5) and be on or very close to the edge of the settlement so that development impact would be immediate. Physical constraints to development can be either a physical constraint on the boundary, such as the M62 motorway, a railway line or river, or a physical constraint on land beyond the boundary, such as areas at high risk of flooding, sewage works, cemeteries etc. The presence of a listed building is a physical constraint to development and is correctly noted at test 1b but there are no green belt edges assessed as red at test 1b solely for the presence of listed buildings or conservation areas. Environmental constraints can include for example areas of ancient woodland, a significant number of protected trees or buffer zones for example alongside high pressure gas pipelines. Land affected by these constraints to the extent that the assessment is red need not be assessed against green belt purposes as part of the Green Belt Review as these areas are unlikely to be able to accommodate settlement extension. In accordance with the site allocation methodology however, all sites undergo a site-specific green belt assessment, irrespective of the colour of the edge they abut, and may still be acceptable if it can be demonstrated that their release would not significantly harm any green belt purpose and that there would no other overriding constraint indicated by the technical site assessment. There is no prescribed method of undertaking a Green Belt Review set out in national planning policy or guidance. The method adopted by the council constitutes relevant and proportionate evidence consistent with its role in supporting the assessment of development options as part of the Local Plan site allocation methodology. The purpose of the Green Belt Review in Kirklees is to aid the assessment of development options. Where the needs for development cannot be accommodated in the non-green belt area new allocations will be considered firstly as an extension to an existing settlement. It is entirely consistent with this approach that an assessment should be made of the degree of constraint that may inhibit the extension of a settlement and where this is deemed to be severe that land need not progress through to be tested against green belt purposes. Land that progressed through at Test 1 was then tested firstly to determine whether it functioned as a strategic gap between settlements. The Council does not regard the bullet point list of purposes of the green belt in NPPF as a hierarchy of the importance of the issues and considers it reasonable to discount from further assessment land deemed to be serving an important green belt role such that any extension to the settlement could significantly undermine that role. It is accepted that Kirklees does not have any historic towns and this is stated in paragraph 3.20 of the Green Belt Review. Test 2d assesses the presence of historic assets and the degree to which development would be prejudicial to that asset or its setting. In terms of test 3, the Council states at paragraph 3.23 of the Green Belt Review that a purpose of the green belt is to assist in urban regeneration by encouraging the recycling of derelict and other urban land and it does this throughout its extent by channelling development into urban areas. The Council accepts that it cannot remove isolated brownfield sites from the green belt as this is contrary to the purposes of including land in the green belt, but could examine sites on the edges of the settlement to see if they are properly located within the green belt and this is the purpose of test 3. The Council accept that exceptional circumstances would still be required to adjust the green belt boundary to remove a site from the green belt, even if assessment demonstrated that the green belt was likely to inhibit its beneficial re-use. A sustainable pattern of development has been achieved through the Local Plan process as a whole. Each development option underwent a detailed sustainability appraisal against 19 sustainability appraisal objectives and the results of these have been published in the Sustainability Appraisal document. Exceptional circumstances are required to amend the position of the green belt boundary and in terms of the accepted development options it is the inability of the non-green belt areas to meet objectively assessed need for housing and employment land that conveys the exceptional circumstances necessary to remove sites from the green belt. The same exceptional circumstance applies to the removal of land that no longer performs a green belt role and function as a consequence of accepting development options (the consequential changes). As part of the preparation of the Local Plan the Council has carried out an exercise to transfer the existing green belt boundary (paper based at 1:10,000 scale) on to an up to date Ordnance Survey base so that the boundary is presented in electronic format. This is both necessary and appropriate. It is not an exercise to review the position of the boundary, nor does it consider how robust current boundaries are. For the vast majority of the extent of the boundary no change is proposed. As stated in the Green Belt Boundary Changes document it was not always possible to place the boundary on the modern map with a high degree of certainty, either because of the inadequacies of the original map base, in which case a best fit scenario was adopted, or because of changes that have occurred over time. The Council has been quite clear that exceptional circumstances are required to make a deliberate change to the position of the boundary and the Council has investigated in every case whether there is any material change in circumstances that would make it necessary to update the position of the boundary. All changes made to the position of the

boundary have been published. The same is true of the small sites (sites of less than 0.4ha), the add land to the green belt options and the remove land from the green belt options that have been submitted to the Council for consideration. These sites are not required as development options therefore the need to meet OAN does not apply. In all cases the request to amend the boundary has been scrutinised to establish whether exceptional circumstances exist that justifies a change.

Paragraph/Site: 19.5

Consultee: 1049857 Mr Ged Collingwood

Agent: 1049852 Miss Philippa Plumtree-Varley

Rep ID: PDLP_SP735

Soundness - Justified

The green belt edge in this location is incorrectly assessed as having an important role in preventing merger (test 2a) as new development would be a modest extension of existing development south of Shillbank Lane and would not impact on the extent of the gap between Mirfield and Ravensthorpe any more than the existing development at Spring Place Court. It is also incorrectly assessed as having an important role in preventing sprawl (test 2b) as there are landscape features that could present new long term defensible boundaries. It also does not warrant a red assessment for encroachment (test 2c) as this area is not part of the wider countryside. It is an area of urban fringe which is not of high landscape quality. Topography and land use features also restrict views into the area.

Proposed Change Requested

Re-assess the green belt edge in this location.

Council Response

No change. The reason for the assessment of DW3 as an edge with a score of 5 is set out in the Green Belt Review document and is based on a comprehensive assessment of green belt purposes compatible with the Green Belt Review methodology. This area is considered to be a restricted gap separating Mirfield from Ravensthorpe but where some limited settlement extension could be achieved without fundamentally undermining that role. This is evidenced by the amber assessment at Test 2a in terms of its role in preventing the merger of settlements. The green belt is then assessed as playing an important role in terms of checking sprawl and safeguarding the countryside from encroachment as the existing boundary is not a strong feature on the ground and that there is limited opportunity to contain new development. It is not accepted that this is an area of urban fringe as there is a clear distinction between land that is residential and land that is green belt and the treed areas and watercourse give the area a general countryside character. In accordance with the Assessment Matrix the green belt in this location is deemed to be performing strongly against green belt purposes and has been scored as 5. The assessment of the potential impact of the removal of site H594 from the green belt was carried out in line with the Council's Local Plan Site Allocation Methodology (November 2016). The red assessment for green belt edge reinforced the green belt review and reflected the sprawl of the site to the west. The red assessment for the green belt overall reflected the extent and configuration of the site relative to the area of green belt in which it is located. Both the assessment of edge ref DW3 and the assessment of site H594 properly reflect the role and function of the green belt and the impact that the removal of site H594 would have on the green belt in this location.

Paragraph/Site: 19.5

Consultee: 1050041 Mr Jordan Ellis

Agent:

Rep ID: PDLP_SP406

Soundness - Justified

Green belt edge AL13 adjacent to sites H2684a and H2730a should have been assessed as moderate at test 1a and severe at test 1b and 1c. The inclines within the sites have not been tested and are therefore not known. A listed building to the north and Beldon Brook to the south both form physical constraints to development that should justify a severe assessment. The severe environmental constraints consist of both protected trees and Lepton Great Wood. This scoring of the edge would have resulted in the sites (H2684a and H2730a) being rejected. The green belt review methodology should be widened to include a realistic sustainable scale of development.

Proposed Change Requested

Amend the scoring of test 1a to moderate, 1b to severe and 1c to severe and reject H2684a and H2730a.

Council Response

No change. Test 1a of the Green Belt Review considers topography which in accordance with the methodology set out in paragraphs 3.3 and 3.4 is assessed as severe if the degree of slope is greater than 20% (1:5). The degree of slope adjacent to edge AL13 and in the land beyond the edge is in the main less than 15% which equates to a green assessment. There is no evidence to suggest therefore that the land adjacent to edge AL13 should be assessed as red or severe for the purposes of test 1a. There are a number of individually protected trees close to the green belt edge but no listed buildings or other heritage assets within the green belt adjacent to edge AL13. There is nothing to suggest therefore that the land adjacent to the edge of the settlement in this location is so constrained that it should not progress through to an assessment against green belt purposes in accordance with the green belt review methodology. In any case, all development options (even those which fail test 1) are subject to a full technical assessment on a site-specific basis including consideration of the green belt impacts. The Green Belt Review is used to inform the assessment of development options and does not attempt to establish any acceptable scale

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of development or where new boundaries could be found. The scale of development and whether an option presents a reasonable settlement extension is a matter for the Local Plan strategy for growth in accordance with the site allocation methodology.

Paragraph/Site: **19.5**

Consultee: **1053492** c/o agent

Agent: **998185**

Mrs Emma Lancaster

Rep ID: **PDLP_SP689**

Soundness - Justified

No overall test score was afforded to CWS11 within the Green Belt Review. No assessment was therefore undertaken by the Council in respect of the 5 Green Belt purposes. Edge CWS11 is deemed to have severe physical constraints, but a moderate score would be more appropriate. The environmental constraints were afforded a severe score, due to the site's proximity to Flood Zone 3b. This would not represent a significantly constraining factor to development of the site and with appropriate mitigation and design development of the site is able to cone forward. A moderate score would be more appropriate.

Council Response

No change The assessment of green belt edge ref CWS11 as red for physical and environmental constraints (Green Belt Review tests 1b and 1c) is entirely consistent with the Green Belt Review methodology. The existing green belt boundary is formed by the line of Toad Hall Dike and the River Dearne both of which represent a physical constraint to the expansion of the settlement. The presence of areas of flood risk zone 3b justifies the red assessment for the degree of environmental constraint. In accordance with the site allocation methodology, all options that propose to use land in the green belt undergo an individual green belt assessment and may still be shown to be acceptable if it can be demonstrated that their release would not significantly harm any green belt purpose and that the constraints identified either did not apply to the site or could be adequately mitigated or designed around. This applies to all green belt sites irrespective of their location relative to any particular green belt edge. The individual green belt assessment of option H3325 concluded that the harm to the green belt by the removal of the parcel of land from it outweighed the need to find a new allocation in this instance.

Paragraph/Site: **19.5**

Consultee: **1059536**

Agent: **942076**

Mr Richard Irving

Rep ID: **PDLP_SP740**

Soundness - Justified

Red constraints are identified in relation to Green Belt although Green Belt Edge SCL5 is assessed as amber for the Whitechapel Road site. In relation to Green Belt it is suggested that there is an existing strong linear edge providing an immediate transition from urban area to open agricultural landscape.

Proposed Change Requested

None given (they state their gb assessment is given at page 28 but that page contains only SA comments).

Council Response

No change. The Green Belt Review is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees. In this case the assessment has resulted in an amber (score 3) at edge SCL5 as the existing settlement pattern and land use features would allow for some limited infilling without fundamentally harming green belt purposes. This assessment is translated into a RAG rating for the purposes of the site allocation methodology and how this is achieved is set out in paragraphs 4.50 to 4.54 of the Kirklees Local Plan Methodology Part 2: Site Allocation Methodology document. Each site abutting the settlement edge had a two part green belt assessment, resulting in an edge assessment RAG rating with the reason for the assessment set out, and an overall site assessment RAG rating with the reason set out. The edge assessment looked at the conclusion from the green belt review. In this case the amber RAG rating for the green belt edge for site H115 reinforced the conclusion of the green belt review. The overall site assessment looked at the sites configuration and location relative to the settlement and the impact release of the site would have on the role and function of the green belt. It is clearly indicated in the site allocation methodology that a red RAG rating could apply to a site deemed to be poorly located in relation to the settlement edge. Site H115 is deemed to be very poorly configured in relation to the existing settlement pattern and its removal from the green belt would significantly impact on the role and function of the green belt in this location.

Paragraph/Site: **19.5**

Consultee: **1059536**

Agent: **942076**

Mr Richard Irving

Rep ID: **PDLP_SP316**

Soundness - Positively Prepared

Whether a site serves green belt purposes and provides sustainable development in line with the Local Plan strategy has not been the key driver in decision making, which has been whether it is possible or desirable to access land through any particular green belt edge.

Soundness - Justified

The green belt review is unsupported by critical evidence. Test 1 is not supported by critical evidence on environmental constraints, how a slope would make a site undevelopable or how the presence of a listed building would preclude development of an entire site. There is no explanation of the weighting used in the Green Belt Review Assessment Matrix, such as how different combinations of colours lead to the final outcome. The approach taken to justify adding land to the green belt, removing land from the green belt and in the assessment of small sites is arguably unlawful as assessing whether past boundaries were incorrectly drawn is not an exceptional circumstance that justifies a change to the boundary and this is confirmed in case law.

Soundness - Consistent with

There is no direct justification for applying either three tests or for the gateway approach that rules out further consideration of the role and function of the

National Policy

green belt. Test 2 which rules out further consideration of green belt purposes if the site is deemed to be a strategic gap is inconsistent with the NPPF. This is not the fundamental purpose of the green belt and only appears second in the list of bullet points on green belt purposes in paragraph 80 of NPPF. The fundamental purpose of the green belt is to prevent sprawl which is given greater weighting than other green belt purposes in the assessment matrix. Test 2d has assessed green belt land for its ability to preserve the setting of historic assets. This is not consistent with the purposes of including land in the green belt set out in NPPF. Test 3 of the green belt review should not be applied to brownfield land in the green belt. Paragraph 80 of the NPPF identifies urban regeneration achieved through creating pressure to develop outside the green belt as the purpose green belt serves, not the purpose it may inhibit, which is the development of brownfield sites in the green belt. No additional test should therefore be applied. The review does not contain any assessment of a sites ability to meet the terms of paragraphs 84 and 85 of the NPPF or section 39 of the 2004 Planning and Compulsory Purchase Act. The NPPF requires authorities to promote sustainable patterns of development when reviewing green belt boundaries (paragraph 84) and ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development (paragraph 85). Meeting objectively assessed need for housing and employment can constitute the exceptional circumstances required to amend the position of the green belt boundary. The Council should make it clear if this is not the circumstance being relied on to justify a review of the green belt. The green belt review methodology should not take as its starting point a consideration of how robust current boundaries are. This is not one of the purposes of the green belt, nor do physical changes to boundaries over time or forming a view over a position for a better boundary amount to the exceptional circumstances required to amend them. The Consequential Changes identified in the Green Belt Boundary Changes document are not sound as they have been identified based on an unsound green belt review methodology.

Proposed Change Requested

The Council should specifically set out what exceptional circumstances exist that justify the review of the green belt.

Council Response

No change. The Green Belt Review in Kirklees does not, in itself, identify parcels of land for removal from the green belt. It is a method of assessing the relative strength of the green belt role and function of land around settlements in Kirklees and supports the overall assessment of specific development options in accordance with the site allocation methodology. It is through this comprehensive process that decisions on the acceptability or otherwise of sites is made, in accordance with the Kirklees Local Plan strategy for growth. The first part of the green belt review was to check for the presence of constraints along the green belt boundary or in land adjacent to the edge of the settlement that may inhibit the possibility of settlement extension. In terms of the topographical constraint, to be assessed as red (severe) the degree of slope must be >20% (1:5) and be on or very close to the edge of the settlement so that development impact would be immediate. Physical constraints to development can be either a physical constraint on the boundary, such as the M62 motorway, a railway line or river, or a physical constraint on land beyond the boundary, such as areas at high risk of flooding, sewage works, cemeteries etc. The presence of a listed building is a physical constraint to development and is correctly noted at test 1b but there are no green belt edges assessed as red at test 1b solely for the presence of listed buildings or conservation areas. Environmental constraints can include for example areas of ancient woodland, a significant number of protected trees or buffer zones for example alongside high pressure gas pipelines. Land affected by these constraints to the extent that the assessment is red need not be assessed against green belt purposes as part of the Green Belt Review as these areas are unlikely to be able to accommodate settlement extension. In accordance with the site allocation methodology however, all sites undergo a site-specific green belt assessment, irrespective of the colour of the edge they abut, and may still be acceptable if it can be demonstrated that their release would not significantly harm any green belt purpose and that there would no other overriding constraint indicated by the technical site assessment. The Assessment Matrix (Appendix 1 of the Green Belt Review) is a tool that allows a combination of assessments to be translated into a single conclusion in a manner that it transparent and consistent. The matrix also allows weighting to be applied to land that is important in preventing the unrestricted sprawl of urban areas, recognising this as a fundamental purpose of the green belt. There is no prescribed method of undertaking a Green Belt Review set out in national planning policy or guidance. The method adopted by the council constitutes relevant and proportionate evidence consistent with its role in supporting the assessment of development options as part of the Local Plan site allocation methodology. The purpose of the Green Belt Review in Kirklees is to aid the assessment of development options. Where the needs for development cannot be accommodated in the non-green belt area new allocations will be considered firstly as an extension to an existing settlement. It is entirely consistent with this approach that an assessment should be made of the degree of constraint that may inhibit the extension of a settlement and where this is deemed to be severe that land need not progress through to be tested against green belt purposes. Land that progressed through at Test 1 was then tested firstly to determine whether it functioned as a strategic gap between settlements. The Council does not regard the bullet point list of purposes of the green belt in NPPF as a hierarchy of the importance of the issues and considers it reasonable to discount from further assessment land deemed to be serving an important green belt role such that any extension to the settlement could significantly undermine that role. It is accepted that Kirklees does not have any historic towns and this is stated in paragraph 3.20 of the Green Belt Review. Test 2d assesses the presence of

historic assets and the degree to which development would be prejudicial to that asset or its setting. In terms of test 3, the Council states at paragraph 3.23 of the Green Belt Review that a purpose of the green belt is to assist in urban regeneration by encouraging the recycling of derelict and other urban land and it does this throughout its extent by channelling development into urban areas. The Council accepts that it cannot remove isolated brownfield sites from the green belt as this is contrary to the purposes of including land in the green belt, but could examine sites on the edges of the settlement to see if they are properly located within the green belt and this is the purpose of test 3. The Council accept that exceptional circumstances would still be required to adjust the green belt boundary to remove a site from the green belt, even if assessment demonstrated that the green belt was likely to inhibit its beneficial re-use. A sustainable pattern of development has been achieved through the Local Plan process as a whole. Each development option underwent a detailed sustainability appraisal against 19 sustainability appraisal objectives and the results of these have been published in the Sustainability Appraisal document. Exceptional circumstances are required to amend the position of the green belt boundary and in terms of the accepted development options it is the inability of the non-green belt areas to meet objectively assessed need for housing and employment land that conveys the exceptional circumstances necessary to remove sites from the green belt. The same exceptional circumstance applies to the removal of land that no longer performs a green belt role and function as a consequence of accepting development options (the consequential changes). As part of the preparation of the Local Plan the Council has carried out an exercise to transfer the existing green belt boundary (paper based at 1:10,000 scale) on to an up to date Ordnance Survey base so that the boundary is presented in electronic format. This is both necessary and appropriate. It is not an exercise to review the position of the boundary, nor does it consider how robust current boundaries are. For the vast majority of the extent of the boundary no change is proposed. As stated in the Green Belt Boundary Changes document it was not always possible to place the boundary on the modern map with a high degree of certainty, either because of the inadequacies of the original map base, in which case a best fit scenario was adopted, or because of changes that have occurred over time. The Council has been quite clear that exceptional circumstances are required to make a deliberate change to the position of the boundary and the Council has investigated in every case whether there is any material change in circumstances that would make it necessary to update the position of the boundary. All changes made to the position of the boundary have been published. The same is true of the small sites (sites of less than 0.4ha), the add land to the green belt options and the remove land from the green belt options that have been submitted to the Council for consideration. These sites are not required as development options therefore the need to meet OAN does not apply. In all cases the request to amend the boundary has been scrutinised to establish whether exceptional circumstances exist that justifies a change.

Paragraph/Site: 19.7

Consultee: 978569 Tony Rivero

Agent:

Rep ID: PDLP_SP65

Soundness - Consistent with National Policy

Paragraph 19.7 does not mirror the advice given in the NPPF paragraph 90 by including reference to development which is deemed appropriate in the green belt. This also includes development required in association with local transport requirements which can demonstrate a need for a Green Belt location (which is of relevance to Network Rail). The assumption in the following policies, concentrating almost exclusively on buildings and conversions, gives the impression that all other forms of development are inappropriate, which is not the case. Although there is reference to other uses of land this may more helpfully be expanded to include the uses listed in the NPPF, rather than have selected a few for further discussion and being the subject of specific policies.

Proposed Change Requested

Modification List in 19.7 the other uses appropriate in the Green Belt so it would read: "support existing uses. These include mineral extraction, engineering operations, local transport infrastructure which requires a green belt location, the re-use of buildings and development brought forward under a community Right to Build order. Inappropriate development is by definition harmful"

Council Response

No Change Paragraph 19.7 includes examples of the type of development that may not be inappropriate in the green belt. It is not necessary to list all such types of development as this would simply repeat national guidance. In addition, paragraph 19.7 includes the phrase "and other uses of land that maintain openness". This can be assumed to include the other forms of development referred to in paragraph 90 of NPPF.

Paragraph/Site: Policy PLP 56

Consultee: 947700 Mr G Maxwell

Agent:

Rep ID: PDLP_SP50

Soundness - Positively Prepared

This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between Policy PLP56 to that consulted upon DLP58.

Soundness - Consistent with National Policy

This plan has not been properly consulted upon and therefore does not comply with the NPPF There are significant differences between Policy PLP56 to that consulted upon DLP58.

Proposed Change Requested

This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment

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	upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.
Council Response	No change The Council proposed an amendment to draft policy DLP 58 Facilities for outdoor sport, outdoor recreation and cemeteries (now PDLP 56) as follows; Policy amended to change 'genuinely' to 'evidently' and to remove criteria 'c'€. The reason given was; The use of the term 'evidently' makes it clear that evidence will be needed to show that the scale of the building proposed is required for the proper functioning of the enterprise. Criteria 'c' repeats policy areas from the draft Local Plan and is unnecessary€. This reason was published in the Kirklees Local Plan Statement of Pre-submission Consultation November 2016 (document ref SD12). The Publication Draft Local Plan has been subject to a representation period in accordance with Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
Paragraph/Site: Policy PLP 56	Consultee: 965590 Dave McGuire Agent: Rep ID: PDLP_SP792
Council Response	No change Support noted.
Paragraph/Site: Policy PLP 59	Consultee: 942154 unknown Agent: 941891 Paul Leeming Rep ID: PDLP_SP443
Soundness - Justified	Provisions within the policy which exceed the national requirements are not justified, are too prescriptive and should leave the judgement to planning officers on a case by case basis.
Council Response	No change The NPPF gives no guidance on the matters that could be considered to impact on openness and the policy seeks to be compliant with the NPPF while also giving greater understanding of the issues to be considered.
Paragraph/Site: Policy PLP 59	Consultee: 942154 unknown Agent: 941891 Paul Leeming Rep ID: PDLP_SP442
Proposed Change Requested	However, the Estate considers that the Council should be more ambitious in delivering growth and meeting the objectively assessed needs of the District. A Government White Paper and accompanying changes to the guidance for development in Green Belts is anticipated in the New Year. Such changes should be taken on board.
Council Response	No change Support for the principle of policy PLP50 has been noted. Exceptional circumstances are required to amend the position of the green belt boundary and it is the inability of non-green belt areas to meet the objectively assessed need for housing and employment land that convey the exceptional circumstances required. While the Council is therefore supportive of the removal of land from the green belt to accommodate new development options to meet that need, the Council remains committed to the efficient use of previously developed land. The Housing White Paper was published by the Department for Communities and Local Government on 7 th February 2017. It sets out a range of proposals but does not introduce any new planning guidance or policy. It cannot therefore be used at the present time to formulate green belt policy or green belt review methodology.
Paragraph/Site: Policy PLP 59	Consultee: 942337 unknown Agent: 941775 Mr Paul Butler Rep ID: PDLP_SP559
Council Response	No change Support noted.
Paragraph/Site: Policy PLP 59	Consultee: 972762 Brian Mortimer Esq Agent: 1060394 Mr Josh Brear Rep ID: PDLP_SP697
Soundness - Justified	The adoption of arbitrary tests relating to height of new buildings and limiting them to no greater than existing footprint is unjustified. These matters should be left to the discretion and professional judgement of the planning officer and based on individual circumstances of planning application.
Soundness - Consistent with National Policy	The policy is inconsistent with para 89 of NPPF. Openness is a spatial concept rather than an issue of visibility.
Council Response	No change The NPPF gives no guidance on the matters that could be considered to impact on openness and the policy seeks to be compliant with the NPPF while also giving greater understanding of the issues to be considered.
Paragraph/Site: Policy PLP 59	Consultee: 1058303 Mr Alyn Nicholls Agent: Rep ID: PDLP_SP181
Soundness - Positively Prepared	The policy is not positively prepared because it does not allow limited development that would allow appropriate development within Green Belt villages that would otherwise be acceptable in terms of the NPPF.

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Soundness - Consistent with National Policy	Policy PLP59 does not reflect paragraph 89 of the National Planning Policy Framework because it does not allow limited infilling in villages and limited affordable housing for local community needs.
Proposed Change Requested	Amend the heading of Section 19.1.17 to "Infilling within Villages and Redevelopment of Previously Developed Land" and re-title Policy PLP59 accordingly, Insert a new paragraph within Policy PLP59 to indicate that limited infilling in villages will be approved or Insert a new policy entitled "Infilling in Villages".
Council Response	No change The National Planning Policy Framework at paragraph 89 states that limited infilling within villages need not constitute inappropriate development within the green belt. There is no definition of village given in national planning policy or guidance. The Council considers that to be a village for the purpose of paragraph 89 a settlement must have a certain function, being a community rather than dispersed housing or sporadic roadside or ribbon development, and with a discernible centre or area providing services that meet day to day needs without reliance on the private car. This ensures that new development will be sustainably located compatible with the NPPF as a whole. Infilling within villages does not need to be supported by a policy in the Local Plan and the Council will rely on NPPF to determine any application received for infill development, on its own merits and on the circumstances prevailing at the time of the application. Paragraph 89 of NPPF states that limited affordable housing for community needs under policies set out in the Local Plan need not constitute inappropriate development in the green belt. Local Plan policy PLP 11 Housing Mix and Affordable Housing (as amended by modifications SP-MM15 and SP-MM17 as set out in SD4) allows that; Exceptionally, planning permission may be granted for affordable homes on land which would not normally be permitted for housing development, where there is otherwise little prospect of meeting robustly evidenced local needs particularly for housing to rent by people who work locally. Where appropriate, such schemes must include arrangements for the homes to remain affordable in perpetuity€.

Paragraph/Site: **19.31** Consultee: **1058303 Mr Alyn Nicholls** Agent: Rep ID: **PDLP_SP180**

Soundness - Positively Prepared	By disregarding a potential source of housing land (limited infilling in smaller green belt settlements), the plan fails to be prepared positively.
Soundness - Justified	Generally, in their analysis of over-washed settlements, the Council consider the necessity of an historic core in order to qualify as a "village". There is no justification or coherent rationale for this. The analysis of over-washed settlements and conclusions regarding sustainability take no account of the proximity and availability of employment. Travel to work is an important element of travel demand. The analysis also does not look at shops, services and other facilities nearby to the villages only within the village themselves.
Soundness - Consistent with National Policy	The plan does not make provision for limited infilling in villages which is identified as an exception to the presumption against development within the Green Belt by paragraph 89 of the NPPF. The justification for excluding limited infilling in villages (and limited affordable housing) is not sound evidentially and is not consistent with National Planning Policy Guidance.
Proposed Change Requested	Paragraph 19.31 should be deleted and the plan should make provision for appropriate infill development in villages washed over by Green Belt
Council Response	No change The analysis carried out of the overwashed settlements does not conclude that there are no infill opportunities, but that the settlements are not villages for the purposes of NPPF paragraph 89. This is the first matter that must be considered for any application for infill development. The analysis has concluded that the settlements consist either of dispersed or sporadic housing with an open and rural character, or roadside development. None have the level of services required to meet day to day needs. As such they are not considered to function as a village for the purposes of NPPF and therefore infill development cannot be appropriate, irrespective of the presence of potentially suitable plots.

Paragraph/Site: **Policy PLP 60** Consultee: **942154 unknown** Agent: **941891 Paul Leeming** Rep ID: **PDLP_SP444**

Proposed Change Requested	This policy should reflect changes proposed in the emerging White Paper and to the Framework and PPG regarding redevelopment of brownfield sites.
Council Response	No change The government published the Housing White paper Fixing our Broken Housing Market on 7th February 2017. It sets out a broad range of reforms that the government plans to introduce. At the same time the government published the outcomes of the consultation exercise on proposed changes to the National Planning Policy Framework, including a possible amendment to the guidance on the redevelopment of brownfield sites in the green belt. Neither introduces any new formal guidance or policy, which will only be introduced through a revised National Planning Policy Framework, the timing and exact content of which is unknown. To introduce policies at this stage that may contravene current planning guidance would lead to uncertainty.

Paragraph/Site: **Policy PLP 61** Consultee: **942142 unknown** Agent: **950095 Mr Jonathan Dunbavin** Rep ID: **PDLP_SP412**

Council Response	No change required. Support for policy PLP61 and comments that the policy is sound as it has been positively prepared, is justified and is consistent with
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National Policy are noted.

Paragraph/Site: **Policy PLP 61**

Consultee: **942144 unknown**

Agent: **970993 Anna Turton**

Rep ID: **PDLP_SP399**

Soundness - Justified

The urban greenspace policy appears to apply regardless of whether the allocated land allows public access or provides public benefit. It is difficult to understand the Council's justification for the proposed increase in the extent of the urban greenspace, particularly within the context of a severe housing shortage and the need to identify sufficient land for all types of development over the plan period to 2031. The extent of the proposed urban greenspace provision within Kirklees substantially exceeds any normal requirement for accessible public open space within an urban area

Soundness - Consistent with National Policy

Whilst the policy is a criteria-based policy similar to paragraph 74, there is a crucial distinction between the two elements. Paragraph 74 does not apply to land with a broader green space function but rather to land with a recreational function. Broader green space functions are addressed in paragraphs 109 123 of the Framework. The inclusion of areas that contribute to character, quality and visual amenity of the local area and wildlife value within policy PLP61 is therefore inconsistent with Framework paragraph 74

Proposed Change Requested

Omit the proposed urban greenspace designation and replace with a policy and allocations that reflect NPPF paras 73 and 74. Omit references to broader green space functions such as character, quality, visual amenity and landscape value from the draft policy. Reassess and reduce the extent of the proposed allocations. Prioritise the release of urban greenspace sites over Grene Belt Land.

Council Response

No change. The council considers the approach to the allocation of sites as urban green space is robust and justified and complies with NPPF paragraphs 73 and 74. NPPF paragraph 74 aims to protect existing open space, sports and recreational land from development and the allocation of such land in Kirklees as urban green space is consistent with this intention. The definition of urban green space is provided in the Council's Urban Green Space and Local Green Space Technical Paper April 2017 (BP13) paragraph 1.4. This includes areas of open land identified as being particularly valuable as open space, sport or recreation facilities and can include land protected for its visual amenity which does not necessarily have a formal recreational or sporting function. Urban green spaces may have wildlife value and can have value in providing variety in the towns and villages of Kirklees and contribute to the landscape. The allocation of urban green space is not dependent on public access being available. This is consistent with the NPPF Glossary definition of open space which includes all open space of public value and the broader definition of open space in PPG (Paragraph: 001 Reference ID: 37-001-20140306) which recognises that open space of public value can take many forms. The methodology for the allocation of urban green space is provided in the Urban Green Space and Local Green Space Technical Paper April 2017 (BP13) section 5.

Paragraph/Site: **Policy PLP 61**

Consultee: **965590 Dave McGuire**

Agent:

Rep ID: **PDLP_SP796**

Soundness - Effective

Exception 'e' of Policy PLP 61 weakens the protective strength of the policy by allowing proposals which result in a substantial community benefit that clearly outweighs the harm resulting from the loss of the existing green space. The policy does not clearly define the parameters of this exception.

Proposed Change Requested

Delete exception 'e' of Policy PLP 61.

Council Response

No change. The council considers that bullet point e of policy PLP61 is effective as it recognises there may be local circumstances where the release of urban green space for development can be allowed if it results in a specific benefit to the local community. The benefits of the development would need to clearly outweigh the loss of the green space as a valuable open space, sport or recreation facility. For example, this could include new or improved school health or social facilities where the benefits outweigh the loss of the green space.

Paragraph/Site: **Policy PLP 61**

Consultee: **968476**

Agent: **970993 Anna Turton**

Rep ID: **PDLP_SP405**

Soundness - Justified

The urban greenspace policy appears to apply regardless of whether the allocated land allows public access or provides public benefit. It is difficult to understand the Council's justification for the proposed increase in the extent of the urban greenspace, particularly within the context of a severe housing shortage and the need to identify sufficient land for all types of development over the plan period to 2031. The extent of the proposed urban greenspace provision within Kirklees substantially exceeds any normal requirement for accessible public open space within an urban area

Soundness - Consistent with National Policy

Whilst the policy is a criteria-based policy similar to paragraph 74, there is a crucial distinction between the two elements. Paragraph 74 does not apply to land with a broader green space function but rather to land with a recreational function. Broader green space functions are addressed in paragraphs 109 123 of the Framework. The inclusion of areas that contribute to character, quality and visual amenity of the local area and wildlife value within policy PLP61 is

therefore inconsistent with Framework paragraph 74

Council Response

No change. The council considers the approach to the allocation of sites as urban green space is robust and justified and complies with NPPF paragraphs 73 and 74. NPPF paragraph 74 aims to protect existing open space, sports and recreational land from development and the allocation of such land in Kirklees as urban green space is consistent with this intention. The definition of urban green space is provided in the Council's Urban Green Space and Local Green Space Technical Paper April 2017 (BP13) paragraph 1.4. This includes areas of open land identified as being particularly valuable as open space, sport or recreation facilities and can include land protected for its visual amenity which does not necessarily have a formal recreational or sporting function. Urban green spaces may have wildlife value and can have value in providing variety in the towns and villages of Kirklees and contribute to the landscape. The allocation of urban green space is not dependent on public access being available. This is consistent with the NPPF Glossary definition of open space which includes all open space of public value and the broader definition of open space in PPG (Paragraph: 001 Reference ID: 37-001-20140306) which recognises that open space of public value can take many forms. The methodology for the allocation of urban green space is provided in the Urban Green Space and Local Green Space Technical Paper April 2017 (BP13) section 5.

Paragraph/Site: **Policy PLP 61**

Consultee: **1049845 Ms Jane Scott**

Agent:

Rep ID: **PDLP_SP126**

Soundness - Justified

The approach to urban greenspace, local greenspace and green infrastructure needs to be refined and strengthened, particularly in the Batley and Spennings Dale and Dewsbury and Mirfield areas. Additional areas of local greenspace and green infrastructure, as the stronger designations, need to be identified in this area to ensure that greenspace in all its forms is retained, due to its particular significance in these areas in relation to health and environmental quality. Again the approach is skewed to the disadvantage of areas that are already disadvantaged in this respect. The need to amend the approach also applies to the sections on local greenspace and strategic green infrastructure areas. It is vital that a more robust approach is taken to the retention of greenspace in already disadvantaged areas of the district, if the plan is to reduce health inequalities and carry any credibility with residents in this part of the district.

Council Response

No change. The council considers the approach to allocating sites as urban green space is robust and effective in protecting valuable open space, sport and recreation facilities in the towns and villages (built-up areas not in the green belt) and complies with NPPF paragraphs 73 and 74. The methodology for allocation of sites as urban green space is set out council's Urban Green Space and Local Green Space Technical Paper April 2017 (BP13) section 5 and is justified by a range of evidence set out in the Open Space Study 2015 (Revised 2016) (LE119); the Playing Pitch Strategy and Action Plan (LE124); the Wildlife Habitat Network identified in council's Environmental Designations Technical Paper April 2017 (BP10) (Figure 1); public health indicators set out in BP13 (Table 7); and open space deficiencies shown in LE119 (tables 5.2, 6.2, 7.2 and 8.2). The council also considers the approach to the designation of Local Green Spaces is justified and consistent with NPPF paragraphs 76 and 77 and the PPG. Local Green Space is only designated where sites are identified by local communities as being of particular importance to them for special protection. As such, all sites put forward for consideration as Local Green Space have been assessed and designated where they meet the criteria set out in the NPPF and PPG and are demonstrably special and hold a particular local significance. Further details regarding the methodology for the designation of sites as Local Green Space are provided in the Urban Green Space and Local Green Space Technical Paper April 2017 (BP13) paragraphs 8.1.1-8.3.11. The council has worked in partnership with Natural England to develop a robust and justified green infrastructure evidence base of sites and corridors across Kirklees, resulting in the identification and justification of strategic green infrastructure along the main river and water corridors. Natural England's approach and methodology has been used consistently to map and analyse strategic green infrastructure across the Yorkshire and Humber Region. Further details are provided in the Environmental Designations Technical Paper April 2017 (BP10) paragraphs 8.1.1 - 8.3.8.

Paragraph/Site: **19.44**

Consultee: **942144 unknown**

Agent: **970993 Anna Turton**

Rep ID: **PDLP_SP679**

Soundness - Justified

It is of concern that individual site assessments are not included within the Open Space study. It is therefore difficult to understand the evidence base justifying the rating that individual sites have been given.

Proposed Change Requested

Ensure that all areas of proposed urban greenspace have been fully assessed and justified within the evidence base. Publish detailed individual site assessments.

Council Response

No change. The council holds a database of information regarding open space sites, including open space site assessments, but this is not available to download due to its size. However, the open space site assessment ratings for individual sites are provided in the Open Space Study 2015 (Revised 2016)

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(LE119) Appendix 6, 7, 8 and 9 and the detailed assessments of sites are available on request.

Paragraph/Site: **19.44** Consultee: **968476** Agent: **970993** **Anna Turton** Rep ID: **PDLP_SP682**

Soundness - Justified It is of concern that individual site assessments are not included within the Open Space study. It is therefore difficult to understand the evidence base justifying the rating that individual sites have been given.

Proposed Change Requested Ensure that all areas of proposed urban greenspace have been fully assessed and justified within the evidence base. Publish detailed individual site assessments.

Council Response No change. The council holds a database of information regarding open space sites, including open space site assessments, but this is not available to download due to its size. However, the open space site assessment ratings for individual sites are provided in the Open Space Study 2015 (Revised 2016) (LE119) Appendix 6, 7, 8 and 9 and the detailed assessments of sites are available on request.

Paragraph/Site: **Policy PLP 62** Consultee: **965590** **Dave McGuire** Agent: Rep ID: **PDLP_SP793**

Council Response No change required. Support for policy PLP62 is noted.

Paragraph/Site: **Policy PLP 63** Consultee: **942337** **unknown** Agent: **941775** **Mr Paul Butler** Rep ID: **PDLP_SP560**

Soundness - Effective Question over the role of the Community Infrastructure Levy (CIL) with regards to the implementation of the policy. CIL payments should be utilised towards funding improvements to existing formal strategic and recreational facilities on account of their value to both existing and future residents of the District. Unless sites are of a sufficient size to require the delivery of a new formal recreational facilities in order to cater for the capacity of the development itself. However, Draft Policy PLP63 does not reference the use of CIL to improve recreational facilities and accordingly the policy creates confusion in respect of the delivery of identified needs in these areas.

Proposed Change Requested Review the policy in light of the future adoption of CIL.

Council Response No change. The council consider policy PLP 63 is sufficiently flexible to allow the delivery of new or enhanced open space, sport or recreation facilities through a variety of mechanisms, and should be considered in the context of other policies, including policy PLP4: Providing Infrastructure. The council's approach to the types of infrastructure that will be funded by CIL and planning obligations are set out in the Regulation 123 List as part of the CIL Draft Charging Schedule evidence. Further details are provided on the Kirklees CIL Draft Charging Schedule Background Report November 2016 (CIL 008) Table 3 and Appendix A.

Paragraph/Site: **Policy PLP 63** Consultee: **947700** **Mr G Maxwell** Agent: Rep ID: **PDLP_SP51**

Soundness - Positively Prepared This plan has not been properly consulted upon and therefore does not comply with the NPPF. There are differences between the current New Open Space Policy PLP63 to that consulted upon DLP65

Soundness - Consistent with National Policy This plan has not been properly consulted upon and therefore does not comply with the NPPF There are differences between the current New Open Space Policy PLP63 to that consulted upon DLP65

Proposed Change Requested This "version" of the plan needs to be subjected to a proper community consultation exercise. One where people can influence the plan not just comment upon its soundness before it is placed un-amended before the inspector. Until that occurs the consulted upon policy should be reinstated.

Council Response No change. The differences between the new open space policy set out in the Draft Local Plan (policy DLP 65) and Publication Draft Local Plan (policy PLP 63) represent minor changes to the wording and order of the policy to provide greater clarity and explanation. 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.

Paragraph/Site: **Policy PLP 63** Consultee: **965590** **Dave McGuire** Agent: Rep ID: **PDLP_SP794**

Council Response No change required. Support for policy PLP 63 is noted.

Paragraph/Site: **Policy PLP 63** Consultee: **970990** **Church Commissioners for England** Agent: **941839** **Nolan Tucker** Rep ID: **PDLP_SP493**

Council Response No change required. Support for policy PLP 63 is noted.

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Paragraph/Site: 20.9	Consultee: 943608	Mr Robert Bamforth	Agent:	Rep ID: PDLP_SP610
Soundness - Justified	It is extremely confusing and impractical to monitor the plan against over 100 parameters, over half of which have no specific measurable target. It is little more than monitoring for monitorings sake and it serves no practical management purpose.			
Council Response	No change - the monitoring indicators have been carefully considered and selected to monitor and review the impact of local plan policies.			
Paragraph/Site: Picture PLP Monitoring Indicators - Strategy and Policies	Consultee: 943957	Mr Ian Smith	Agent:	Rep ID: PDLP_SP783
Soundness - Positively Prepared	It is not clear why only loss of archaeological sites is being monitored. Moreover, it is also not clear what is meant by sites of archaeological importance€. This Indicator should be expanded to cover all designated heritage assets.			
Proposed Change Requested	Amend accordingly - This Indicator should be expanded to cover all designated heritage assets.			
Council Response	No change - The comments do not raise soundness issues.			
Paragraph/Site: 3.1	Consultee: 942154	unknown	Agent: 941891	Paul Leeming Rep ID: PDLP_SP445
Soundness - Justified	Use of phasing mechanisms is not appropriate given the Government policy to substantially boost the supply of housing; this is particularly so given our view of the Council's failure to address the objectively assessed housing needs of the District. Phasing may be appropriate where this is a simple factor of infrastructure delivery planning.			
Council Response	Change. The text in SD1 (Appendix 3, paragraph 3.1) already refers to the phasing table as indicative only. SD4 (Proposed Modifications to the Local Plan) sets out a proposed amendment (SP-MM32) to address this comment which also adds the text "and will not be used for development management purposes"			
Paragraph/Site: 3.1	Consultee: 942340	unknown	Agent: 941854	Mr Mark Johnson Rep ID: PDLP_SP665
Soundness - Effective	The Plan needs to be clear that the Table at Appendix 3 is not a phasing policy. There is every likelihood that site H2730a will be submitted in whole or in part shortly after the Plans adoption.			
Council Response	Change. The text in SD1 (Appendix 3, paragraph 3.1) already refers to the phasing table as indicative only. SD4 (Proposed Modifications to the Local Plan) sets out a proposed amendment (SP-MM32) to address this comment which also adds the text "and will not be used for development management purposes"			
Paragraph/Site: 3.1	Consultee: 942340	unknown	Agent: 941854	Mr Mark Johnson Rep ID: PDLP_SP653
Soundness - Effective	There is no reason why site H94 cannot come forward earlier and we suggest 2018/19 would be appropriate.			
Proposed Change Requested	The Plan needs to be clear that the Table at Appendix 3 is not a phasing policy			
Council Response	Change proposed. The text in SD1 (Appendix 3, paragraph 3.1) already refers to the phasing table as indicative only. SD4 (Proposed Modifications to the Local Plan) sets out a proposed amendment (SP-MM32) to address this comment which also adds the text "and will not be used for development management purposes"			
Paragraph/Site: 3.1	Consultee: 943608	Mr Robert Bamforth	Agent:	Rep ID: PDLP_SP611
Soundness - Justified	The phasing schedules set out are not realistic or enforceable. Development sites should only be allocated on a rolling six year horizon.			
Council Response	No change. The phasing table is indicative only. The phasing is based on the robust methodology set out in SD23 (Housing Technical Paper, paragraphs 5.13 - 5.25). SD23 also sets out a detailed five year housing land supply calculation (Table 11, page 28) demonstrating five years supply of deliverable housing capacity.			
Paragraph/Site: 3.1	Consultee: 943612	Helen France	Agent:	Rep ID: PDLP_SP448
Soundness - Justified	- No windfall allowance between 2015 and 2022. Evidence suggests this is a faulty assumption			
Soundness - Effective	- Phasing of new development in the Dearne Valley and surrounding Area is unrealistic and not deliverable - Construction industry Do not have the capacity or			

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	capability to deliver			
Proposed Change Requested	- Phasing table needs to be made more statistically realistic and suitable adjustments then made to the new house requirements figure. - Phasing of development should be done every 5 years following a proper monitoring and review exercise			
Council Response	No change. The phasing table is indicative only. The phasing is based on the robust methodology set out in SD23 (Housing Technical Paper, paragraphs 5.13 - 5.25). SD23 also sets out a detailed five year housing land supply calculation (Table 11, page 28) demonstrating five years supply of deliverable housing capacity . The Council is committed to monitoring the effectiveness of the Local Plan strategy and policies. Paragraph 4.25 of SD23 explains that most of the windfall delivery in the early years of the plan is likely to be on sites which currently have planning permission. To avoid double counting (capacity in windfalls and also planning permissions) the windfall allowance is proposed for the final 11 years of the plan only.			
Paragraph/Site: 3.1	Consultee: 972220	Agent: 941908	Mr Andrew Rose	Rep ID: PDLP_SP387
Soundness - Positively Prepared	Miller Homes would object if the phasing table was to be used to phase or manage the release of sites.			
Proposed Change Requested	Include explanatory text at the start of Appendix 3 to explain that the table is "indicative only" and "will not be used for development management purposes"			
Council Response	Change. The text in SD1 (Appendix 3, paragraph 3.1) already refers to the phasing table as indicative only. SD4 (Proposed Modifications to the Local Plan) sets out a proposed amendment (SP-MM32) to address this comment which also adds the text "and will not be used for development management purposes"			
Paragraph/Site: 3.1	Consultee: 972220	Agent: 941908	Mr Andrew Rose	Rep ID: PDLP_SP378
Soundness - Positively Prepared	Miller Homes would object if the phasing table was to be used to phase or manage the release of sites.			
Proposed Change Requested	Include explanatory text at the start of Appendix 3 to explain that the table is "indicative only" and "will not be used for development management purposes"			
Council Response	Change. The text in SD1 (Appendix 3, paragraph 3.1) already refers to the phasing table as indicative only. SD4 (Proposed Modifications to the Local Plan) sets out a proposed amendment (SP-MM32) to address this comment which also adds the text "and will not be used for development management purposes"			
Paragraph/Site: 3.1	Consultee: 974190	Agent: 941908	Mr Andrew Rose	Rep ID: PDLP_SP393
Soundness - Positively Prepared	Miller Homes would object if the phasing table was to be used to phase or manage the release of sites.			
Proposed Change Requested	Include explanatory text at the start of Appendix 3 to explain that the table is "indicative only" and "will not be used for development management purposes"			
Council Response	Change. The text in SD1 (Appendix 3, paragraph 3.1) already refers to the phasing table as indicative only. SD4 (Proposed Modifications to the Local Plan) sets out a proposed amendment (SP-MM32) to address this comment which also adds the text "and will not be used for development management purposes"			
Paragraph/Site: Map 5	Consultee: 956296	Mr Raymond Bray	Agent:	Rep ID: PDLP_SP10
Soundness - Justified	The requirement for wind turbines and solar is not justified.			
Council Response	No change - The supporting evidence for PLP26: Renewable and low carbon energy (Low Carbon and Renewable Energy Capacity in Yorkshire and Humber, Aecom (March 2011) Renewable and Low Carbon Energy Study, Maslen (September 2010)) clearly identify the potential for wind and solar technologies to generate a proportion of renewable energy within Kirklees.			