

Kirklees Local Plan Examination

Stage 4 hearings Other Site Allocations

GENERAL MATTERS (Matters 26-29)

MATTERS, ISSUES AND QUESTIONS (MIQs)

3 January 2018

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Introductory Notes

The Stage 4 hearing sessions are due to commence on **Tuesday 20th February 2018**. The matters, issues and questions (MIQs) in this document will form part of the discussion at the hearings (along with MIQs on specific sites in the four sub-areas).

Prior to this, hearing statements on the MIQs are invited from representors. Hearing statements on General Matters should:

- Be prepared separately on each Matter.
- Be as short as possible.
- Indicate whether any changes are needed to make the Plan sound.
- **Please put the MATTER NUMBER and SITE/QUESTION NUMBER on each statement. Failure to do so may result in your statements being returned.**

An electronic version and three paper copies of each hearing statement should be submitted to the Programme Officer and received by:

- **email - Thursday 25th Jan 2018 (by 6pm) (please email each statement separately and with the Matter number in the title)**
- **post - Friday 26th Jan 2018 (by 1pm) to the above address (please mark the Matter number(s) on the envelope)**

For further details see the *Examination Guidance Note* and *Hearings Programme* on the Council's website at <http://www.kirklees.gov.uk/beta/planning-policy/local-plan.aspx>. Please note that hearings statements are optional, and you may wish to rely on previous submissions.

If you wish to appear at the hearing sessions and take an active part in discussions please confirm your attendance with the Programme Officer by 9th January 2018. Please note that only those who have previously made representations relevant to the matters being discussed and are seeking to change the Plan have a right to participate at the hearing sessions. However, the sessions are open for anyone to observe.

Matter 26 – General approach in Part 2 of the Plan

Issue – Does Part 2 of the Local Plan set out an effective framework for the delivery of allocations and the protection of designation sites, which is robust and in line with national policy?

- a) Does the inclusion of site allocation wording in text boxes, rather than policies, have implications for the effectiveness and deliverability of Part 2 of the Local Plan?
- b) Are the infrastructure and open space requirements of each site clearly set out in Part 2 of the Plan? Is it clear what developers are expected to provide and when?
- c) Are other site constraints and related mitigation measures clearly defined in Part 2 of the Plan? Is there sufficient detail to effectively guide development and make it clear what will be permitted? In relation to this:
 - i. should further information be provided on access points and local highway improvements?
 - ii. where non-developable areas and landscape/other buffer zones are cited, should further detail be provided to clarify their location and extent?
 - iii. where sewers or power lines cross a site, should potential mitigation be specified?
 - iv. should Part 2 of the Plan specify the protection and enhancement of Public Rights of Way (PROWs) on allocation sites, and the provision of links to adjoining PROWs and the Core Walking, Cycling and Riding Network where appropriate?
 - v. should Part 2 of the Plan specify mitigation measures relating to the historic environment, where relevant?
 - vi. should Part 2 of the Plan specify the protection of key habitats/mature trees/hedgerows/boundary walls/other landscape features which are notable on a particular site?
 - vii. should constraints on/near allocations, including heritage assets, environmental designations, noise sources & hazardous installations, be specifically named?
- d) Should Part 2 of the Plan specify when Masterplans are required in association with an allocation site? Which sites would this apply to?
- e) Should the Plan specify where planning permission has already been granted, for reasons of effectiveness?
- f) What are the implications of a site being located within a High Risk Coal Referral Area?
- g) What approach has the Council taken to sites that fall within HSE zones, in the vicinity of hazardous installations? Is this approach justified and effective?

- h) What scale/form of 'enhanced affordable housing and green infrastructure' is proposed in association with Council-owned allocations?
- i) Where proposals state that a site 'would benefit from a drainage masterplan', is this a requirement or an option? (for example, sites H755 on page 29, H173 on page 85 and H612 on page 99)
- j) Are the allocations consistent with paragraph 100 in the National Planning Policy Framework (NPPF) which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk and manage any residual risk, taking account of the impacts of climate change?
- k) Has flood risk been factored into indicative site capacity estimates? [for example, sites E1879 (page 9), H1647 (page 34), H202 (page 47), H307 (page 59), H85 (page 64)]
- l) Part 2 of the Plan specifies that employment sites are allocated for 'employment uses'. Does this cover Use Classes B1 to B8, or are other uses accepted? Is the Council's approach justified and clearly articulated?
- m) On employment and mixed-use sites, how have the indicative capacity floorspace figures been derived? Has a particular proportion of different B use classes been assumed?
- n) Are the proposed site allocation modifications relating to effects on the wider highway network necessary for reasons of soundness? (ADMM4, 5, 7, 11-20, 24, 26, 27, 29, 32, 33, 37-40, 48, 50, 53, 58, 61)
- o) Are the proposed site allocation modifications relating to the effect on the South Pennine Moors SPA necessary for reasons of soundness? (ADMM8-10, 36, 41-46)
- p) Should the estimated housing capacity for each safeguarded land allocation be identified in Part 2 of the Plan?
- q) Are there any implications for the site selection process, arising from the Council's re-assessment of RAG Green Belt edge ratings relating to Test 2d, as set out in Examination document ID17?
- r) Are the environmental and historic designations listed in Chapters 8 and 9 of Part 2 of the Plan up to date and accurate? Are any modifications necessary?

Matter 27 – Strategic employment allocations: Green Belt releases

Issue – Are the proposed strategic employment allocations justified, effective, deliverable and consistent with national policy?

- E1831 – land to the north and west of The Royds, Whitechapel Road, Cleckheaton (41,020 m²)
- E1985a – former North Bierley Waste Water Treatment Works, Cliff Hollins Lane, Cleckheaton (46,451 m²)
- E1832c – land north and west of the Three Nuns Pub and the former Cooper Bridge Waste Water Treatment Works, Leeds Road, Mirfield (162,187 m²)
- E2333a – land east of Park Mill, Wakefield Road, Clayton West (59,044 m²)

The following questions apply to each of the above sites:

- a) What type of employment uses would be supported on the site? Is the indicative floorspace capacity justified and deliverable?
- b) How does the site fit with local and sub-regional economic strategy?
- c) How was the site selected and its boundaries determined?
- d) Where relevant, has the impact of the proposal on heritage assets been adequately assessed and addressed?
- e) Does the Plan provide sufficient detail regarding the location and extent of any non-developable areas or buffer zones required to protect residential amenity/biodiversity/historic assets/highways works?
- f) Are other constraints such as highways, flood risk, landscaping, drainage and power lines suitably mitigated through Part 2 of the Plan?
- g) What effect would the proposed boundary changes and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt? If so, what are they?
- h) Is the proposal viable and deliverable? What are the anticipated timescales for delivery? Are there phasing implications arising from impacts on the Strategic Road Network and funding availability?

Matter 28 – Traveller sites

Issue – Are the proposed traveller site allocations justified, effective, developable/deliverable and consistent with national policy?

GTTS1957 – land to the south of Ridings Road, Dewsbury (4 Travelling Showpeople plots)

- a) What size is the proposed extension to the existing Travelling Showpeople site?
- b) Does tree coverage on the site affect the developable area, and does the net area need adjusting to reflect this?
- c) Is the requirement for a Low Emission Travel Plan justified and effective?
- d) Is the requirement for a Flood Risk Assessment justified?
- e) When is the site anticipated to come forward for development? How will it contribute to a five year supply of sites? Will the scheme be delivered by the Council?

GTTS2487 – land south of Bankwood Way, Birstall (12 permanent and 8 transit Gypsy and Traveller pitches)

- a) What mitigation may be required to deal with the pylons and power lines which cross the site? Are there implications for indicative site capacity?
- b) Is the site likely to contain significant areas of undeveloped land which are not required for the provision of pitches or mitigation purposes? If so, what are the long term plans for this area?
- c) When is the site anticipated to come forward for development? How will it contribute to a five year supply of sites? Will the scheme be delivered by the Council?

Matter 29 - Urban Green Spaces and other open spaces

Issue – Does the Plan set out an effective approach to the protection of Urban Green Spaces and other open spaces, which is justified and in line with national policy?

General

- a) A number of open spaces over 0.4 hectares and recommended for retention in the Council's Open Space Assessment Report (LE123) do not appear to have been designated as Urban Green Space (UGS) or considered as part of the accepted/rejected options in the Council's Urban Green Space and Local Green Space Technical Paper (BP13). [including sites 972 and 245 in Batley and Spennings Dale Sub-Area; 1019, 1060 and 1081 in Dewsbury Sub-Area; 192 and 214 in Huddersfield Sub-Area; 1105, 1106, 1119, 1121, 1127, 1133, 1138, 1150 and 1159 in Kirklees Rural Sub-Area].
- i. What are the reasons for this? What criteria have been used to select the designated UGS sites?
 - ii. What is the status of these other large sites and how will they be dealt with? Should Policy PLP 61 include reference to 'other sites' rather than 'other smaller sites'?
- b) Why in some cases are red ratings for open spaces identified in the Council's Open Space Assessment Report (LE123) shown as green or amber in the Council's Technical Paper (BP13)? (e.g. UGS1477, UGS1445, UGS1176)
- c) What methodology has the Council applied in its assessment of open space deficiency in a locality?
- i. Has it relied solely on the minimum benchmark levels by ward, or have other assessments been carried out? For example, the assessment of sites 737 and 1456 (pages 118 and 107 in the Open Space Assessment) refer to alternative information. If so, what is the nature of this evidence and where is it located?
 - ii. Did the Council also take account of distances to other similar open spaces in the immediate vicinity, within a particular ward?
 - iii. To what extent has open countryside been captured in the benchmarking of natural/semi-natural greenspace within a ward/local area?
- d) In cases where an open space has a red rating (low value) in the Open Space Assessment, what weight has the Council given to the existence of a deficiency of open space when determining whether a site should be designated as UGS or redeveloped for other uses? Are there circumstances where benefits arising from alternative uses could outweigh the need for retention of the open space?

[the Council's response should be illustrated with reference to examples where such sites have, and have not, been designated as UGS]

- e) Which natural/semi-natural green spaces are identified in the Open Spaces assessment as having low value but are recommended for retention on the basis of

a deficiency of this type of open space in the locality? Is this approach justified and evidenced?

[see the Council's evidence on natural/semi natural green spaces in Kirklees, as requested in the Inspector's Note to the Council dated 24th November 2017]

- f) Which green spaces recommended for retention in the Council's Open Spaces assessment do not benefit from i. public access; and/or ii. a Public Right of Way through the site? Is the retention of such sites justified and suitably evidenced?
- g) Where extensive tracts of open countryside have been designated as UGS (natural/semi-natural green space), how were sites assessed and boundaries determined?

[the Council is requested to include reference to examples, such as UGS973 (land at Field Head Farm, Batley) and UGS1068 (land at Springfield, Upper and Lower Blacup Farms, Cleckheaton)]

Huddersfield Urban Green Spaces

- h) Is the proposed designation of the Thewlis Lane Open Space site, Crosland Hill (UGS851) as UGS justified? Does the allocation of the adjoining quarry site for housing have any implications for the structural and landscaping value of the open space and the overall site assessment results?
- i) Is the proposed designation of the Celandine Avenue Recreation Ground (part of UGS1240) as UGS justified, effective and achievable, in the context that it is stated to be surplus to University requirements?
- j) The natural/semi-natural greenspace parts of the following UGS designations are identified in the Open Space Assessment Report as being an integral part of a wider open space.
- To what extent was this factor critical in determining the UGS designation?
 - Why did these sites receive a red rating in the Open Space Assessment?
 - Are the proposed designations justified by the evidence?

UGS1168 (site 663) – Almondbury Bank

UGS1176 (site 671) – land adjacent Benholmley Banks

UGS1138 (site 632) – land east of Lower Fell Greave Wood

UGS1147 (site 642) – land north of New North Huddersfield Trust School

UGS3367 (site 868) – land west of Netheroyd Hill Road Allotments

UGS1445 (site 188) – land adjacent Brayside Avenue Allotments

Dewsbury and Mirfield open spaces

- k) Is the designation of UGS2151 (land off Rumble Road, Dewsbury) justified on the basis of its visual and landscape buffer value?
- l) How were the boundaries of the Strategic Green Infrastructure designation at Mirfield Promenade (SGI2110) determined?

Batley and Spenningsdale Urban Green Spaces

- m) Is the designation of UGS1804 (land south of The Beeches, Birkenshaw) justified by the evidence? Has account been taken of any recent planning permissions?

- n) Is the designation of the natural/semi-natural greenspace section of UGS1477 (adjacent to Victoria Street allotments, Birstall) justified, having regard to its red rating in the Open Spaces Study?

Kirklees Rural: Urban Green Spaces

- o) Is the inclusion of areas of natural/semi-natural green space in the northern part of UGS1214 (Golcar Flatts) justified?
- p) Are the boundaries of the following sites robustly based and justified, having regard to representations made by landowners?
- UGS886 - Sands Recreation Ground, Holmfirth
 - UGS936 - Clayton West Cricket Ground, Back Lane
 - UGS1251 - Meltham Pleasure Grounds, Meltham