

CPRE endorses the hearing statements submitted by Kirklees Community Action Network. Our own hearing statements clarify and emphasise our previous representations in the light of the Inspector's questions. Our Core Evidence Paper to the Publication Draft Plan (December 2016) sets out our position on most matters.

### **Matter 1: Legal and Procedural Issues**

#### **a) Duty to Co-operate**

CPRE considers that the Duty to Co-operate has not been fully met, in terms of 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. The proposed release of Green Belt land for housing and employment uses near motorway junctions and the borders with neighbouring authorities.

CPRE does not accept that Kirklees functions as a self-contained housing market area in assessing housing targets including completion rates. This is particularly important in the context of the large proportion of new housing development proposed in locations close to the local authority boundary and close to other large allocations proposed in adjacent authorities, particularly Calderdale and Leeds.

#### **b) Sustainability Appraisal**

The Local Plan is required to deliver sustainable development, and it is of great concern that sustainability issues CPRE and others have identified have not been adequately addressed by the Sustainability Appraisal and its influence on the Plan's formulation. Local Plan targets are susceptible to circumstances beyond its control, especially in terms of economic performance, but the Plan has a responsibility to focus development towards sustainable outcomes that benefit communities, whatever those external circumstances. CPRE does not believe the Plan to be equipped to do this. Our particular concerns are outlined below.

- i. Kirklees is seeking to locate significant strategic development very close to motorway junctions, in locations not well-served by rail. As a result it is very likely that many of the jobs will be taken by people driving from elsewhere in the region; while many new homes will be occupied by commuters working across administrative borders.
- ii. The concentration of employment land allocations along the river corridors without adjacent provisions for residential developments, combined with a tendency for housing allocations to be peripheral to the urban areas in locations poorly served by public transport, will hinder the potential of the plan for urban placemaking and will worsen road traffic congestion and air quality. CPRE consider

that the plan overall shows a lack urban vision to develop sustainable patterns of development through mixed use, higher density housing areas.

- iii. The Plan demonstrates no overarching target or commitment to reducing carbon emissions, nor any convincing mechanisms to do so. The road-based emphasis of employment development growth, a tendency towards greenfield housing locations, and an unsustainably low target housing density will inevitably combine to create additional road traffic, bringing congestion, air pollution and carbon emissions. There is insufficient evidence that alternative spatial scenarios have been assessed - produced in collaboration with neighbouring authorities, that may be more beneficial in relation to CO2 emissions. We consider that this puts the Local Plan in contravention of the Climate Change Act 2008 (which introduced a statutory target to reduce CO2 emissions to at least 34% of 1990 levels by 2020, and 80% of 1990 levels by 2050). In our view this means that the Local Plan is not legally compliant, in relation to Local Authorities' statutory duties under the Planning and Compulsory Purchase Act 2004, as amended by the 2008 Planning Act, and also because NPPF, as an instrument of national policy, is bound by the Climate Change Act.
- iv. We do not consider that the Plan's approach to employment land supply to be justified by economic evidence, and the housing and employment projection targets do not fit with a policy to reduce worklessness amongst the existing population and make a positive contribution to place-making.
- v. In the context of these shortcomings in the Plan, the proposed Green Belt changes will tend to facilitate an unsustainable pattern of development, and therefore the exceptional circumstances for Green Belt changes are not justified.

#### **g) Long Term Requirements**

The soundness of the Plan depends on future-proofing against one or more policies becoming out-of-date and undermining the plan as a whole. To achieve this, the Plan should:

- i. Phase the development of allocated sites in three phases, in line with NPPF para 47, to enable better account to be taken of windfall sites and fluctuations in housing need and market conditions during the plan period;
- ii. Specify how the Plan's policies should be weighted in the event of housing land supply falling below five years, outlining the sustainability risks posed by policies not being implemented.