

Adrian Saxton

7/9/2017

Dear Ms Parker

I am writing as someone who submitted a representation at the Public Consultation 2016 and as per your email request I am now submitting a response with regards to the Kirklees Local Plan MIQS Matters 1-8

This submission is in response to Matter 1

Question a) Has the Council submitted robust evidence to demonstrate that they have met the duty to cooperate? Are there any outstanding strategic matters?

I write to say that Kirklees Council had initially failed in its duty to cooperate. I speak as a direct interested party because I own a small piece of land (0.36 hectares and listed as H530 on the sitemap) that the council was looking to incorporate into its existing Urban Green Space site UGS1251.

This was done without Kirklees Council approaching me to let me know, instead it was a concerned third party who informed me of their intentions.

At a subsequent meeting on the 16th of March with Andrea Lane and Steven Wright of Kirklees Council Planning Policy Group, it was agreed that the parcel of my land (part 1) that bordered onto the Council's UGS1251 would be given over to Urban Green Space.

The parcel of land (part 2) along with the piece in the middle which is the neighbours garden was agreed to be unsuitable to be turned into Urban Green Space (they had visited the site the day before) and so would remain in its unallocated designation, it being a former quarry, then a builders storage yard and in its present form as used by myself for forestry and tree surgery operations.

I was told at the meeting with Andrea Lane and Steven Wright that during the local plan hearing that I would be able to make a direct representation to the planning inspector along with the council representative to confirm this alteration to the plan.

I trust the necessary arrangement can be made to accommodate this.

Kind regards

Adrian Saxton

P.S.

I attach a copy of the site/map plan and my submissions to the Public Consultation 2016

## PDLP Rejected Site Options

Please enter the number/reference of the site or paragraph your comment relates to.

H530

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.**

It is split into 3 plots, one next to the park which I own, the next being the back garden of the house on Holmfirth Road and the last one which I own that is by the side of and has direct access off Holmfirth Road.

The plot that has direct access off Holmfirth Road is the one I am now assessing as potential development land.

As things stand at this moment, the site has the potential to take several house units without having any negative impact on any trees, in line with Kirklees Unitary Development 2007 Part 3, the Natural Environment, Development Proposals Affecting Trees: paragraph 3.41 and NE9.

The site would also meet the requirements for development of infill in green belt (although the site isn't green belt) of the Kirklees Unitary Development 2007 Part 2, the Development Framework Infill Development in the Green Belt: paragraph 2.44 and D13.

With Kirklees in need of sites to fulfil its requirement for housing then this would seem an ideal plot to develop for that purpose.

**If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?**

Yes, I wish to participate in the oral examination

## PDLP Allocations and Designations

**Do you consider the Local Plan is: (Please tick)** Legally Compliant

No

Sound

No

Complies with the Duty to Co-operate

Yes

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.**

I write my comments with specific reference to the site UGS1251 Holme Valley North, Meltham Pleasure Grounds, Mill Bank Road, as outlined in the local plan, as the proposed extension to the current Urban Green Space site has a direct impact on myself, being the owner of the land at the bottom of the site that Kirklees is looking to incorporate into its scheme.

I don't own all the land in question as some of it was taken in an adverse possession claim a number of years ago. The land is now in 3 plots with the middle plot now being someones back garden and mine being the 2 plots either side outlined in red and labelled 1 and 2 in the attached plan.

I would consider the plan for UGS1251 to not be legally compliant as it would be a unilateral imposition of terms and restrictions that don't take into account my current/future plans and aspirations for the site.

I don't consider it sound for similar reasons I've already mentioned and that it also fails to consider the mixed use of the land that has taken place up to the present time, that being its use as a builders storage yard since 1978 and its current use as a tree surgery/forestry storage and processing site.

It's also worth noting that Kirklees never informed me of its plans to change the status of my land, instead it was a concerned third party that informed me.

**Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified above where this relates to soundness. (N.B. Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

I would ask for the land that I own to be removed from the plan to make it Urban Green Space. The land currently has the protection of a Tree Preservation Order which already prevents undue development and creates a balance of interest between my own use/future plans and the sites protection.

Alternatively, as a compromise I would ask that my land in plot 1 adjacent to the current Urban Green Space site be given over to Urban Green Space but the other part in plot 2 adjacent to the road remains in its current state as unallocated land.

This is the only land I own and would represent a minimal increase/benefit to the Urban Green Space as it is only 0.36 hectares, indeed if the compromise I suggested is implemented then I would only be retaining the very small amount of 0.2444 hectares of land as non Urban Green Space, this is in contrast to the many hundreds of hectares of greenbelt/greenfield sites etc that Kirklees is opening up for development, with the 158 hectare woodland plot between Mirfield and Dewsbury and the Bradley golf course being just 2 of the many sites the Huddersfield Examiner has reported on in recent times.

**If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?**

Yes, I wish to participate in the oral examination

**If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.**

I wish to participate in the oral part of the examination to make sure my interests are fully expressed and taken into consideration and to expand further on the reasonings I have presented.





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