



Kirklees Local Plan Examination

Stage 1 – Initial Hearings

Hearing Statement

**Submitted on behalf of Upper
Dearne Valley Environmental
Trust (registered charity number
1157540)**

**Matter 1 – Legal and Procedural
Matters**

September 2017

Matter 1 – Legal and procedural matters

Issue - Has the plan been prepared in accordance with statutory procedures and Regulations?

1. The Upper Dearne Valley Environmental Trust has already submitted representations in relation to this issue and trust that the Inspector has these representations and will take them in to consideration. However, the Upper Dearne Valley Environmental Trust wish to make the following additional comments in relation to the specific Questions raised by the Inspector. Upper Dearne Valley Environmental Trust also wish to speak at the hearing in relation to Matter 1.
2. Matter 1 question (a)
 - 2.1 The Upper Dearne Valley Environmental Trust do not consider that the Council have effectively discharged their duty to cooperate with neighbouring authorities. Furthermore, the Upper Dearne Valley Environmental Trust consider that the Duty to Cooperate is not working as Councils are free not to agree.
 - 2.2 objectively assessed needs can be met by neighbouring Local Authorities according to the NPPF. However, in the Yorkshire Region, Councils appear to have agreed not to do so to protect each other's employment potential. This is illustrated by the employment land allocation at Clayton West (E2333a) of 15hectares of productive green belt land when more suitable provision can be made within Wakefield at Junction 39 of the M1 and within South Yorkshire/Barnsley around Junction 37 (Dodsworth) and Junction 36 (Dearne Valley Way development area).
 - 2.3 The Upper Dearne Valley Environmental Trust consider that the Council have failed to work closely with Wakefield and Barnsley Council in order to fully explore the potential of these M1 junctions for employment uses.
 - 2.4 Residents in the Wakefield Villages which would be used to access the proposed allocations in the Dearne Valley (such as E2333a) are totally unaware of the proposals which shows a total lack of cross boundary consultation on this Local Plan.
3. Matter 1 – question (b)
 - 3.1 The Local Plan is promoting a huge number of unsustainable sites, some have even scored poorly on the Sustainability Appraisal but which continue to be promoted.
 - 3.2 If sites which have scored poorly on the Sustainability Appraisals are still being promoted how can the Sustainability Appraisal process possibly be considered sound?

- 3.3 The release of huge Green Belt sites for both employment and housing is unsustainable.
- 3.4 Sites such as E2333a and H3325a are in rural areas which lack infrastructure. There is insufficient infrastructure already and these rural areas could not cope with the level of proposed development.
- 3.5 The Plan takes a myopic view of sustainability, looking only at the individual sites and not the collective impact of all the proposed sites in the same general area.
- 3.6 No comprehensive up-to-date total impact assessment of the number of new houses and employment sites has been done. The process of sustainability appraisal is therefore flawed.
- 3.7 In the Dearne Valley area alone the proposal as part of this Local Plan is for 1072 new homes and 15 hectares of commercial development all within a 2.5 mile stretch of a valley with one main A road (A636) and a connecting B road (B6116). This valley has one way in and one way out. How can this possibly be classed as sustainable development?
- 3.8 The A road has constrictions where it passes through Denby Dale and Scissett and long queues of stationary traffic at peak times. The B6116 which appears not to get a mention in the Transport Strategy is a 'high accident route' with severe constrictions through Kirkburton, Shelley and Skelmanthorpe. This road also had a weight restriction which appears to have been quietly forgotten in recent times. Lack of parking spaces for many existing properties cause further constriction and restriction of traffic flow. Add this to other major infrastructure problems e.g. HD8 has the highest incidence of sewage blockage and back flows in Kirklees and this PLP will be an absolute disaster for this area and undeliverable.
- 3.9 The size and scope of planned development in the Dearne Valley is unsustainable and puts the health and safety of the existing community at severe risk. The whole strategy needs review and amendment to something that can be supported by the existing road network and infrastructure. The process of sustainability appraisal upon which the Local Plan has been formulated is unsound and flawed.
4. Matter 1 – question (c)
- 4.1 The Upper Dearne Valley Environmental Trust is not satisfied that the Plan adequately and accurately assesses the likely effects on Habitats.
- 4.2 Many of the proposed allocations, such as E2333a and H3325a, are UK BAP Priority Habitats and it is unclear to the Upper Dearne Valley Environmental Trust how their protection is being ensured? The Upper Dearne Valley Environmental Trust welcomes Natural England's input on whether they are satisfied.

4.3 The Dearne Valley is supposed to be preserved as a 'Green Corridor' according to Natural England, has this changed?

5. Matter 1 – question (d)

5.1 The public consultation process on the Local Plan has been so low key that it has been invisible to most residents of Kirklees – many of whom do not have a clue what a Local Plan is and even less so what is being planned for their area.

5.2 Information has been mainly on-line and extremely difficult to access, particularly maps associated with the publication version of the Local Plan. 40% of people within the Dearne Valley are not on line. Also for some of those who are online the broadband is very slow which has made access to the plans and documents very difficult if not impossible for many. In addition the fact that the proposed Local Plan was even on-line was not published sufficiently.

5.3 Hard copies of the documents have only been placed on view in Huddersfield and Dewsbury which is 9 miles away the Dearne Valley. No road shows have taken place. The Upper Dearne Valley Environmental Trust consider that the Council have actively kept opportunities of face to face contact with the public to an absolute minimum.