



Kirklees Local Plan Examination

Stage 1 – Initial Hearings

Hearing Statement

**Submitted on behalf of Save
Mirfield**

**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. Save Mirfield have already submitted representations in relation to this issue and trust that the Inspector has these representations and will take them in to consideration. However, Save Mirfield wish to make the following additional comments in relation to the specific Questions raised by the Inspector. Save Mirfield also wish to speak at the hearing in relation to Matter 1.
2. Matter 1 question (b)
 - 2.1 Save Mirfield do not believe that the Council's process of sustainability appraisal was a sound process. A number of proposed allocation cannot possibly be considered sustainable.
 - 2.2 A number of proposed allocations are not located within the right location to support growth and innovation and there is insufficient infrastructure to support the proposed levels of development.
 - 2.3 The existing infrastructure across Kirklees and in particular in Mirfield is insufficient and there is no plan to provide sufficient infrastructure to support the proposed development of circa 970 homes within the Mirfield boundary.
 - 2.4 The Sustainability Appraisals prepared by the Council have identified that proposed allocations, such as proposed allocation H2089, are not sustainable. However, these sites continue to be promoted. This is unjustified and brings in to question the effectiveness of the Sustainability Appraisal.
 - 2.5 The proposed allocation of sites which have been found to be unsustainable is contrary to Paragraphs 14, 151 and 152 of the NPPF and cannot be supported.
 - 2.6 A number of the proposed allocations, including proposed allocation H2089, would in fact cause significant and demonstrable harm which would not be outweighed by the benefits of the proposed development. Therefore, they do not represent sustainable development and the Local Plan is promoting unsustainable development contrary to the requirements of the NPPF. The Plan is therefore unsound.
 - 2.7 The sustainability appraisal process is unsound. It cannot be appropriate for sites which have been identified as being unsustainable as part of the Council's process to be promoted for development within the Local Plan.

3. Matter 2 question (d)

- 3.1 Save Mirfield considers that the consultation on the Local Plan has been sub-standard and has not met the statutory requirements.
- 3.2 The community engagement which took place in 2015 was misleading.
- 3.3 The Council produced a leaflet, "Shaping a Local Plan for Kirklees", which stated that there were to be circa 400 dwellings allocated within Mirfield. However, this document failed to identify that there were a further circa 570 dwellings which were to be provided within the Mirfield boundary as part of the proposed "Dewsbury Riverside Development", proposed allocation H2089. H2089 is said to be within Dewsbury. However, the western section of this proposed allocation is within Mirfield.
- 3.4 The statement that Mirfield was only to have 400 new dwellings mislead the community and undermined effective community engagement.
- 3.5 Part of proposed allocation H2089 is some 3 miles from Dewsbury Town Centre and by continuing to refer to the proposed allocation as being within Dewsbury it continues to mislead and undermine the consultation process.
- 3.6 Save Mirfield believe that more public comments would have been submitted if the Mirfield allocations had been properly exposed and this could have resulted in changes to the draft Local Plan.