

KIRKLEES LOCAL PLAN EXAMINATION

STAGE 3 HEARINGS

Matter 15 – Infrastructure Delivery

Issue – Does the Plan set out a robust framework for infrastructure delivery which is justified, effective and consistent with national policy?

[Policies PLP 4 and 19, Sites TS 1 – TS 11]

- a) Does the Council's Infrastructure Delivery Plan (IDP) (2015) and Addendum (2016) provide a thorough assessment of needs and costs, and reflect the levels of growth proposed in the Local Plan?
- b) What transport modelling work has been undertaken, and has it taken account of: i) the potential impact on the local highway infrastructure outside Kirklees, and ii) cumulative effects arising from growth in other nearby local authorities?
- c) How will the necessary highway capacity improvement schemes in the IDP be funded? (beyond those identified in Highways England's Road Investment Strategy)
- d) Do Parts 1 and 2 of the Plan clearly identify essential infrastructure needed to deliver development? Are the transport improvement schemes listed in section 10.1 in Part 1 of the Plan and chapter 7 in Part 2 of the Plan justified by the Council's evidence base and internally consistent? Are the Council's proposed modifications SPMM18 – SPMM21 necessary to ensure that the Plan is sound?
- e) Is the approach of seeking infrastructure delivery alongside development, as established in Policy PLP 4, justified and effective? What effect will this have on the phasing of development proposals?
- f) Is there evidence that the scale of developer contributions, policy burdens and CIL rates will not render development unviable?

GAIL's Comments on Infrastructure Delivery and PLP 4:

1. The NPPF states that Local Plans should be achievable especially in terms of the provision of infrastructure delivery within an appropriate timescale. GAIL believes that, on the basis of the information provided within the Local Plan, this has not been demonstrated as there is '*no explanation of how and where they expect infrastructure to be provided and to what timetable*' (**Communities and Local Government Committee, Operation of the National Planning Policy Framework, December 2014, p.14**). The NPPF also emphasises that 'decision makers should fully explain the consideration that they have given to the impact on infrastructure'. Where can this be found within the Local Plan?]
2. In considering these points, PLP 4 does not provide a robust framework for infrastructure delivery which is consistent with National Policy. The Local Plan fails to show any adequate or appropriate consideration of the infrastructure requirements/forecast demand generated by the PDLP, nor has it demonstrated where the Council expects infrastructure to be provided, by whom, at what cost and to what timetable.

3. After discussions with Kirklees' Planning Policy Group, reviewing Freedom of Information Act responses and a review of the PDLP (including supporting documents), the Local Plan clearly fails to adequately assess a number of key infrastructure elements (for example, Transport, Health and Education) such that the proposals are not realistic and fail to meet the Soundness test of clause 182 of the NPPF by being ill-prepared, not justified, ineffective and not consistent with national policy.
4. In support of GAIL's opinion, the National Planning Practice Guidance (NPPG) states that Plans should be realistic about what can be achieved and, in relation to Infrastructure, how it is to be funded, by whom and when is it to be bought on stream. In this respect, clause 162 of the NPPF clearly states that local planning authorities should assess the quality and capacity of infrastructure.
5. Given the above, GAIL is also concerned about the council's approach to CIL, as CIL generated by a local development scheme will not necessarily be used within the generating area but may be remitted elsewhere. As assumption, rather than factual evidence, is the prerequisite of CIL, the level of CIL is not guaranteed to produce sufficient funding required for new infrastructure.
6. Furthermore, given the lack of detailed planning evidence surrounding critical infrastructure deliverability and assumptions surrounding CIL, the capacity of the Local Plan to deliver the necessary infrastructure improvements in a timely and cost effective manner can only be classified as uncertain. This is disappointing to note given the emphasis given in clause 158 of the NPPF to ensuring that Local Plans are evidence based.
7. As such, the question has to be asked 'where can the contingency arrangements and alternative strategies as specified by the NPPG be found in the Local Plan?'

Other Comment:

8. GAIL will address its concerns about the travel/safe access implications of specific individual proposed Sites at Stage 4. However, it is concerned at the apparent lack of any consideration for the travel implications on the A629 south of Waterloo.
9. Whilst the Transport Model Technical Paper, April 2017 (reference BP12) refers to the congestion issues on the A629 in the TS3 and TS4 Corridors, there does not appear to be any examination of the potential travel implications of developments proposed in a number of communities south of the A629/A642 junction at Waterloo, even though the A629 south of this point currently carries in excess of 20,000 vehicles per day and is ranked in the top twenty busiest routes in Kirklees (excluding motorways), source Kirklees Traffic Counts 2016, Department for Transport.

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