

Written Statement – Matter 16

Kirklees Local Plan

On behalf of Miller Homes

November 2017



I. Introduction

- I.1. This is a Written Statement prepared by Spawforths on behalf of Miller Homes in respect of:
- Matter 16: Delivering Growth Policies
- I.2. Miller Homes has significant land interests in the area and has made representations to earlier stages of the Local Plan process.
- I.3. The Inspector's Issues and Questions are included in **bold** for ease of reference. The following responses should be read in conjunction with Miller Homes' comments upon the submission version of the Kirklees Local Plan, dated December 2016.
- I.4. This is a Written Statement and Miller Homes will not be attending the Examination in Public on this matter.

2. Matter 16 – Delivering Growth Policies

Issue – Does the Plan set out positively prepared policies for delivering growth and sustainable development, which are justified, effective and consistent with national policy?

a) Are the criteria in Policy PLP 5, including the requirement to submit phasing and implementation and management plans, justified, effective and in line with national policy and guidance? Will Masterplans be sought in connection with small-scale schemes? Are the Council’s proposed modifications SPMM4 and SPMM5 necessary to ensure that the policy is sound?

- 2.1. Miller Homes are concerned that Policy PLP5 lacks clarity, particularly with regard to implementation. Miller Homes acknowledges that the policy has been slightly amended since the Draft Local Plan, but the changes do not address our concerns.
- 2.2. Miller Homes support the principle of masterplanning large strategic sites but is concerned that Policy PLP5 is unclear whether the requirement for masterplans will relate to all developments or apply above a threshold, how the policy will be implemented and what material weight or status the masterplans will have. Miller Homes notes that paragraph 6.23 suggests that “masterplans will be required where proposals warrant such an approach owing to the site location, development scale, relationship with surrounding uses, mix of uses or where the scale of change is significant”. However, there is no certainty as to when a masterplan will be required and therefore the policy is vague in this aspect. Whilst the benefits to utilising masterplans are noted and elements of the policy will be applicable to most development the imposition of a requirement for all applications to provide masterplans is considered inappropriate.
- 2.3. Miller Homes notes the Proposed Modification SP-MM5 which states that a masterplan will normally be required where developments will come forward in phases over a number of years and where it is needed to coordinate the delivery of infrastructure. This infers it is only for the large strategic sites. If this is the case, then that should be specified as that will

provide certainty for the smaller schemes and the strategic sites. At the moment the Proposed Modification is still vague and creates uncertainty.

- 2.4. Part 'n' of the policy requires an assessment of "the potential for energy efficient design including renewable energy schemes". Miller Homes believes the Council will be aware that in terms of housing development the government was clear through its Housing Standards Review that the issue of energy efficiency is solely a matter for the Building Regulations. In this regard, whilst the Council may wish to encourage developments to exceed the Building Regulations, it would be inappropriate to place a mandatory requirement upon housing developments to consider how they can exceed the statutory requirements.
- 2.5. Miller Homes is also concerned that the final paragraph of the policy requires a management plan to be produced as part of the masterplanning process to demonstrate how infrastructure and community assets will be maintained and managed. Masterplans are typically high level frameworks produced at an early stage of the scheme and are living products which will evolve during the lifetime of a project, particularly on large scale schemes which will take over 15-20 years to complete. Miller Homes considers that such a management plan, particularly if there are community facilities such as GP and health centres as part of the project, will be difficult to prepare to accord with such a principle at the masterplan stage of a project, but if one were it would be superseded in a relatively short timeframe. Miller Homes considers that such management plans should not be required as part of the masterplanning stage.

Proposed Change

- 2.6. To overcome the objection and address soundness matters, the following changes are proposed:
- Provide clarity on which schemes need to prepare a masterplan.
 - Remove part 'n' as this is dealt with by building regulations.
 - A requirement for a Management Plan for infrastructure and community facilities is onerous at the masterplanning stage and should be removed.