

Kirklees Local Plan Examination

Stage 1 – Initial Hearings

MATTERS, ISSUES AND QUESTIONS (MIQs)

Council Response

Matter 2 – Spatial development strategy

- 1.1 This statement sets out the council's responses in relation to the Inspector's matters and issues Matter 2 – Spatial Development Strategy. All the documents referred to in this statement are referenced within the statement.

Issue – Does the overall growth and spatial strategy for the Plan present a positive framework which is consistent with national policy and will contribute to sustainable development?

- 1.2 The Local Plan provides a positive framework for growth and will contribute to sustainable development. The NPPF (NE1, paragraph 17) confirms that the plan should positively seek opportunities to meet the development needs of its area and should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the NPPF should restrict it. The Kirklees Local Plan Soundness Self-Assessment Checklist (BP2) sets out how the Local Plan is consistent with national policy (pages 8-32) and how the Local Plan contributes to the presumption in favour of sustainable development (pages 6-7).
- 1.3 The Local Plan evidence base sets out the council's findings and conclusions on objectively assessed needs and the Local Plan seeks to meet these in full – this includes for example objectively assessed needs for homes, jobs, gypsy and traveller accommodation, waste arising, and other development needs. In doing so, regard has been had to the core planning principles set out in the NPPF as follows:

Core planning principles (summarised)	How it has been achieved
Genuinely plan led, kept up-to-date, and based on joint working and co-operation	Preparation of the Local Plan, the inclusion in the Local Plan of a monitoring framework, the use of up-to-date evidence and compliance with the duty to co-operate.
Not just scrutiny but also a creative exercise in ways to enhance and improve places	Place shaping policy (Policy PLP2) and considerations of such issues in preparing relevant policies, applied to the iterative process of identifying site allocations (including the creative process of combining the role and function of the green belt, the topography of the district, existing and planned levels of infrastructure, local need for development and recognition of open spaces in urban areas) and specific mitigation measures for individual site allocations.

Every effort to meet objectively assessed needs, taking into account market signals and setting out a clear strategy for the allocation of land	Evidence base prepared for the Local Plan, in particular the Strategic Housing Market Assessment (SD18) and employment need evidence which have taken into account evidence on market signals. The Local Plan vision, strategic objectives, the spatial development strategy (and its accompanying text set out on pages 37-39, Policy PLP2 (Place Shaping) and Policy PLP3 (Location of New Development) as set out in the Local Plan Strategy and Policies document (SD1) combine to provide a clear strategy for the allocation of land.
High quality design and good standard of amenity	Policies in the Local Plan (Policy PLP5, PLP24)
Take account of the different roles and characters of different areas, promoting the vitality of main urban areas, protecting the green belts around them and recognising the character and beauty of the countryside and supporting rural communities	Place shaping policy (Policy PLP2) and considerations of such issues in preparing relevant policies, applied to the iterative process of identifying site allocations (including the creative process of combining the role and function of the green belt, the topography of the district, existing and planned levels of infrastructure, local need for development and recognition of open spaces in urban areas) and specific mitigation measures for individual site allocations (as set out in SD2, Kirklees Publication Draft Local Plan - Allocations and Designations).
Support the transition to a low carbon future in a changing climate, taking into account flood risk, encouraging the re-use of existing resources and the use of renewable energy	Relevant policies in the Local Plan (PLP26, 27, 29 and 34) together with evidence base which has informed development options, such as strategic flood risk assessment.
Contribute to conserving and enhancing the natural environment and reducing pollution.	Relevant policies in the Local Plan (PLP30, 31, 32, 33, 51, 52, 53) together with evidence base which has informed development options, such as environmental constraints.
Encourage the effective use of land by reusing land that has been previously developed	Relevant policies in the Local Plan together with specific actions listed in the Local Plan under Policy PLP7.
Promote mixed use developments and encourage multiple benefits from open land	Mixed use allocations are supported in the Local Plan (Policies PLP5 and 24) where justified and urban green space allocations are a key strategic driver of the Local Plan.
Conserve heritage assets	Heritage assets defined in the Local Plan together with policies (Policy PLP35) to conserve them. Evidence base has informed development options with regard to heritage assets.

Manage patterns of growth to make the fullest use of public transport, walking and cycling and focus on sustainable development in locations which are or can be made sustainable	Relevant policies in the Local Plan (Policies PLP3, 19, 20, 21, 22, 23 and 24) together with specific allocations of land and their specific site considerations.
Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs	The Local Plan vision, objectives and spatial development strategy reflect the council's Joint Health and Wellbeing Strategy (in particular strategic objectives 5 and 6, which aim to protect and improve green infrastructure to support health and well-being). Policy PLP5 requires infrastructure (including community and cultural facilities to be in place). Policies PLP47-PLP50 inclusive specifically promotes these objectives.

- 1.4 The plan has taken into account factors set out in the NPPF (NE1, Para 14 and Footnote 9) to see if there are any impacts of meeting identified needs in full which would significantly and demonstrably outweigh the benefits of doing so. The overall conclusions of this are set out in the Sustainability Appraisal (SD5, Table 12.2, Table 12.3 and Table 12.6). The Sustainability Appraisal (SD5, Section 12) sets out how the Local Plan Strategy and Policies have considered the economic, social and environmental roles of sustainable development in accordance with the NPPF's definition of sustainable development.
- 1.5 A key issue for the Kirklees district is the presence of the Peak District National Park to the west of the district and its associated Special Protection Area. Impacts of growth proposals have been fully assessed in terms of potential impacts on the Special Protection Area through the Habitat Regulations Assessment (SD10).
- 1.6 The presumption in favour of sustainable development is embedded into the Local Plan as Policy PLP1 in the Strategy and Policies document (SD1, Policy PLP1, page 13). Sustainable development principles have also informed the Local Plan Vision (SD1, page 21), its strategic objectives (SD1, page 22) and spatial development strategy (SD1, pages 36-39). All policies and proposals have been assessed against sustainable development principles as set out in the Sustainability Appraisal (SD5). In addition the Sustainability Appraisal (SD5, Table 12.2, page 169) confirms that all of the Local Plan objectives contribute positively towards the Sustainability Appraisal objectives. Each policy of the Local Plan contains a sub-heading 'Links with strategic objectives' showing which Local Plan objective is being met.

Questions

a) Are the boundaries of the sub-areas, as established in the Place Shaping chapter, appropriately defined?

- 1.7 The council considers that the sub-areas in the Local Plan are appropriately defined. Policy PLP2 (SD1, page 23) seeks to build on the strengths and opportunities, and help to address the challenges facing the identified sub-areas. Development proposals will therefore be assessed against the relevant statement boxes (SD1, pages 24-35) depending on where in the district a development is proposed. In this way, place shaping issues can be taken into account for different parts of Kirklees.

- 1.8 The four sub-areas (Huddersfield, Dewsbury and Mirfield, Batley and Spen and Kirklees Rural) were set out for public consultation as part of the early engagement on the Local Plan (PC4, Shaping Our Local Plan Booklet November 2014 - "Kirklees the Place to Grow"). The proposed boundaries were also available for comment in the Draft Local Plan Strategy and Policies document (PC7) and in the Publication Draft Local Plan Strategy and Policies document (SD1). There has been general consensus about the boundaries used throughout the plan's preparation. The council did not change the sub-area boundaries as they were deemed to be appropriate for preparing the Local Plan. Comments through consultation and engagement have focused on the purpose of the sub-areas rather than the appropriateness of their boundaries. A clear message from the early engagement stage was the need for the plan to reflect the different characters of Kirklees and to plan for and align to emerging decisions on local infrastructure investment. (Summary of comments received on the place shaping aspects of the Local Plan are contained in SD12, in particular pages 38 and 40).
- 1.9 All of the main urban areas in Kirklees have an urban edge/boundary with the green belt. For the most part this means that identifying a main urban area boundary is relatively simple and allows for larger contiguous urban areas to be grouped together as a sub-area. Where that has not been possible, smaller settlements (sometimes separated from the main urban area by a green belt gap) were added to the sub-area with which they shared common strengths/opportunities for growth and challenges. The settlement boundaries used for this exercise, the methodology for defining them, and also the subsequent settlement appraisals are set out in the Spatial Development Strategy and Settlement Appraisal Technical Paper (BP17, section 9, pages 22-26).
- 1.10 The Huddersfield sub-area (SD1, page 26) clearly reflects the largest settlement in the district together with its suburbs. As the western edge of Huddersfield has coalesced with settlements in the Colne Valley defining a specific boundary at this point is challenging; however the Colne Valley has clearly different characteristics from the main urban areas of Huddersfield.
- 1.11 The Dewsbury and Mirfield sub-area (SD1, page 29) reflects the main urban area of Dewsbury and its suburbs, all of which are physically connected. Mirfield is a separate town but is very closely situated adjacent to Dewsbury, with high levels of connectivity to it via the Leeds Road (A62) corridor and closely located railway stations. This transport corridor serves to give both settlements similar challenges/strengths and opportunities.
- 1.12 The Batley and Spen sub-area (SD1, page 32) reflects the several distinct settlements in close proximity to each other around the hills and valleys of the Spen and Calder Rivers. Several of the settlements have in reality coalesced to form a larger urban area situated to the north-west of Dewsbury, which makes the south-eastern boundary of this sub-area challenging to identify; however these towns clearly have different characteristics to the main urban area of Dewsbury.
- 1.13 The Kirklees Rural sub-area (SD1, page 35) reflects the character of the district's valleys of the Holme, Dearne and Colne Rivers and their upland plateaux. The sub-area generally has a disparate settlement pattern and, although some of the settlements are smaller towns, none of the settlements are as large as Huddersfield and Dewsbury. These settlements serve as local service centres, meaning collectively they have a strong correlation in relation to their challenges/strengths and opportunities as well as their topography. The Kirklees Rural settlements have strong links to Huddersfield in terms of employment, retail and service provision.

- 1.14 The SHMA (SD18, para 3.12) identifies local housing market areas within the Kirklees housing market area. These areas are Dewsbury and Mirfield (extending north into South Leeds), Batley and Spen (extending north into Bradford) and Huddersfield, which also includes the Kirklees Rural area. Work on housing market areas in Leeds City Region (CR13) shows that the Kirklees housing market area has more 'permeable' boundaries around Batley (linked to Leeds) and around Cleckheaton (linked to Bradford), reflecting the commuting and migration patterns of these parts of the district. It is shown that the Kirklees Rural area is focused on Huddersfield, but the sub-areas of the north of the district are characterised by their links to adjacent cities.
- 1.15 The Kirklees Market Strength Assessment (LE11, para 4.153 and Appendix 5) identifies three market zones, as functional economic areas, in the district. These are North Kirklees (Dewsbury and Mirfield; and Batley and Spen), Huddersfield (aligning with Huddersfield sub-area) and South Kirklees (aligning with the Kirklees Rural sub-area). The sub-area boundaries also therefore have a good correlation with the combined sub-housing and economic market areas of the district.
- 1.16 The sub-areas used in the Local Plan reflect common characteristics of similar areas in Kirklees, and are based on amalgamation of ward boundaries (to assist with monitoring, evidence/data collection and analysis).
- 1.17 In summary, the sub-area boundaries reflect the outcomes of engagement with the community, combine areas of Kirklees with similar characteristics, strengths, opportunities and weakness, compare well to local housing and employment zones within the district and represent amalgamations of wards which will allow for effective monitoring.

b) Does the Plan's Vision and Place Shaping chapter provide a clear framework for the future growth and development of different sub-areas of the borough?

- 1.18 The council considers that the Local Plan vision, objectives, place shaping approach, spatial development strategy and policies, when taken together, provide a clear framework for the future growth and development of Kirklees, in a way in which meets the core planning principles of the NPPF (NE1, paragraph 17). This framework will meet objectively assessed needs in full and in a way which is sufficiently flexible to adapt to rapidly changing circumstances in a diverse and constantly changing large metropolitan district.
- 1.19 In practice, decisions about the future growth and development within Kirklees over the plan period will be achieved in two main ways - the outputs of the site allocation process and the determination of planning applications through the development management process. Policy PLP3 (Location of New Development) together with Policy PLP1 and Policy PLP2, have provided guiding principles for site allocation but will also allow for the proper consideration of windfall development. The plan does not contain a strict settlement hierarchy in order to provide the flexibility the plan needs to deliver its objectively assessed needs. Similarly, the sub-areas are included in the plan to help implement Policy PLP2 (Place Shaping) and their role is not to determine the quantum of new development which should be assigned to them. The place shaping and sub-area analysis also helped determine whether the Local Plan allocations were contributing to the place shaping objectives of the Local Plan as set out in the Spatial Development Strategy and Settlement Technical Paper (BP17, Part 3).

1.20 The council considers that the most appropriate spatial development strategy for the district is one which reflects character and place shaping considerations but is not solely driven by them. Other matters, such as the role and function of settlements, the role and function of the green belt and the green belt review outcomes, existing and planned levels of infrastructure, local need for development, the need to safeguard open spaces and the deliverability of sites have also been important considerations. Hence the plan has not sought to set distinct targets for sub-areas.

1.21 The Local Plan does not include a separate vision and spatial strategies for each sub-area. As part of the early engagement on the Local Plan the council considered different approaches for sub-areas. The council produced an early engagement document called “Kirklees the place to grow” for consultation from 10th November – 19th December 2014 (PC4). This set out a number of questions relating to vision and objectives and location of development, including whether places or character areas should have their own vision and objectives (question 6). The majority of responses considered that separate visions were not required (SD12, paragraph 3.3.7). In summary the council considers these were the main issues:

- the vision should apply to the plan as a whole for the benefit of the whole district
- individual visions may promote exclusivity
- the effectiveness of the plan is best monitored against a single vision
- most issues had district wide importance such as: the preservation of open spaces and green belt, protection of historic and natural assets and improving the quality of life
- Neighbourhood Plans might be a more appropriate tool for developing localised visions and objectives and it was important that they were developed by the community

c) The plan seeks to fully meet the objectively assessed employment and housing needs for the district and proposes an urban focus with some releases of land from the Green Belt. What alternative strategies were appraised and why were they discounted?

1.22 The council produced an early engagement document called “Kirklees the place to grow” for consultation from 10th November – 19th December 2014 (PC4). This set out a number of questions relating to vision and objectives and location of development, including how to decide where development goes (Approaches 1, 2 and 3). Approach 1 set out a settlement hierarchy approach, Approach 2 based on place shaping/character and Approach 3 being a combination of both. Approach 3 was chosen as the preferred option following both public consultation and sustainability appraisal.

1.23 The council’s Statement of Pre-Submission Consultation November 2016 (SD12) confirms what was consulted on and the extent of consultation. In terms of alternative strategies, paragraph 3.1.2 (SD12, page 12) confirms that comments were invited on the vision, objectives and priorities for the plan, including issues to be addressed in relation to the sustainability themes of economic, social and environmental. Table 2 of SD12 (pages 13-18) sets out the early engagement responses by topic area and how the plan would need to consider / evidence these issues. This information helped to inform alternative strategies. Chapter 3.2 sets out the second stage of consultation and various workshops held in relation to the following themes:

- Building stronger communities and housing growth;
- Business growth and jobs; and
- Protection of the environment and character

1.24 Paragraph 3.3.2 presents the three approaches being considered for accommodating development. Paragraphs 3.3.8 and 3.3.9 summarises the responses received to the three approaches to development and justifies the council's chosen approach.

1.25 The council's Spatial Development Strategy and Settlement Appraisal Technical Paper (BP17, pages 9-17) sets out the implications of the three approaches and considers each in detail.

1.26 Approach 1 (Allocating development based on the size of settlements) was rejected as an approach. Overall, the Local Plan site allocation assessment has shown that it would not be possible to justify this approach particularly in delivering a sufficient land supply to meet the objectively assessed needs, when taking into account environmental considerations and green belt constraints, particularly in Heckmondwike, Mirfield, Holmfirth, Meltham and Marsden, if the settlement hierarchy approach was strictly followed. The Spatial Development Strategy and Settlement Appraisal Technical Paper (BP17, pages 11-12) confirm why this approach was rejected. In summary it would:

- fail to support the redevelopment of brownfield sites elsewhere in the district (in smaller settlements or outside settlement boundaries which might normally come forward for development)
- fail to meet local housing needs in mid-sized and smaller sized settlements
- lead to the significant expansion of settlements in environmentally sensitive locations in the district near to the Peak District National Park such as Meltham and Marsden
- be undeliverable for settlements where the green belt review indicates that it would be difficult to justify green belt release and accommodate significant growth, such as Holmfirth and Mirfield
- be undeliverable in some higher order settlements such as Heckmondwike where there is insufficient available land supply to accommodate the scale of growth which might be required to comply with such an approach.

1.27 Approach 2 (Allocating development based on an area's character, constraints and opportunities) was rejected as an approach. Overall, objectively assessed needs for the Local Plan could not be met as the settlements and locations capable of growth (following only this approach) collectively would not have sufficient deliverable and developable land supply and would lead to relatively unsustainable concentrations of development in smaller settlements. The Spatial Development Strategy and Settlement Appraisal Technical Paper (BP17, page 13) confirms why this approach was rejected. In summary it would:

- (without having some regard to the role, size and function of settlements) be almost exclusively led by the green belt review and outcomes which confirms that some of the settlements/localities in the district have constraints in terms of being able to justify significant green belt release. These include settlements in the Colne Valley (Slaitwaite, Linthwaite, Scapegoat Hill, Wellhouse and Marsden), the green belt boundary to the eastern and southern fringes of Huddersfield, the southern fringes of Mirfield, and settlements in the Holme Valley (in particular Holmfirth). Equally, some

smaller settlements, particularly in the Holme and Dearne Valley areas show significant capacity to expand in relation to the Green Belt Review outcomes, such as Shepley, Skelmanthorpe, Denby Dale, Scholes (Holmfirth) and Hade Edge mainly due to the relatively flat topography surrounding these settlements and agricultural land use patterns.

- lead to potentially unsustainable patterns of development contrary to national planning policy, particularly in relation to the revision of green belt boundaries.

1.28 Approach 3 (Allocating development based on an area's character and the size of its settlements) was chosen as the preferred option for the Local Plan and would:

- allow the plan to focus development in Huddersfield, Dewsbury and the North Kirklees area, maximising access to the strategic road network and key east/west public transportation networks
- help to bring forward most new housing development closer to the main strategic employment locations identified along the M62 corridor
- help bring forward significant strategic site options where there is a reasonable prospect of planned new infrastructure coming forward to address these uncertainties
- allow the plan to bring forward some new development in some lower order settlements
- allow a balance to be reached between the district's character, constraints and opportunities and the role and function of settlements
- allow the strategy to be flexible enough to deal with environmental constraints affecting different parts of the district and to deal with changing circumstances over the plan period

1.29 The Kirklees Local Plan Sustainability Appraisal Scoping Report May 2015 (LE5, pages 34-36 sets out each of the approaches) Table 6.2 sets out summary results of SA assessments for these spatial framework options. Appendix 4 of the Sustainability Appraisal Scoping Report May 2015 (LE5) sets out the detailed appraisals of these options. None of the proposed approaches are considered likely to result in significant negative impacts but Approach 3 was not considered to have any negative impacts and would contribute towards sustainable development objectives. The Sustainability Appraisal (SD5) also appraised relevant alternative scenarios in terms of the quantum of growth for both housing (page 133) and employment (page 129), appraising high, low and mid-points from evidence available during the plan's preparation. Paras 11.8 and 11.9 (page 125) of the Sustainability Appraisal Report October 2016 (SD5) summarised the reasons for the selection of the preferred spatial development strategy, and concluded that the selection of the preferred spatial development strategy was supported by the sustainability appraisal:

“The spatial development strategy in the Draft Local Plan represented a balance between the advantages of focusing most development in the largest settlements and the need to ensure that it is located in the most appropriate locations that are most able to accommodate growth, taking into account factors other than settlement size.

The SA findings support the approach that was taken to the spatial development strategy in the Draft Local Plan. While RA1 (allocating development based on the size of settlements) would have a higher number of positive effects, there are also a number of negative effects associated with that option which would not occur under the spatial development strategy as it was set out in the Draft Local Plan.”

- 1.30 The preferred spatial development strategy presented in the Draft Local Plan was subsequently incorporated into Chapter 5 (Place Shaping) and Chapter 6 (Delivering Growth and Sustainable Development) of the Publication Draft Local Plan. Alternatives were appraised at the Draft Local Plan stage for Policies PLP 2 (Place shaping – being Policy DLP7 at the Draft Local Plan stage), PLP4 (providing infrastructure – Policy DLP3 at the Draft Local Plan stage), PLP5 (Masterplanning sites – Policy DLP4 at the Draft Local Plan stage), PLP6 (Safeguarded sites – Policy DLP5 at the Draft Local Plan stage), and PLP7 (Efficient and effective use of land and buildings – Policy DLP6 at the Draft Local Plan stage), and, in all instances, the Sustainability Appraisal supported the preferred policy approach (see paras 11.5 to 11.29 and Table 11.1 of the Sustainability Appraisal Report October 2016 (SD5). Policy PLP 3 (Location of new development) supports the spatial development strategy. The Publication Draft Local Plan Policies were assessed as likely to result in almost entirely positive effects, as they promote sustainable development principles.
- 1.31 In conclusion, as set out in the Spatial Development Strategy and Settlement Appraisal Technical Paper (BP17, page 14), approach 3 was considered to be the preferred option and the most appropriate strategy for the Local Plan as it would not result in a restrictive, inflexible (and undeliverable) settlement hierarchy approach. Instead, it combines the evidence of the council’s settlement appraisal (including the role, function and services they provide), together with the evidence in the Green Belt Review and other considerations such as place shaping constraints/opportunities, the need to protect urban green spaces and existing and planned infrastructure.
- 1.32 The council considers this to be most appropriate strategy as it flexible enough to be deliverable (and therefore achieve objectively assessed needs in full in a realistic and viable way), promotes sustainable patterns of development and gives sufficient consideration to place shaping objectives which are important in recognising Kirklees’ district and varied character.
- 1.33 At the Draft Local Plan stage the council prepared an initial Infrastructure Delivery Plan and was able to test the emerging site options and quantum of growth for different settlements against existing planned infrastructure and model potential impacts, for example on local school places and local road network infrastructure. Known infrastructure constraints which were previously set out in “Kirklees the place to grow” document (PC4) were considered to understand if future planned infrastructure provision could help mitigate any potential impacts. As the district does not have any identified fundamental infrastructure constraints, the focus of this exercise was to identify mitigation measures or new infrastructure schemes which would avoid any significant or severe impacts. These are either listed under each site allocation text box in the Local Plan – Allocations and Designations document (SD2) or, in the case of key transport schemes, listed separately in this document and shown on the Policies Map.
- 1.34 The council considers that the vision and objectives need to be deliverable. Deliverability has, therefore, been a key concern in shaping the spatial development strategy and has been considered at various stages throughout its evolution. An appropriate strategy and deliverable site allocations are interdependent elements of the Local Plan and, as such, these aspects have been considered and developed simultaneously. The spatial strategy has concentrated growth proposals to the most suitable and deliverable locations within the district (please see BP27 – Kirklees Local Plan Delivery Statement for detailed information).

- d) Para. 2 of the spatial development strategy (P.36 in the Plan) seeks to focus ‘most growth’ in the main urban areas of Huddersfield and Dewsbury. Is this strategy and distribution clearly defined, justified and sustainable? To what extent will it be achieved?**
- 1.35 The council considers that focusing most growth in the main urban areas of Huddersfield and Dewsbury is the most appropriate strategy for the Local Plan and is clearly defined, justified and sustainable.
- 1.36 As set out in the Local Plan Strategy and Policies (SD1, Chapter 1), the Joint Health and Wellbeing Strategy (LE112) and the Kirklees Economic Strategy (LE6) build on spatial plans, programmes and strategies which recognise Kirklees’ place in the Leeds City Region and in West Yorkshire. Importantly the Leeds City Region Strategic Economic Plan (CR9, p.32) identifies Huddersfield and Dewsbury as spatial priorities for maximising growth potential and prosperity across the whole of the City Region and for Kirklees. The agreement to work towards these spatial priorities is also set out in the council’s duty to co-operate evidence (SD14, Appendix D) and in the Leeds City Region Statement of Co-operation for Local Plan for the Leeds City Region Local Enterprise Partnership and the West Yorkshire Combined Authority (CD17, Appendix D).
- 1.37 The council’s Spatial Development Strategy and Settlement Appraisal Technical Paper (BP17) sets out local evidence regarding the role and function of different settlements in Kirklees. Appendix C sets out evidence regarding settlement appraisal including population and access to a range of services and facilities. This evidence justifies the choice of Huddersfield and Dewsbury as the focus for most of the growth in Kirklees in a way which respects the constraints and opportunities for growth as set out in the place shaping parts of the plan. This evidence also defines settlement boundaries for both towns (Appendix B: Settlement Boundary Map).
- 1.38 The council’s annual monitoring of housing and employment land completions and commitments will be able to determine whether most growth is being met in the urban areas of Huddersfield and Dewsbury in accordance with the spatial development strategy. Actions to remedy an unexpected spatial distribution of growth are set out in the Local Plan Strategy and Policies document (SD1, chapter 20 Monitoring and Implementation as supplemented by actions set out in other specific policies).
- 1.39 Although the Local Plan spatial development strategy confirms that the majority of new strategic employment land will be focused on the M62 corridor to the north of Kirklees this also provides a strong correlation with the location of Huddersfield and Dewsbury providing ready access to jobs to residents of both of the major towns. Other employment sites in the Local Plan are focused around established business and industrial areas. Evidence has been submitted regarding the location of employment allocations to each of the economic sub-areas (EX12 - Employment Supply by Sub-Area/Settlement).
- 1.40 The Sustainability Appraisal (SD5, Table 12.4 and paras 12.20 – 12.24) assesses the Spatial Development Strategy and Policies PLP3, PLP4, PLP5 and PLP6 against the Sustainability Appraisal Objectives. The Sustainability Appraisal considers that “policies PLP3-7 are likely to have broadly positive effects on the SA objectives because they set out the framework for delivering growth in Kirklees in the most sustainable way possible”. SD5 Annex 7 provides further information on the assessment of the policies and spatial strategy.

- 1.41 The council's housing delivery and phasing table - Appendix 3 of the Strategy and Policies document (SD1), subject to modifications set out in the List of Additional Modifications to the Publication Local Plan (SD4), indicates the housing commitments and new housing allocations which have been made in the plan for Huddersfield and Dewsbury. The council's Housing Technical Paper (SD23, Appendix 2) sets out housing completions, commitments and housing allocations for each settlement identified in the settlement appraisal. Huddersfield will accommodate 9,953, Dewsbury will accommodate 5,582 (a combined total of 15,535). The rest of the district will accommodate 13,395. This demonstrates that Huddersfield and Dewsbury will be the focus for most housing growth with housing growth totals exceeding all other settlements.
- 1.42 The Shopping Centre Hierarchy (SD1, Policy PLP13) identifies Huddersfield and Dewsbury as principal town centres within the district. Further policy guidance to support the role and function of these centres is made in specific policies (SD1, Policies PLP17 and PLP18). The centres of Huddersfield and Dewsbury are identified to provide for residents' shopping needs and to be the district's main focus for the provision of financial and professional services; offices, entertainment; sport, leisure, arts, culture and tourism facilities; further and higher education; and health services. The focus on these two centres will support the achievement of the spatial strategy. Strategic transport infrastructure schemes identified in the Local Plan (SD1, Policy PLP19) are largely focused around Huddersfield and Dewsbury and will support growth in these settlements. Policy PLP4 of the Local Plan sets out how infrastructure will be provided to deliver the spatial strategy as set out in the Local Plan, the Infrastructure Delivery Plan (LE40 and LE40.1) provides an assessment of infrastructure provision and to what extent existing infrastructure will be able to accommodate growth proposed in the Local Plan.
- 1.43 The council's Spatial Development Strategy and Settlement Appraisal Technical Paper (BP17, pages 30-37 and pages 49-54) takes each of the Local Plan's strategic objectives and demonstrates how the extent to which the allocations made in the Local Plan achieve them for Huddersfield and Dewsbury.
- e) What is the Council's spatial development strategy for other parts of Kirklees? Is the strategy and distribution of growth clearly defined in the Plan and justified? How have place making principles (an areas character, constraints and opportunities) been balanced against settlement sustainability?**
- 1.44 The council considers that the spatial development strategy for other parts of Kirklees is clearly defined, justified and the most appropriate. The council considers that it is also sufficiently flexible to take into account the different topographical and green belt constraint issues that exist in Kirklees in accordance with paragraph 17 of the NPPF (NE1).
- 1.45 In practice, decisions about the future growth and development over the plan period will be achieved in two main ways - the outputs of the site allocation process and the determination of planning applications through the development management process. Policy PLP3 (Location of New Development) together with Policy PLP1 (Presumption in Favour of Sustainable Development) and Policy PLP2 (Place Shaping), have provided guiding principles for site allocation but will also allow for the proper consideration of windfall development. All development proposals are subject to

Policies PLP1, PLP2 and PLP3, meaning that the presumption in favour of sustainable development (as enshrined in the NPPF and in the Local Plan in PLP1) will be balanced against place shaping principles (PLP2) and against the criteria in Policy PLP3 regarding settlement size and function.

- 1.46 As set out in the response to question c (above) the council's preferred approach is to allow development to come forward based on an area's character *and* the size, role and function of a settlement. The council's Spatial Development Strategy and Settlement Appraisal Technical Paper (BP17) sets out local evidence regarding the role and function of different settlements in Kirklees and indicates that Huddersfield and Dewsbury have a range of services and facilities clearly in excess of all other settlements. It also sets out data for a significant number of other settlements which make up the remaining 'urban' areas of Kirklees (BP17, Appendix C).
- 1.47 The spatial development strategy confirms that a combination of housing and mixed use allocations will meet housing needs. In relation to housing there is, therefore, a clear need for a strategy outside of Huddersfield and Dewsbury to be flexible enough to meet the remaining objectively assessed needs in full, collectively, across the settlements that exist in the Kirklees district.
- 1.48 The Strategic Housing Market Assessment (SD18) identifies housing needs outside of the Huddersfield and Dewsbury settlements at a 'sub-housing market area' level, but it is not possible for the SHMA to assess the local need for housing at a settlement level. Consequently, the approach taken has been to assess the relevant alternatives for development site options through the site selection methodology and also to consider these collectively against the evidence base, taking into account the factors set out in the spatial development strategy. The cumulative effect of accepted proposals was then tested against the place shaping considerations and settlement appraisal evidence. The council's Spatial Development Strategy and Settlement Appraisal Technical Paper (BP17, Appendix C) sets out local evidence regarding the role and function of different settlements in Kirklees. (BP17, section 11) provides an analysis of the character of the sub-areas, settlements within the sub-area including the total numbers of housing and employment allocations, the strengths/opportunities for growth and constraints to growth. There is then commentary on how each sub-area contributes to each one of the strategic objectives in the plan using statistics from the local profile information contained in the appendices.
- 1.49 In addition, the council's housing delivery and phasing table in the Strategy and Policies document (SD1, Appendix 3), subject to modifications set out in the List of Additional Modifications to the Publication Local Plan (SD4), indicates the housing commitments and new housing allocations which have been made in the plan for settlements outside of Huddersfield and Dewsbury. The council's Housing Technical Paper (SD23) sets out housing completions, commitments and housing allocations for each settlement identified in the settlement appraisal (Appendix 2) for information purposes.
- 1.50 In relation to employment, the spatial development strategy confirms that local employment needs will be met in the remaining urban areas and smaller settlements through a combination of smaller employment allocations and priority employment areas. The council's approach to employment allocations is based on three employment sub-areas (as set out in the Kirklees Market Strength Assessment LE11, Appendix 5) and these are North Kirklees, Huddersfield and South Kirklees. The rationale for this is set out in the Employment Technical Paper (SD22, pages 34-38) and in the council's responses to the Inspector's questions regarding matter 6.

1.51 The sustainability appraisal (SD5, Appendix 4) sets out a series of assumptions which helped the council assess the potential for any significant impacts on sustainability and place shaping objectives to arise from individual development site options in a given settlement. These included considering site options against SA objective 9 (ensure all people are able to live in a decent home which meets their needs – based on site size), SA objective 11 (secure the efficient and prudent use of land – based on site size and whether sites were brownfield or greenfield) and SA objective 12 (protect and enhance the character of Kirklees and the quality of the landscape and townscape – based on site size). Other factors relating to settlement sustainability were also taken into account and these are set out more fully in the council's response to the Inspector's questions regarding matter 8.

f) Is the proposed allocation of land at Storthes Hall justified and consistent with the Council's spatial development strategy?

1.52 The council considers that the allocation of land at Storthes Hall is justified and consistent with the spatial development strategy. The southern part of the site already has planning permission for housing (300 units). The proposed allocation includes a further 205 units focussed on the northern part of the site, making a total housing supply figure of 505 units. The site as a whole is currently allocated as a major developed site in the green belt in the Kirklees UDP (LE1) under saved Policy D15.

1.53 Huddersfield University acquired the former Storthes Hall Hospital in 1993. On the northern part of the site, planning permission was granted for the redevelopment of part of the hospital complex involving extensive demolition and the construction of residential accommodation for 1500 students. This scheme was substantially completed in 1995. Since 1995 this part of the site has been predominantly student accommodation and related uses. This area has now been promoted for residential development including redevelopment of the student accommodation to provide general housing. An illustrative masterplan has been submitted (SS10) for the developable area (approximately 6 hectares).

1.54 This southern part of the site is also previously developed land and comprises cleared land following the demolition of the former hospital buildings. On this part of the site, planning permission was granted in 2005 (allowed through a planning appeal decision - APP/Z4718/V/06/1198039) for 300 dwellings which form part of a continuing care retirement community. This permission has not yet been implemented but has been subject to a recent reserved matters application (2016/90711, approved 07/07/16) pursuant to the outline permission. Conditions are currently being discharged prior to development commencing.

1.55 Allocation MDGB2134 (Land at Storthes Hall) as a whole forms a large previously developed allocation in a location which is not attached to a specific settlement and which is washed over by the green belt. The council does not consider that a housing allocation could be justified in this location as it would require the land to be removed from the green belt, in the absence of the exceptional circumstances required to do so. This site was a developed site when the green belt was originally established in this part of Kirklees and there has been no material change which might indicate a case of exceptional circumstances. As the site can deliver a significant number of new homes for this part of Kirklees and because the council considers it important to give full consideration to infrastructure planning issues in this area, together with the need to

comprehensively masterplan the site, the land is allocated as a major developed site in the green belt together with its own site specific policy.

- 1.56 The proposal is considered to meet soundness tests and is consistent with NPPF, including the ability to prepare a locally distinctive local plan, which reflects the needs and priorities of this community area. The proposed allocation, which identifies the site for residential development, is also considered to be consistent with the spatial development strategy. The strategy, taken together with Policies PLP1, PLP2 and PLP3 allows for flexibility in bringing forward development where it is considered to be sustainable. The allocation can help meet and partially address the place shaping objectives for the Kirklees Rural sub-area (in particular maximising an opportunity for brownfield housing development in a highly viable sub-housing market area and help bring forward an element of affordable housing in an area where high prices create problems of affordability for local people) and can meet the criterion set out in Policy PLP3 regarding the supply of new homes and the provision of new/improved infrastructure. The proposal also accords with Policy PLP59 (Infilling and redevelopment of brownfield sites).

g) Does the spatial development strategy in the Plan provide a clear framework in respect of retail and office development?

- 1.57 The Kirklees Local Plan establishes a clear framework for retail and office development within the spatial development strategy set out in paragraph 6.1 of document SD1, pages 36-39. To strengthen the role of town centres (Local Plan Objective 2), the strategy focuses retail and office development in defined centres through a full retail (shopping centre) hierarchy in Policy PLP 13 (Town Centre Uses), ensuring a town centre first approach with the application of the sequential test. The strategy highlights the identification of shopping frontages that are defined on the town centre maps with town centre boundaries and primary shopping areas. Policy set out in PLP 14 (Shopping Frontages) makes it clear where retail and other main town centres uses including office will be focused.
- 1.58 Huddersfield and Dewsbury are defined as principal town centres within the shopping centre hierarchy and the strategy makes it clear that each centre is a focus of regeneration with specific policy approaches (PLP 17 and PLP18) providing detail on what new development will supported including new retail and office use.

h) Should the Council's spatial development strategy, as set out on pages 36 and 37 of the Plan, be expressed as a policy?

- 1.59 The council does not consider that the spatial development strategy should be expressed as a policy. In practice, decisions about the future growth and development over the plan period will be achieved in two main ways - the outputs of the site allocation process and the determination of planning applications through the development management process. Policy PLP3 (Location of New Development) together with Policy PLP1 and Policy PLP2, have provided guiding principles for site allocation but will also allow for the proper consideration of windfall development.

i) Does Policy PLP3 provide a clear framework on locational requirements, in line with para. 154 in the NPPF? Does the policy give sufficient recognition to the protection of the Green Belt and the countryside? How will the development of brownfield sites be realised early in the Plan, as set out in criterion 2c?

- 1.60 In practice, decisions about the future growth and development over the plan period will be achieved in two main ways - the outputs of the site allocation process and the determination of planning applications through the development management process. Policy PLP3 (Location of New Development) together with Policy PLP1 and Policy PLP2, have provided guiding principles for site allocation but will also allow for the proper consideration of windfall development. When taken together (and with other policies in the Local Plan) the Local Plan contains a suite of policies which provide a *"clear indication of how a decision maker should react to a development proposal"* as set out in paragraph 154 of the NPPF. The development plan needs to be read as a whole. The collective local plan policies achieve the objectives of para 154 together with the allocations. Other policies in the Local Plan also form part of the clear policy framework for location requirements for new development, including PLP13 (Town Centre Uses), PLP15 (Residential use in town centres), PLP17 (Huddersfield Town Centre), PLP18 (Dewsbury Town Centre), PLP20 (Sustainable Travel), PLP27 (Flood Risk), PLP48 (Community Facilities and Services), and PLP49 (Educational and health care needs).
- 1.61 The council considers that Policy PLP3 should be not considered in isolation from the rest of the Local Plan's policies which includes those related to green belt development - Chapter 19 of the Strategy and Policies document (SD1). If Policy PLP3 were to be modified, the council considers that it could only signpost to national planning policy as set out in para 89 and 90 of the NPPF and unnecessarily repeat national planning policy. All of the district's main urban areas immediately abut the green belt boundary. All development proposals outside of the settlement boundary/within the green belt would therefore be subject to national planning policy regarding green belt development.
- 1.62 Policy PLP3 provides clear indication of the development principles all new development should take into account but is also flexible enough to recognise that a strict, target driven settlement approach would not help to meet objectively assessed needs. This is considered to be consistent with the NPPF (NE1, paragraph 17) which confirms that the plan should positively seek opportunities to meet the development needs of their area and should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the NPPF should restrict it.
- 1.63 The policy allows specific allocations made in the plan and windfall development to continue to come forward. The council's annual monitoring of housing, employment land and other land uses will be able to determine whether development is coming forward in accordance with the spatial development strategy and policies PLP2 and PLP3. Actions to remedy unsustainable patterns of development or an unexpected spatial distribution of growth are set out in the Local Plan Strategy and Policies document (SD1, chapter 20 Monitoring and Implementation as supplemented by actions set out in other specific policies).

1.64 Previously developed land will be brought forward in accordance with Policy PLP7 (SD1, page 47) and the housing implementation strategy (SD2, page 67-68). In particular the council has set out in the Local Plan specific actions under PLP7 (SD1, page 49) as follows:

- the use of Local Development Orders on brownfield sites
- the use of Compulsory Purchase Orders to help bring forward key sites/areas, where appropriate
- the potential relaxations of Section 106 and a review of the CIL charging schedule to help bring forward brownfield land, where appropriate
- preparation of a brownfield land strategy and masterplans for key brownfield sites
- use of funding regimes to remediate/pump prime stalled sites/difficult sites
- creation of local housing and employment/enterprise zones where the financial receipt of greenfield development can be reinvested into subsidising brownfield sites and infrastructure

1.65 The council is also in the process of compiling its Brownfield Land Register. Part 1 of the register will be in place by December 2017 in accordance with Town and Country Planning (Brownfield Land Register) Regulations 2017. Brownfield housing and employment sites have also been allocated in the Local Plan and the intention behind Policy PLP3 (2) (c) is to provide a positive policy framework to encourage brownfield land proposals to come forward.

j) What effect will the Plan's growth and spatial development strategy have on air quality and carbon emissions?

1.66 The Kirklees Council Air Quality Assessment document (LE118) provides a technical assessment of the impact of the growth proposed in the local plan upon air quality and carbon emissions. The assessment concludes that the overall effect of the Local Plan on local air quality is considered to be not significant (LE118, chapter 6, page 21).