
August 2017



Kirklees Local Plan

**Response to the Inspector's
Matters, Issues and Questions (MIQs)**

**Matter 2 – Spatial Development Strategy
with specific reference to
Land at Fieldhead Farm, Batley,
Sites H676/H524/H525 & UGS973**

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On behalf of

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Appendix 1 – Optima Highways Assessment of The Bradley Golf Course Access Appraisal

Response to Matter 2 – Spatial Development Strategy

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 the achievement of sustainable development?

Policies PLP2,3

Questions

- A. Are the boundaries of the sub-areas, as established in the place shaping chapter, appropriately defined?**
- 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?**
- 1.1 We object to the spatial development strategy as set out in Table 6.1 and the accompanying text. It is considered that the strategy is unsound as it is not justified and it is not the most appropriate strategy when assessed against the reasonable alternatives and furthermore it will not be effective for the following reasons.
- 1.2 The spatial development strategy seeks to sub-divide the district in 4 sub-areas based on size, character, role and function, but with no explanation as to how the boundaries have been derived. Furthermore, whilst identifying the 4 sub-areas, there is nothing within the spatial development strategy that seeks to set out how the development requirements for both employment and housing will be distributed across the 4 areas. The strategy lacks clarity and detail as to how the sub-areas are derived and how this relates to any distribution of development. This approach is considered to be fundamentally flawed as no linkage can be established between the characteristics that define the sub areas and the distribution of development requirements.
- 1.3 In addition, the spatial development strategy identifies a number of key principles that form the basis of the development strategy. One of these is identified as being local need for development and recognition of open spaces in urban areas. Again, there is lack of clarity and justification with this approach in terms of defining what the local needs are and what the functions are of the open spaces in the urban area that require protection. Greater clarification is required on this particular point to differentiate between land that has a recreation function and purpose and which can actually meet local needs and land which is open by default but is private, inaccessible and serves no physical function. It is considered that this differentiation is important in the spatial development strategy as greater weight should be attached to those open spaces which have a physical function and lesser weight to those which are merely open land which serves no local needs function. This approach is particularly important in the overall balance for allocations particularly when the Council is considering significant Green Belt releases (see response to Matter 8).
- 1.4 The spatial development strategy is also absent of the recognition that there is a significant development need for the district to be met over the 15 year period

and that there is insufficient land outside the Green Belt to meet this. The spatial development strategy should recognise the inherent need to review Green Belt boundaries and subsequently release Green Belt land for development based on a proper and robust assessment and review of the Green Belt.

- 1.5 The spatial development strategy section should include a detailed analysis and explanation as to how the 4 sub-areas and their boundaries were identified and also set out how the distribution of housing and employment development between these 4 sub-areas is directly derived and relating to the size, character and role of the sub-areas in the settlements. This may require the adoption of some of the alternatives considered or a combination of both. This being either allocated development based on the size of settlements or allocated development based on an area's character, its constraints and opportunities.
 - 1.6 The spatial development strategy should give further clarity as to how open spaces in urban areas will be assessed on the relative merit and weight to be accorded to open space based on the functions it carries out. It should clearly identify the lower grade open spaces that provide no recreational opportunity and these should be considered for development purposes.
 - 1.7 The spatial development strategy should recognise the significant growth requirements for Kirklees over the plan period, the inability of the district to address this through brownfield and urban land and identify the need for a Green Belt Review to accommodate this growth.
- C. The plan seeks to fully meet the objectively assessed employment and housing needs for the district and proposes an urban focus with some release of land from the Green Belt. What alternative strategies were appraised and why were they discounted?**
- 1.8 The Council have stepped over Urban Green Space to release Green Belt with no apparent justification or exceptional circumstances for this approach particularly where the defined Urban Green Space has no recreation or amenity function (Please see our response to Matter 8 – Approach to Site Allocations and Green Belt Release). The extent of Green Belt Releases particularly in the strategic sites is therefore unjustified and in conflict with the NPPF and the Government's White Paper, Fixing the Broken Housing Market.
- D. Paragraph 2 of the spatial development strategy (page 36 in the plan) seeks to focus most growth in the urban areas of Huddersfield and Dewsbury. Is this strategy and distribution clearly defined, justified and sustainable? To what extent will it be achieved?**
- 1.9 The spatial development strategy focuses most growth in the main urban areas of Huddersfield and Dewsbury and is reliant on 3 major Green Belt releases in the associated urban extensions at Bradley Golf Course, South Dewsbury and East Chidswell. The respective quantum and Green Belt releases at these strategic allocations is as follows:-

Bradley Golf Course – 56.37 hectares and 1,577 dwellings.

South Dewsbury (Land to the south of Raventhorpe Road/Lees Hall Road, Dewsbury) – 142.9 hectares and 2,310 dwellings during the Local Plan period with a further 1,690 beyond the plan period.

Chidswell – 114.59 hectares and 1,535 dwellings.

- 1.10 There are serious concerns over the deliverability of these 3 sites in terms of viability, the infrastructure required and delivery rates over the plan period. I set out the issues below on a site by site basis.

Dewsbury – H2089

- 1.11 The site is subject to the following constraints:-

- Major impact on a priority junction.
- Multiple access points required along with significant improvements to Sands Lane, the bridge over the railway lane, Steanard Lane and its junction with the A644 and the upgrade of the bridge over the River Calder.
- Third party land may be required for access.
- Additional mitigation on the wider highway network may be required.
- Part of the site lies within the UK BAP priority area.
- Proximity of a local wildlife site.
- Part of the site is an area of archaeological interest.
- Mine entrances are present.
- The site is affected by a high pressure gas pipeline.

- 1.12 In addition to these constraints, there are other sites specific considerations which may impact upon viability and delivery these being:-

- The provision of 2 new primary schools will be required and secondary school provision either on the site or in the locality.
- The development has the potential for a severe adverse impact on the operation of a strategic road network and will require physical mitigation measures and travel plans in order to minimise the impact of the traffic generated.

- 1.13 Two documents have been submitted to support the development of the site, a high level delivery statement and a access technical note neither of which satisfactorily address the overall constraints and issues identified with the site in the draft allocation. These issues go to the heart of delivery in conjunction with the quantum of development which would see a large number of dwellings in a single location. This will swamp the local market and as such the deliverability of that number of dwellings over the plan period has to be questioned particularly given the low value nature of the market area.

Chidswell – MX1905

- 1.14 The Chidswell draft allocation is subject to a number of constraints these being:-

- Third party land required for access.
- Multiple access points required.
- Additional mitigation on the wider highway network may be required.

- Air quality issues.
 - Noise source issues.
 - Part of the site lies within the UK BAP priority habitat.
- 1.15 In addition there are other site specific considerations which will also effect viability and deliverability in terms of:-
- The provision of a new primary school required on the site and secondary school provision either on this site or in the locality should be considered during the plan period. Early years and childcare provision will also be required relating to this allocation.
 - The flood risk vulnerability of proposed uses will need to be considered and an exception test may still be required as part of a planning application as set out in national planning policy.
 - The development has the potential for a severe adverse impact on the operation of a strategic road network and will require physical mitigation measures and travel plans in order to minimise the impact of the traffic generated.
- 1.16 The sustainable urban extension document April 2017 submitted by the landowners does nothing to properly address the overall deliverability of the site in relation to these constraints nor the viability of the development itself. It is a very generalised statement and lacks significant detail.
- 1.17 The interim Transport Assessment of August 2016 fails to properly assess the likely implications for the strategic road network including Junction 28 of the M62. The assessment uses a cordoned saturn model and does not take into account committed development and emerging draft allocation in the Leeds district which includes land both to the south and north of Junction 28. As such the Transport Assessment and conclusions in relation to the implications for the wider highway network cannot be relied upon and give an inaccurate position of the likely impacts. There is significant development proposed in and around Junction 28 proposed either through planning applications or draft allocations in the Site Allocations Plan for Leeds which is due to be heard at Examination in Public in October 2017.
- 1.18 The deliverability of this site has to be seriously questioned in this context as the potential constraints have not been fully analysed. The Transport Assessment works lacks sufficient detailed analysis and evidence base and there is no certainty that Junction 28 of the M62 can be improved to deal with the capacity of both the Chidswell site and the many applications and draft allocations coming forward in the Leeds district.

Bradley – H1747

- 1.19 The Bradley site which is to deliver 1,577 dwellings is subject to significant constraints including:-
- Multiple access points required.
 - Third party land required for access.
 - Additional mitigation on the wider highway network may be required.
 - Odour sources near site.
 - Noise sources near site.

- Air quality issues.
- Part of the site is within that wildlife habitat network.
- Part of the site contains a habitat of principle importance.
- The site is close to listed buildings.
- The site is in an area that effects the setting of Castle Hill.

1.20 In addition, the site requires the following:-

- The provision of a new primary school will be required on the site and secondary school provision either on the site or in the locality.
- Early years and childcare provision will be required relating to this allocation.
- Where an Ecological Assessment shows the presence of protected species, this area of site will be safeguarded from development.
- The development has the potential for a severe adverse impact on the operation of the strategic network and will require physical mitigation measures and travel plans in order to minimise the impact of traffic generated.

1.21 The submitted information which seeks to justify the deliverability of the development does not satisfactorily address all of the outstanding issues and in particular the Transport and Access Appraisal of March 2016 has been assessed by Optima Highways who conclude:-

The allocation access arrangements proposed are undeliverable as they require third party land, create several highway safety concerns, don't provide sufficient highway capacity and don't incorporate appropriate pedestrian/cycle/public transport access. The Site is therefore reliant on the potential accesses from Bradley Link and J24A and there is no certainty that these would be delivered within the plan period and there is no guarantee whether the improvements would facilitate direct access to these Allocations. Additionally the Site has been assessed by WYCA as located in an unsustainable location and access for public transport and servicing cannot be achieved to improve this assessment. The combination of these failings would result in a severe impact on the local highway network.

The Optima Highways Transport Report is contained within the Appendix at 1. In addition, the previous representations to the draft Local Plan Publication Draft submitted in relation to the subject site clearly identify that potential allocation is not in a sustainable location as set out at 6.54 of those representations.

1.22 On the basis of the foregoing, it is considered there are significant question marks about the ability of the plan to deliver the housing required given the distribution and the focus on major strategic allocations which require major infrastructure and intervention. There are alternative Urban Green Space and Green Belt sites which are without constraint on a smaller scale that do not need infrastructure improvements or intervention funding and that could deliver housing earlier in the plan period if allocated. On this basis, it is considered that the spatial development strategy is not clearly defined, justified or sustainable.