



STATEMENT IN RESPONSE TO  
INSPECTOR'S MATTERS, ISSUES AND  
QUESTIONS TO THE EXAMINATION  
OF THE KIRKLEES LOCAL PLAN

MATTER 2

CLAYTON WEST DEVELOPMENT  
COMPANY LIMITED

September 2017

Our Ref: Q50514



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## Documents

1 – Location and Extent of CWDCL Land

2 – Proposed Allocation E2333a

## 1 INTRODUCTION

- 1.1 These representations are made on behalf of Clayton West Development Company Limited (“CWDCL”).
- 1.2 CWDCL have a development option on 25.7ha of land to the north and south of Wakefield Road, Clayton West. This is shown on the Plan at **Appendix 1**. This land is referred to throughout this response as the “CWDCL Land”.
- 1.3 CWDCL have made representations to the Kirklees Local Plan (“KLP”) at each stage of its preparation (namely, Call for Sites January 2015, Regulation 18 November 2015 and February 2016 and Regulation 19 November 2016).
- 1.4 CWDCL also made further representations in August 2016 (prior to the Regulation 19 Consultation) to deal with specific matters raised by the Kirklees Metropolitan Borough Council’s (“the Council”) landscape architect.
- 1.5 CWDCL have additionally submitted information over the period April – August 2017 to address questions from Historic England about the likely magnitude of any effects on designated heritage assets in the vicinity of the CWDCL Land, which will be relevant to the site specific hearing sessions due to take place in Spring 2018.
- 1.6 CWDCL’s representations and the additional information submitted show that it is wholly appropriate and necessary to allocate the full extent of the CWDCL Land for employment development in the KLP. The Council is proposing to only allocate part of the CWDCL Land for employment development in the KLP, via Policy E2333a. The extent of the proposed allocation is shown on the Plan included at **Appendix 2**.
- 1.7 CWDCL maintain that it is both appropriate and necessary to allocate the entirety of the CWDCL for development over the Plan Period to meet the objectively assessed needs of the Borough in full. This Statement demonstrates that CWDCL support the KLP and the intended allocation of the CWDCL Land for employment uses. CWDCL will, however, invite the Inspector to consider the appropriateness of extending the Council’s proposed allocation through her Examination of the Plan at the site specific hearing sessions in Spring 2018.



1.8 This Statement goes on to deal with the specific issues raised by the Inspector during her initial consideration of the KLP where relevant to CWDCL's interests. Specifically it relates to Matter 2 which considers the Council's spatial development strategy.

## 2 MATTER 2: SPATIAL DEVELOPMENT STRATEGY

2.1 The Inspector has identified that the issues falling under this Matter relate to whether, ***“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?”***

2.2 The questions of relevance to the CWDCL Land falling under this Issue are addressed below.

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

2.3 For the purposes of the KLP, four character areas (“sub-areas”) are identified:

- Huddersfield
- Dewsbury and Mirfield
- Batley and Spen
- Kirklees Rural

2.4 The KLP states that these sub-areas are defined by the character of each part of the Borough, which are in turn defined by its local landscape and townscape (including the open farmland of Holme and Colne Valleys, the agricultural land of the Denby Dale and Kirkburton areas, the central urban area of Huddersfield and the towns of Dewsbury, Mirfield, Cleckheaton, Batley, Heckmondwike and Liversedge).

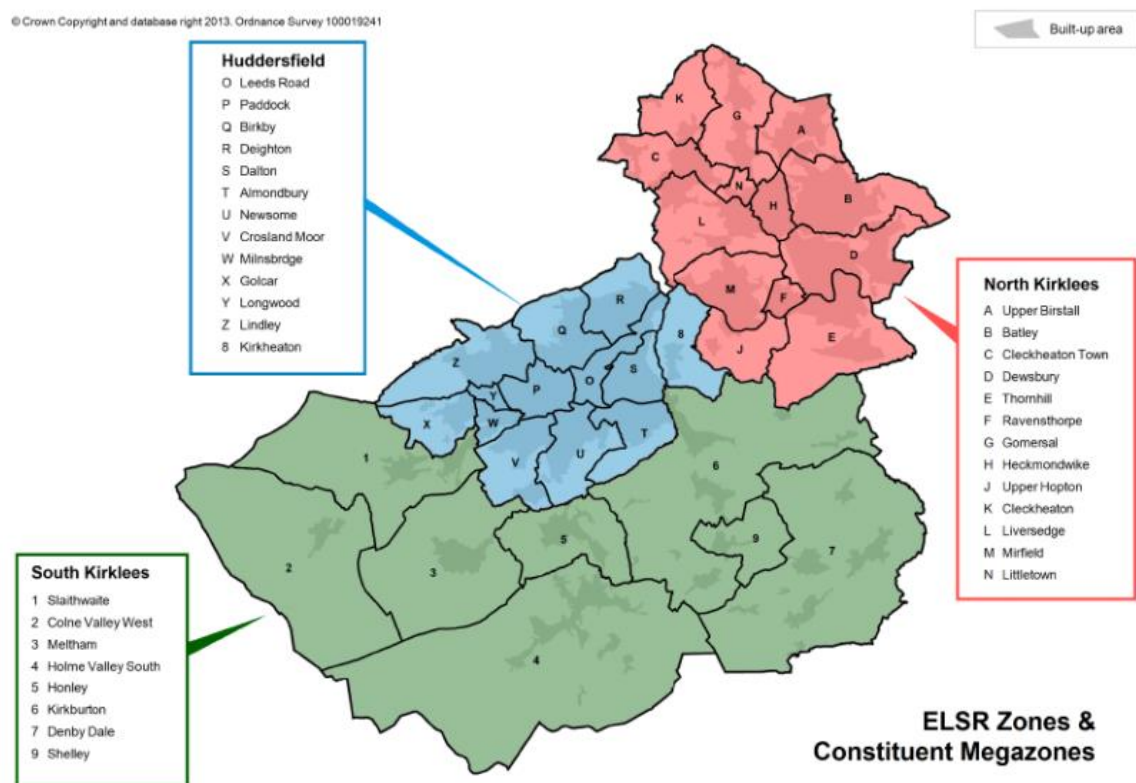
2.5 The four sub-areas are based on the Council’s district committee areas and ward boundaries. Taking into account the defining characteristics of these sub-areas, CWDCL consider that the boundaries are both logical (following administrative boundaries) and an appropriate basis on which to plan to achieve the objectives of the KLP.

2.6 The boundaries are clearly shown on Maps included within the KLP. These are supported by appropriate descriptive text which identify key settlements and the defining characteristics of the sub-area, together with strengths/opportunities for growth and challenges. These are then

translated into a “vision” for the sub-area. CWDCL support the identified “vision” for Kirklees Rural, in which the CWDCL Land is located.

2.7 In addition to these sub-areas, the Council’s employment evidence base (Kirklees Market Strength Assessment, September 2015 and 2015 Employment Land Supply Review) also established that there are three distinct “market zones” (also known as Functional Economic Areas) in Kirklees: Huddersfield, North Kirklees and South Kirklees.

2.8 These market zones closely align with the Council’s sub-areas, albeit North Kirklees encompasses both Dewsbury and Mirfield, and Batley and Spen. CWDCL support the conclusion that these market zones reflect the Functional Economic Areas (FEAs) of Kirklees.



Source: ELSR (2013)

2.9 These FEAs have been defined using extensive policy and property market research, enabling a robust assessment as to the likely extent of the FEAs. These FEAs are homogeneous with the Council’s sub-

areas and their associated megazones that are used for the purposes of employment land supply monitoring.

2.10 Clayton West lies within the South Kirklees FEA. The South Kirklees FEA is hindered by constraining characteristics which are limiting the growth of the employment sector. The constraints include the topography and rural nature of the area, market perception amongst occupiers and the presence of competing sites.

2.11 CWDCL consider the Council's sub-area boundaries to be both appropriate and sound in market terms, and therefore an appropriate based on which to base the KLP.

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?**

2.12 The Green Belt in Kirklees has not been reviewed for a considerable length of time. The majority of both the statutory and non-statutory boundaries created in the 1980s still exist.

2.13 Throughout this period the green belt has successfully channelled development into the urban areas. In this regard, it is noted that the Council state that in the past 11 years circa 85% of all housing completions within Kirklees have been on brownfield land.

2.14 However, this figure reflects the past availability of brownfield development sites and the Council's approach to strictly controlling greenfield development during much of this period. The amount of suitable and deliverable development land outside of the green belt has significantly declined as a result of this pattern of development, as demonstrated by the nature of the development options which have been put forward by landowners and/or considered by the Council as part of the preparation of the KLP.

2.15 Furthermore, not all remaining brownfield land is either available or suitable for new housing development or to meet the modern requirements for business or industrial sites and premises, which is a critical factor in determining whether it is appropriate for allocation in the KLP.

*i) Housing Need*

- 2.16 The NPPF requires local planning authorities to positively seek to identify sufficient land through their Local Plans to ensure that objectively assessed need (“OAN”) for market and affordable housing and for jobs is met **in full**, with sufficient flexibility to adapt to rapid change, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole. Local plans are also required to respond positively to wider opportunities for growth (NPPF Paragraph 14 and 17, third bullet).
- 2.17 NPPF Paragraph 47 sets out the requirement for Local Plans to identify **and meet** housing needs within the relevant housing market area **in full**.
- 2.18 CWDC supports the conclusions of the Kirklees Strategic Housing Market Assessment (SHMA) (October 2016) that the Kirklees Borough is an appropriate housing market area for the purposes of plan making and the identified housing requirement of 1,730 dwellings per annum (31,140 over the Plan Period), which translates to a need to allocate sufficient land to accommodate a further 21,328 dwellings over the Plan Period.
- 2.19 Adopting the methodology set out in the Kirklees Local Plan Methodology Part 2: Site Allocation Methodology, the Council has identified land to accommodate in the order of 10,000 dwellings in the urban areas. This, however, leaves a shortfall of approximately 11,500 dwellings that would need to be accommodated outside of existing urban areas and within the green belt.

*ii) Employment*

- 2.20 National Planning Practice Guidance (NPPG) states that the primary objective of analysing and then identifying employment need is to provide for the future quantity of land or floorspace required over the Plan Period (and beyond), including both the quantitative and qualitative needs for new development. It is therefore necessary to ensure this process considers future scenarios that could be reasonably expected to occur (Paragraph: 002 Reference ID: 2a-002-20140316).
- 2.21 Kirklees falls within the Functional Economic Market Area (“FEA”) of the Leeds City Region (“LCR”). Consequently, the Council considered the LCR Strategic Economic Plan (“SEP”) as well as its own economic objectives (which are set out in the Kirklees Economic Strategy (“KES”).



- 2.22 The SEP identified four key priorities, namely: Growing Business; Skilled People, Better Jobs; Clean Energy and Environmental Resilience; and Infrastructure for Growth, whilst the KES identified 5: precision engineering and innovative manufacturing: strength in depth and excellence; Innovation and enterprising businesses: championing creativity, entrepreneurship and resilience; workforce, skills and employment: extending opportunities and powering business success; infrastructure: making it easier for businesses to succeed and for people to access work; quality places: locations of choice for people, business and investment.
- 2.23 Each of these strategies aim to promote business both within the Borough and the wider Leeds City Region, with priorities aiming to provide the workforce, skills and infrastructure necessary to make businesses successful. Together (alongside Local Plan's) they seek to make the Leeds City Region the best place to do business in the North.
- 2.24 In order to align with and enable the delivery of both SEP and KES objectives (the latter of which is considered further in CWDCL's Statement in response to Matter 3), the identified objectively assessed need is approximately 23,200 full time equivalent (FTE) jobs.
- 2.25 Land requirements vary over different sectors of the economy. The type of land made available (including potential plot sizes), as well as its geographical location (in terms of, inter alia, its relationship with the workforce, key infrastructure and existing employment areas) is of critical importance to meeting the need.
- 2.26 In this case, the KLP proposes allocations to accommodate prime new employment development along the M62 corridor to the north of Kirklees and in the Dearne Valley, where easier access can be achieved to the M1 (which is critical for many "footloose" commercial occupiers which the Council wish to locate within the Borough). Local employment needs are then met in the main urban areas and smaller settlements through a combination of smaller employment allocations and priority employment areas.
- 2.27 The Council has translated the OAN of approximately 23,200 FTE jobs into a land requirement of 175 hectares.
- 2.28 This has been calculated using job density assumptions contained within the Roger Tym April 2010 'Planning for Employment Land, Translating Jobs into Land' study ("the RTR"). The Council considers

this the “*most relevant job density study for the Yorkshire and Humber region*”. The RTR assumes a 16sqm floorspace per worker for offices and 67sqm floorspace per worker for industry and warehousing. The density figures are applied to the jobs growth per sector, as calculated by Regional Econometric Model (REM) within the KES, which in order to output a requirement of 23,200 jobs applies a 75% employment rate.

2.29 Whether the job density and employment rate assumptions set out above are realistic and deliverable are considered in detail in CWDCL’s response to Matter 6. In summary, CWDCL consider that the job density assumptions used by the Council may be overly optimistic and further land may be required in order to achieve their economic objectives, this is particularly the case at the CWDCL Land (allocation E2333a).

*iii) Alternatives*

2.30 As with the OAN for housing, no part of the employment requirement for the District is proposed to be accommodated by neighbouring authorities.

2.31 CWDCL considers that there has been effective co-operation between the Council and adjoining authorities, the detail of which is set out in the Council’s Duty to Co-operate Statement (April 2017), and supports the Council’s objective of meeting the OAN in full within the Borough.

2.32 The Council “*identified early in the plan making process that land supply evidence indicated it would be possible to meet its objectively assessed needs for jobs in full and therefore it did not need to rely on other authorities to meet any shortfalls... Similarly, Kirklees has not been asked by any other authority within the functional economic market area to meet any shortfalls in terms of economic development*” (Paragraph 5.12 of Duty to Co-operate Statement).

2.33 It is of particular relevance to the consideration of alternatives that neighbouring authorities are similarly washed over with green belt for the most part and, as such, any shortfall within Kirklees that was to be met by neighbouring local authority areas would be likely to necessitate green belt change within those areas, particularly if the Borough’s needs were to be accommodate within close proximity to the Borough itself.

- 2.34 NPPF paragraph 83 states that green belt boundaries should only be altered in exceptional circumstances through the preparation or review of a Local Plan. The Housing White Paper (February 2017) reiterates that green belt should be afforded a high level of protection and clarifies that green belt boundaries should only be amended in exceptional circumstances where local authorities can demonstrate that they have fully examined all other reasonable options for meeting their identified requirements.
- 2.35 The Council's assessment of the existing supply of both housing and employment land within the existing urban areas of Kirklees has identified that green belt land **must** be considered if housing and employment requirements are to be met, i.e. there is no reasonable alternative to this approach. This is in the context of policies protecting open land within the urban areas which is considered valuable (Urban Green Space), and that no part of the requirement is being exported to neighbouring authorities.
- 2.36 As the green belt is the only additional source of land within the Borough that could accommodate the identified housing and employment land requirements, the Council has undertaken a Green Belt Review to determine whether any part of the Kirklees green belt is so fundamentally important that the harm caused by removal of land from it would outweigh the need to find land to meet OAN.
- 2.37 The review has also been used to support the comprehensive assessment of all development options in accordance with the Kirklees Local Plan site allocation methodology. This demonstrates that all other non-green belt alternatives have been examined and supports the Council's assessment whether the degree of harm to green belt purposes outweighs the need to provide new development land.
- 2.38 The Council has acknowledged in its plan making that only after due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns (having regard to the Spatial Development Strategy which is set out on p36 of the KLP) and a judgement that based on an individual site assessment the benefits of meeting objectively assessed need outweighs the harm to the green belt caused by the removal of land from it, can exceptional circumstances be shown that justify releasing land from the green belt.

2.39 Paragraph 6.3 of the KLP sets out that it seeks to meet housing and employment needs with a priority for the delivery of brownfield sites and that, since there are not sufficient deliverable and/or developable brownfield supply to meet needs throughout the Plan Period (as evidenced by the Council's assessment of all potential development options that have been identified through the preparation of the KLP), a sequential approach to land release has been adopted which considers brownfield sites first, followed by greenfield sites within settlements (where not required for open space uses), urban extensions, and then detached green belt sites.

*iv) Conclusion*

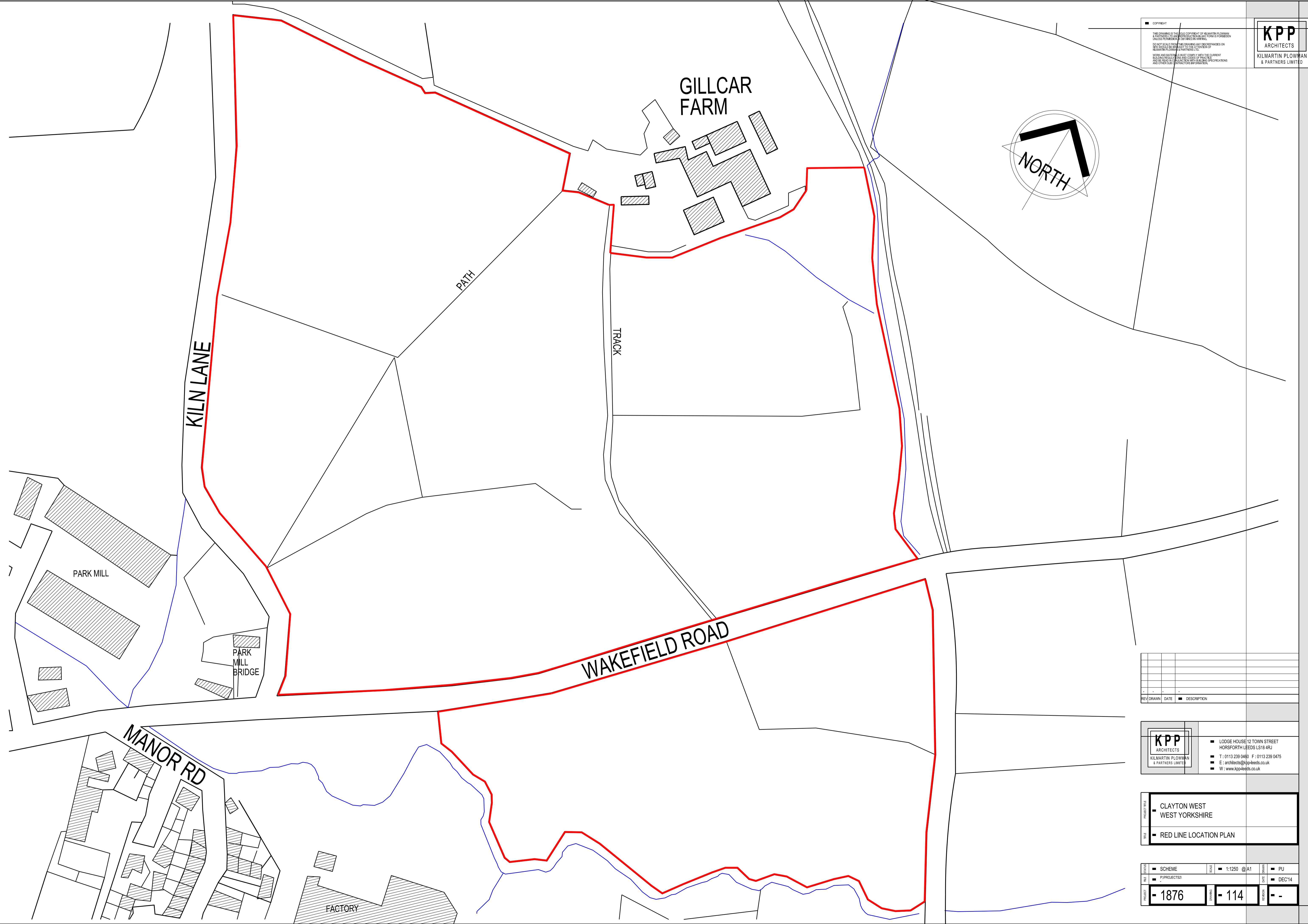
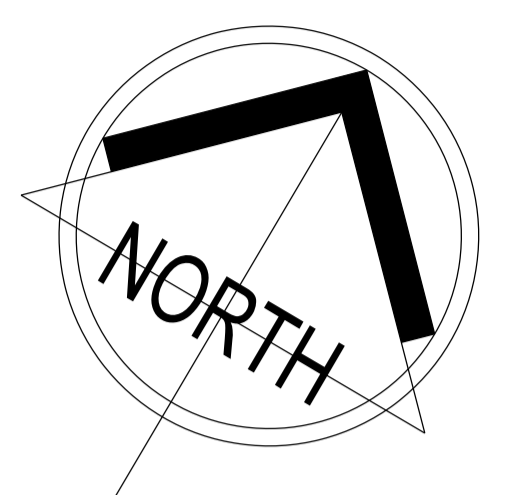
2.40 In conclusion, having committed (through the Duty to Cooperate) to meeting its objectively assessed needed within the local authority boundaries, CWDCL consider that the Council has undertaken a robust assessment of the opportunities that are available for accommodating the objectively assessed needs of the Borough in land that is not within the Kirklees Green Belt.



## **APPENDIX 1**

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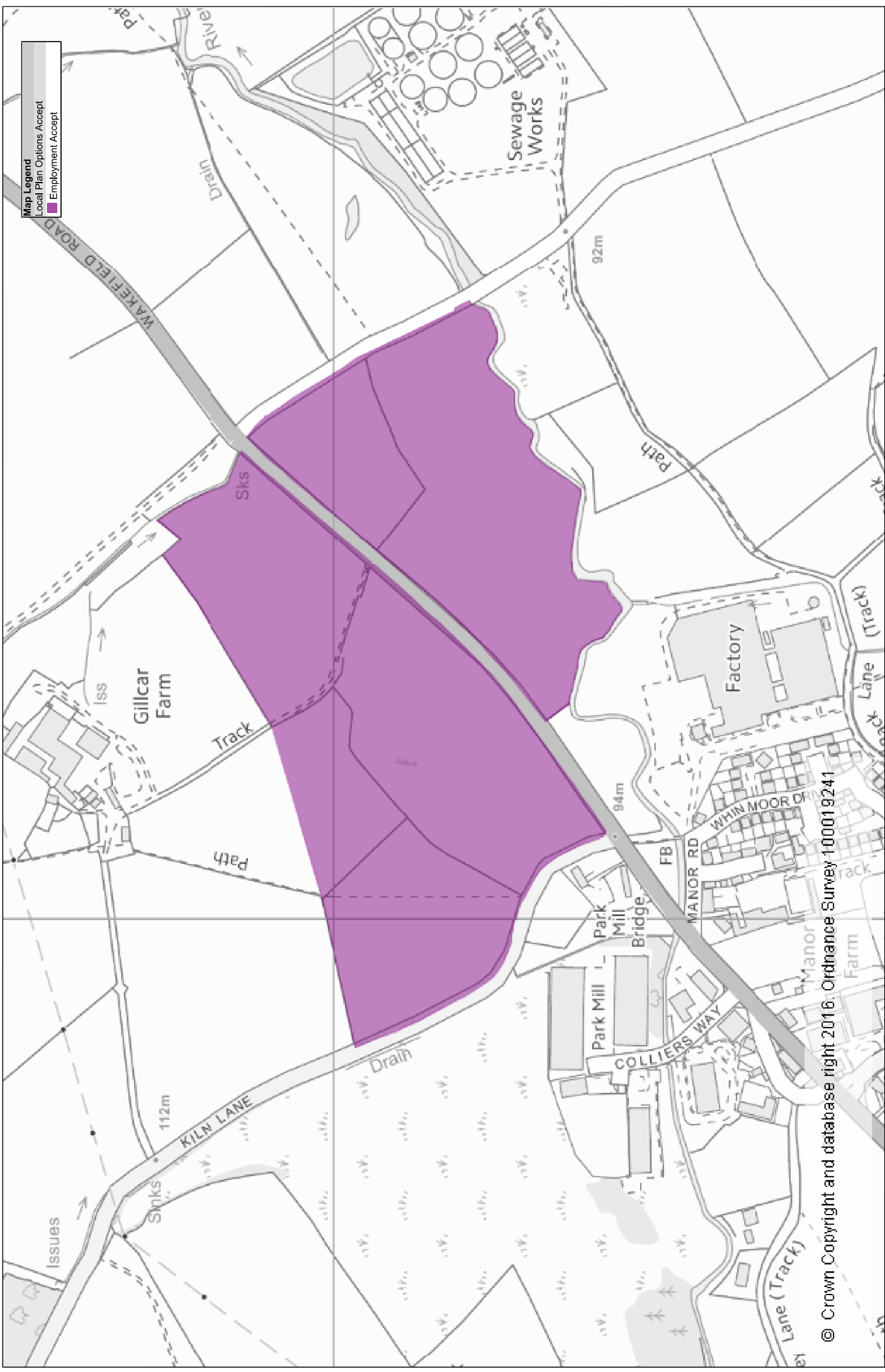
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 ■ CLAYTON WEST  
WEST YORKSHIRE

**TITLE**  
 ■ RED LINE LOCATION PLAN

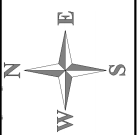
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<b>PROJECT</b> ■ 1876	<b>DRAWING</b> ■ 114	<b>DATE</b> ■ DEC'14



## **APPENDIX 2**



**Map Legend**  
 Local Plan Options Accept  
 Employment Accept



26-Aug-2016

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