

JOHN HALL

HILL TOP FARM, BIRKENSRAW

MM2 SPATIAL DEVELOPMENT STRATEGY

SEPTEMBER 2017

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1. INTRODUCTION

1.1 These representations are made to the Examination of the Kirklees Local Plan Examination Stage 1 on behalf of Mr John Hall who has land interests at Hill Top Farm, Birkenshaw.

1.2 Mr Hall owns the land at Hill Top Farm, which is located to the north east of Whitehall Road, Birkenshaw (A58). Hill Top Farm adjoins land being promoted by Vernon Properties at Brownhill Farm. Both sites are identified as a single site in the Rejected Site Options Report November 2015 and November 2016 (see ID H675 and H1792).

2. 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 PLP 2, PLP 3

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

2.1 We consider that this is a matter for the Council to address.

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 District?

2.2 We agree with the Plan's Vision but we do not consider that a clear framework for future growth and development is provided within the Place Shaping chapter. Although it sets out the strengths, opportunities and challenges to growth, it fails to provide a clear strategy for 'what will and will not be permitted' and 'where' and is therefore not consistent with national planning guidance.

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?*

- 2.3 The Council established four district committee areas in 2014 and this was used as the 'starting point' in assessing the different character areas of the District in the early consultation document 'Kirklees A Place To Grow'. However no evidence has been provided as to how these sub-areas were established.
- 2.4 Using these four committee areas as a starting point, three approaches for the distribution of development were put forward at the early engagement stage of the Plan preparation. Two of the approaches were rejected in the Draft Local Plan.
- 2.5 The first approach looked at allocating development based on a settlement hierarchy which was rejected as some of the rural settlements (such as Meltham, Honley and Holmfirth) would not have the capacity for significant growth due to topography, poor accessibility and environmental constraints. We concur with this judgement.
- 2.6 The second approach considered allocations based on an area's character, its constraints and its opportunities. It looked at the potential of each of the four sub-areas to grow, meaning that development would be allocated based on their area's ability to achieve the overall objectives of the Plan rather than simply looking at their existing size. This approach was rejected.
- 2.7 We do not agree with this decision as this approach considered the Council's spatial development strategy, the outcomes of the Green Belt review and the place shaping considerations set out in Policy PLP 2 of the Local Plan. It would have provided housing and jobs in sustainable locations and would have been the correct approach for the Council to take forward to ensure the objectives of the Plan were met.
- 2.8 Despite no evidence being provided to demonstrate that this approach had been fully considered, it was concluded that the objectively assessed needs for the Local Plan could not be met and the approach was rejected. We do not consider its rejection has been justified by the Council given the lack of evidence to demonstrate that the needs of the Plan could not be achieved by this approach.

2.9 The third approach, which was the accepted approach, allocates development based on an area's character and the size of its settlements. Unlike the second approach, this approach fails to consider the constraints and opportunities for growth across the whole of the District and the focus for development going forward is Huddersfield and Dewsbury. This is the approach taken forward in the spatial development strategy and results in Policies PLP 2 and PLP 3 being unsound.

d) Paragraph 2 of the spatial development strategy (page 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?

2.10 Focusing most growth in Huddersfield and Dewsbury fails to take account of the contribution of the North Kirklees area which is identified in the Spatial Development Strategy and Settlement Appraisal Technical Paper (April 2017) as an area where development should be focussed, alongside Huddersfield and Dewsbury. Paragraph 2 of the spatial development strategy fails to recognise this. Focussing development in all three of these areas maximises access to the strategic road network and to the main strategic employment locations identified along the M62 corridor.

2.11 Therefore the strategy set out in paragraph 2 is not justified and is not sustainable as there is a third sustainable location (North Kirklees) which has been omitted from the spatial development strategy which will assist in delivering the full housing and employment needs of the District.

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 area's character, constraints and opportunities) been balanced against settlement sustainability?

2.12 The spatial development strategy for the rest of Kirklees is also set out in paragraph 2, page 36 of the Local Plan. It is '*...a more flexible approach elsewhere to achieve a sustainable pattern of development*'. This does not provide an appropriate strategy for the District as a whole as it only considers growth in Huddersfield and Dewsbury and is not justified.

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

2.13 We have no comments to make on this matter.

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

2.14 We have no comments to make on this matter.

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

2.15 The spatial development strategy sets out the framework for the policies, proposals and land allocations for the Local Plan. It is a key component of the Local Plan. It should therefore be expressed as a policy. It would also carry more weight in the determination of planning applications if it was expressed as a policy rather than just text.

i) Does Policy PLP 3 provide a clear framework on locational requirements, in line with paragraph 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?

2.16 Policy DLP 3 does not provide a clear framework on locational requirements for new development across Kirklees. Paragraph 154 in the NPPF states that 'Local Plans should set out the opportunities for development and clear policies on what will or will not be permitted and where. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the Plan'.

2.17 Policy DLP 3 sets out a list of criteria which new 'development should reflect' but fails to provide a clear policy on where new development should be located. Accordingly Policy PLP 3 is not consistent with national planning guidance.

- 2.18 In relation to the last question, it is not clear how the development of brownfield sites will be realised early in the Plan. Policy PLP 3 fails to provide a strategy or framework for the delivery of brownfield sites. No evidence has been provided by the Council to demonstrate how development of brownfield sites will be realised early in the Plan.