

Stage 3 Hearing Statement – Upper Dearne Valley Environmental Trust
Matter 21 – Natural and historic environment policies

Issue - Does the Plan set out positively prepared policies for conserving and enhancing the natural and historic environment, which are justified, effective and consistent with national policy?

[Policies PLP 30, 31, 32, 33, 34, 35]

- a) Are the criteria in Policy PLP 34 requirements, or are they measures that the Council will seek to encourage?

*We agree this policy is unclear. Criterion/paragraphs 1 to 6 should be **requirements** to avoid further environmental damage and pollution.*

- b) Does the absence of Conservation Area Appraisals in some parts of Kirklees have implications for the delivery of criterion 3c in Policy PLP 35 and the Plan's strategy for the conservation and enjoyment of the historic environment?

No comment

- c) Does the Plan provide sufficient protection for the historic canal network in Kirklees?

No comment

- d) Is the approach to designated heritage assets, as set out in section 1 of Policy PLP 35, consistent with paragraphs 132, 133 and 134 in the NPPF?

We do not believe this policy conveys the intention or is in line with the NPPF. How will '.....be permitted only where this is outweighed by the public benefits of the proposal' be assessed in practice? Again, we see its current wording as giving space to developers to argue for the loss of heritage assets. No harm should ever be allowed in our view.

- e) Is the approach to non-designated heritage assets, as set out in section 2 of Policy PLP 35, consistent with paragraph 135 in the NPPF?

Same comment as above. How will in situ preservation be judged 'not justified'. Criteria/guidance appears to be needed in order to make the 'balanced' judgement demanded of paragraph 135 of the NPPF.

- f) Does Policy PLP 35 provide a clear framework for conserving archaeological sites which is consistent with the NPPF?

See comments above. We are not happy with the wording of these policies. Far more precision is needed to ensure common understanding, consistent interpretation and application. It seems not to have forcefulness of the NPPF statements.

