



Kirklees Local Plan Examination – Stage 3, Matter 24 Hearing Statement

For: Various clients

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1 MATTER 24 – GREEN BELT AND OPEN SPACE POLICIES

Issue- Does the Plan set out positively prepared policies for protecting the Green Belt and open spaces which are justified, effective and consistent with national policy?

1.1.1 This Hearing Statement has been prepared by **Enzygo Environmental Planning Consultants** on the instructions of various clients. We have submitted representations on their behalf through the consultation process carried out by the Local Planning Authority and will be making site specific comments through the examination process.

1.1.2 In respect of this matter our comments relate to Policies PLP57 and PLP59.

Policy PLP57 The extension, alteration or replacement of existing buildings. *Proposals for the extension, alteration or replacement of buildings in the green belt will normally be acceptable provided that:*

a. in the case of extensions the host building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and of other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building;

b. in the case of replacement buildings, the new building must be in the same use as and not be materially larger than the building it is replacing;

c. the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and d. the design and materials used should be sensitive to the character of the green belt setting.

1.1.4 Our comments relate to paragraph c above. The policy seems to go beyond national policy in the NPPF paragraph 89 by seeking to qualify matters that impact on openness such as the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access. Given that the policy deals with

extensions or alterations to existing buildings or replacement buildings we do not think it necessary to include paragraph c in the policy.

- 1.1.5 Policy PLP59 deals with infilling and redevelopment of brownfield sites within the Green Belt.

Policy PLP59 Infilling and redevelopment of brownfield sites.

Proposals for infilling within existing brownfield sites or for the partial or complete redevelopment will normally be acceptable, provided that:

a. in the case of infilling, the gap is small and is located between existing built form on a brownfield site;

b. in the case of partial or complete redevelopment the extent of the existing footprint is not exceeded, unless the resulting development would bring about significant and demonstrable environmental or other improvements;

c. any new building or structure does not materially exceed the height of the existing built development, unless there are demonstrable operations requirements for such a building;

d. redevelopment does not result in the loss of land that is of high environmental value which cannot be mitigated or compensated for; and

e. the development does not result in any detrimental cumulative impact on the openness of the green belt.

The council recognises that the redevelopment of land at Storthes Hall as identified on the Policies Map may be acceptable provided that the impact on the openness of the green belt is minimised and that the harm is outweighed by the beneficial re-use of this extensive brownfield site. In those cases where the site is proposed to be redeveloped for a new use the design and materials should have regard to the relevant design policies in this plan, to ensure that the resultant development does not materially detract from its green belt setting.

- 1.1.6 The final two bullet points of paragraph 89 of the NPPF deal with infilling and the partial or complete redevelopment of previously developed (brownfield sites). This is set out below. Our concern is that policy PLDP59 is not consistent with

paragraph 89 of the NPPF for a number of reasons. Firstly, in respect of infilling, there is no reference to the support for infilling within existing villages on greenfield sites. Paragraph 89 of the NPPF is clear in supporting limited infilling in villages on brownfield or greenfield land. In terms of infilling on brownfield land policy PLDP59 refers to the gap being 'small' but provides no definition of what constitutes 'small'. Greater clarity is required.

- 1.1.7 In terms of the partial or complete redevelopment of brownfield sites in the Green Belt paragraph b of PDLP 59 appears to introduce further control/consideration that is not explicit in paragraph 89 of the NPPF (see 1.1.10 below). That is the apparent restriction of any new development to the extent of the existing footprint. Does this allow a redistribution of footprint across a site? As drafted it is unclear. If it is restricted to existing footprints then we consider this to be unnecessarily restrictive and could prejudice many potential developments in Kirklees. Brownfield sites can include curtilage land that may be open. An example could be a multi-storied mill or factory that is replaced by lower level housing spread across the site beyond the footprint of the mill but where there is an overall reduction in volume and footprint when compared with the existing building and therefore a consequential reduction in volume and footprint and an overall increase in openness. Indeed, there are a number of redeveloped sites in Kirklees Green Belt where this has happened.
- 1.1.8 The Council are supportive of the redevelopment of Storthes Hall, a brownfield site in the Green Belt, for housing. In the case of Storthes Hall it is likely that any new development would need to be redistributed around the site rather than being focused on existing footprints.
- 1.1.9 Clarification is required on what would constitute infilling and this should include greenfield sites within villages and there should be clarity on how the impact on openness is assessed.
- 1.1.10 The final two bullet points of paragraph 89 of the NPPF:
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
 - limited infilling or the partial or complete redevelopment of previously

developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

1.1.11 The policy should be consistent with the final two bullet points of paragraph 89 of the NPPF.