

# Kirklees Local Plan Examination Hearing Statement

## Matter 24: Green Belt and Open Space Policies

16<sup>th</sup> November, 2017

Our Ref: 171116/MB/PT

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## **1.0 Introduction**

- 1.1 This Hearing Statement is made for and on behalf of Persimmon Homes West Yorkshire (PHWY) and responds to the questions set by the Inspector out under Matter 24: Green Belt and Open Space Policies which is to be heard during the Stage 3 hearing session.
- 1.2 This Hearing Statement should be read in conjunction with the representations submitted on behalf of PHWY by Lichfields during the Local Plan Consultation (2016) ref: 50579/JG/AJk and the Hearing Statements that were submitted by Lichfields on behalf of PHWY prior to Stage 1 of the Local Plan Examination which took place between 10/10/2017 and 18/10/2017.
- 1.3 The relevant matters and Inspector's Issues and Questions are included in bold for ease of reference. Please note that PHWY do not consider it necessary to attend and participate during the Hearing Sessions, but can be available if required.

**2.0 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?**

**Question (a): Is criterion d in Policy PLP clearly defined and effective? What standard of design materials would be required?**

2.1 No comment

**Question (b): Policy PLP 56 consistent with the exception outlined in paragraph 89 of the NPPF relating to the provision of facilities for outdoor sport, outdoor recreation and cemeteries in the Green Belt?**

2.2 No comment

**Question (c): Does Policy PLP 57 provide a clear and effective definition of a ‘disproportionate addition’ in relation to extensions?**

2.3 No comment

**Question (d): What is the definition of ‘original dwelling’, as referred to in criterion a in Policy PLP 57?**

2.4 No comment

**Question (e): Are the criteria in Policy PLP 59 relating to impact on the openness of the Green Belt justified and consistent with paragraph 89 in the NPPF?**

2.5 No comment

**Question (f): Does the Plan make appropriate provision for infill development within settlements that are washed over by the Green Belt, in line with paragraph 89 in the NPPF?**

2.6 No comment

**Question (g): Are the criteria in Policy PLP 61, relating to Urban Green Spaces, justified and in line with paragraph 74 in the NPPF?**

- Is the requirement in criterion b relating to accessibility necessary?
- Does criterion e accord with national guidance?
- Do the criteria provide an effective framework for assessing proposals on sites with no public access and public sporting/recreation function?

- 2.7 This question is in three parts. In answer to the first part of the question, we consider that criterion (e) is not strictly necessary and it appears to be a duplication of wording within the policy.
- 2.8 PHWY do not wish to offer comment on the second part of the question.
- 2.9 In answer to the third part of the question, PHWY considers that the criteria do not provide an effective framework for assessing proposals on sites with no public access and public sporting/recreation function. With reference to the written representations prepared by Lichfields on behalf of PHWY (ref: 50579/07/JG/AJk/12394991v3) during the Local Plan Consultation (2016), it is considered that there are numerous flaws to be found within the framework for assessing proposals on sites with no public access and public sporting/recreation function.
- 2.10 Site H357 (Land to the east of Rumble Road, Dewsbury) was rejected as an allocation on the basis of the council's Open Space Assessment report. In the Rejected Site Options report, the council gives the site a 'red' score on the open space category, noting:
- The site is a large area of natural/semi-natural greenspace off Rumble Road. Informal recreation use is restricted to the Public Right of Way on the eastern edge of the site. It provides legitimate public access. The site has value in providing visual relief in an urban area and provision of natural/semi-natural greenspace in Dewsbury East ward is below the standard.*
- 2.11 The council's statement is somewhat contradictory in that it states that informal recreation is restricted to the Public Right of Way (PROW), which does not form part of the application site, but at the same time it provides legitimate public access. This is not true, the land is under private ownership and there are no specific facilities on the site that have a sporting or recreational function. It is therefore clear that the site has been incorrectly classified within the Open Space Assessment Report, adding weight to the notion that the framework for assessing the accessibility and functionality of Urban Greenspaces is not effective.
- 2.12 Furthermore, two appeals on the aforementioned site ref: APP/Z4718/W/17/3174217 and APP/Z4718/W/17/3184318 were heard by the Planning Inspectorate on 15<sup>th</sup> November 2017. A body of submissions in respect to Urban Greenspaces have been made elsewhere.

**Question (h): By whom and at what stage will the open space assessments referred to in paragraph 19.43 of the Plan be executed?**

2.13 No comment

**Question (i): Do criteria b and c in Policy PLP 62 provide a clear and effective framework for assessing proposals, which is in line with the Council’s approach to extensions and new buildings in the Green Belt as established in Policy PLP 57?**

2.14 No comment

**Question (j): Does Policy PLP 63 provide sufficient clarity regarding the scale and type of open space that will be sought in relation to development proposals?**

2.15 PHWY considers that insufficient clarity is provided regarding the scale and type of open space that will be sought in relation to development proposals.

2.16 It is noted that UDP Policy H18, which stated that on sites of more than 0.4ha, Public Open Space will be required at a minimum rate of 30sqm per dwelling, is to be replaced. PHWY considers that if the council are minded to include a minimum requirement within Policy PLP 63 then it should be consistent with UDP Policy H18.