

## Kirklees Local Plan Examination

### Stage 4 – Initial Hearings

#### MATTERS, ISSUES AND QUESTIONS (MIQs)

##### Council Response

#### **Matter 26 – General approach in Part 2 of the Plan**

- 1.1 This statement sets out the council's responses in relation to the Inspector's matters and issues Matter 26 – General approach in Part 2 of the Plan. All the documents referred to in this statement are referenced within the main body of the statement.
- 1.2 The modifications proposed in this document have been provided to assist with the discussions at the hearings for this matter and have not been subject to sustainability appraisal testing or public consultation. Should it be necessary to make any of the modifications these will be added to the full schedule of modifications to the Local Plan which will be made available for comment and subject to sustainability appraisal at a later stage of the Examination in Public, subject to the delegated powers agreed by the council's Cabinet.

***Issue – Does Part 2 of the Local Plan set out an effective framework for the delivery of allocations and the protection of designation sites, which is robust and in line with national policy?***

**a) Does the inclusion of site allocation wording in text boxes, rather than policies, have implications for the effectiveness and deliverability of Part 2 of the Local Plan?**

- 1.3 The council considers that the site allocation wording in text boxes, rather than policies does not have any significant implications for the effectiveness and deliverability of the development plan to the extent the plan is unsound.
- 1.4 Part 1 of the Local Plan, together with the NPPF, the NPPG and any other material considerations relevant to the determination of planning applications provide the mechanisms to secure the Local Plan requirements for individual site allocations.
- 1.5 The council note that the NPPF (paragraph 157, fifth bullet) states:  
  
*“allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate”*
- 1.6 The NPPF does not specify such information should be in policies or not, however the site boxes provide details in line with this part of the NPPF, where appropriate.

**b) Are the infrastructure and open space requirements of each site clearly set out in Part 2 of the Plan? Is it clear what developers are expected to provide and when?**

- 1.7 Part 2 of the Local Plan should be read in conjunction with the rest of the development plan and read as a whole. Policy PLP4 (Providing Infrastructure), Policy PLP5 (Masterplanning), Policy PLP63 (New open space) and other policies in Part 1 of the Local Plan will allow the precise infrastructure and open space requirements to be determined at the time of a planning application, depending on the form, layout, size and scale of development proposed.
- 1.8 In order to be justified allocations, the council has prepared robust and credible evidence to assess whether they should be included in the Local Plan. In some cases, this evidence has highlighted specific issues which might need to be addressed at the time of a planning application, such as site access, improvements to local/strategic highway links/junctions in the vicinity of proposed allocations and other site specific infrastructure improvements. These are signposted in the text of the site boxes to highlight to potential applicants some of the issues that will need to be considered and understood to address constraints/opportunities. In all cases there is a planning policy in Part 1 of the Local Plan which would be relevant to securing these issues, where appropriate. In some cases development will be linked to progress against the Infrastructure Delivery Plan (LE40), which is again where Policy PLP4 (Providing Infrastructure) would be used to determine whether essential infrastructure requirements are being provided and control the phasing of development should that be necessary and appropriate.
- 1.9 Securing infrastructure requirements for development proposals would also need to comply with the CIL Regulations, in particular infrastructure requirements should only be secured where they are:
- a) necessary to make the development acceptable in planning terms
  - b) directly related to the development; and
  - c) fairly and reasonably related in scale and kind to the development
- 1.10 The council considers the best way to meet these regulations is to avoid an overly prescriptive and restrictive approach which means the plan fails to be sufficiently flexible. Signposting the key constraints/requirements balances the following:
- the need to provide detail on the form, scale, access and quantum of development where appropriate (required by NPPF, paragraph 157, fifth bullet) (NE1)
  - the need for policies to be flexible enough to meet the first part of the same paragraph of the NPPF ("*allocate sites to promote development and **flexible** use of land*" (our emphasis)
  - to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances (NPPF, paragraph 21, 3<sup>rd</sup> bullet)
  - the need for the local planning authority to be sufficiently flexible when considering planning obligations to prevent planned development being stalled
  - the need to take into account the CIL Regulations set out above

- the need for the development plan to be read as a whole and to avoid issues of internal inconsistency within the Local Plan

**c) Are other site constraints and related mitigation measures clearly defined in Part 2 of the Plan? Is there sufficient detail to effectively guide development and make it clear what will be permitted?**

1.11 Please see the council's response above.

**In relation to this:**

- i. should further information be provided on access points and local highway improvements?**
- ii. where non-developable areas and landscape/other buffer zones are cited, should further detail be provided to clarify their location and extent?**
- iii. where sewers or power lines cross a site, should potential mitigation be specified?**
- iv. should Part 2 of the Plan specify the protection and enhancement of Public Rights of Way (PROWs) on allocation sites, and the provision of links to adjoining PROWs and the Core Walking, Cycling and Riding Network where appropriate?**

1.12 The council does not consider it necessary to include information on the above points for reasons of soundness, as set out above. These factors have been taken into account, where relevant, in the assessment of site allocations through the plan making process. The council considers that prescribing mitigation measures through policy will not provide the Local Plan with sufficient flexibility to respond to changing circumstances and/or each and every permutation of the development process. Site specific mitigation and enhancement considerations are better explored as part of the pre-application/planning application process as this will serve to identify bespoke measures that are specific to the form of development proposed (and which may differ from the options for mitigation/enhancement identified within the Council's own evidence base at this point in time, the role of which has been to provide evidence to justify the allocations in the Local Plan at a proportionate level. The council note that protection and enhancement of public rights of way are covered by separate legislation.

**v. should Part 2 of the Plan specify mitigation measures relating to the historic environment, where relevant?**

1.13 The selection of sites which have been put forward as allocations in the Publication Draft Local Plan have been arrived at following a series of evaluations by the council of the potential impacts that sites might have upon the historic environment. Historic England was formally consulted at each stage of the plan-making process.

1.14 The heritage screening exercise undertaken as part of the site selection process has directly informed site scoring within the Sustainability Appraisal (as set out within the assumptions for SA objective 13).

1.15 Heritage Impact Assessments (HIA) have been prepared in accordance with NPPF paragraph 129 where agreed with Historic England, which requires local planning

authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset).

- 1.16 Heritage Impact Assessments (HIAs) provide the necessary degree of evaluation to inform the Local Plan about the likely effects which each of the allocations might have upon Kirklees' heritage assets. Historic England endorse the approach which the Council have used to undertake a more detailed evaluation of the proposed allocations. More specifically, the overall approach that has been used for the HIAs has been agreed with Historic England as providing an appropriate and proportionate methodology by which to assess the likely impact which the development of those sites might have upon the historic environment.
- 1.17 The role of the HIAs is to understand the potential impact (upon the significance of heritage assets) of developing land that is currently undeveloped. In accordance with Paragraph 129 of the NPPF, the HIAs identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.
- 1.18 The HIAs include options for mitigation and enhancement which have been provided to give guidance on how harm to heritage assets might be mitigated. The Council considers that incorporating these options within Part 2 of the Plan is unnecessary as they only represent what a possible solution could be, and have been prepared in isolation (i.e. in the absence of any prospective proposal detailing layout, landscape, density, height and massing).
- 1.19 Prescribing mitigation measures through policy will not provide the Local Plan with sufficient flexibility to respond to changing circumstances and/or each and every permutation of the development process. Site specific mitigation and enhancement considerations are better explored as part of the pre-application/planning application process as this will serve to identify bespoke measures that are specific to the form of development proposed (and which may differ from the options for mitigation/enhancement identified within the Council's own HIAs).
- 1.20 Part 2 of the Plan also identifies the allocations for which Heritage Impact Assessment reports will be required in the site boxes. Applicants will be advised to take account of the Council's own HIAs (including options for mitigation/enhancement) when considering the impact of a proposal on a heritage asset. This in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal (in accordance with NPPF Paragraph 129).

**vi. should constraints on/near allocations, including heritage assets, environmental designations, noise sources & hazardous installations, be specifically named?**

- 1.21 The council does not consider it necessary to include information on the above points for reasons of soundness, as set out above. These factors have been taken into account, where relevant, in the assessment of site allocations through the plan making process. The naming and nomenclature of designations is subject to change

over the plan period and could introduce unnecessary specificity into the plan with the potential for confusion at a later date.

**d) Should Part 2 of the Plan specify when Masterplans are required in association with an allocation site? Which sites would this apply to?**

1.22 The council considers that its written response to Matter 16 regarding Policy PLP5 in Part 1 of the Local Plan together with verbal evidence given at the matter 16 hearing is still appropriate and valid. In summary, the council considers that, given the considerable number of development allocations in the Local Plan it is not possible to set out detailed masterplanning requirements in the Local Plan itself for every allocation. The council has proposed a modification reference SPMM4 (SD4, page 43) which seeks to clarify the second paragraph of the policy to ensure that masterplans will only be sought where it is feasible to do so and where appropriate. Proposed modification reference SPMM5 (SD4, page 43) seeks to clarify further the circumstances when masterplans are prepared as part of the development management process and the varying circumstances when masterplans would be requested by the council.

**e) Should the Plan specify where planning permission has already been granted, for reasons of effectiveness?**

1.23 The council do not consider that the Local Plan should specify where planning permission has already been granted. The council has taken into such information into account in the Local Plan evidence base but the council considers that the development plan would be quickly out-of-date in relation to such information. For example some permissions may lapse, be varied, only partly implemented and the weight to be afforded to them may vary depending on the development proposed at the time of a planning application and any other material changes in circumstances since they were granted.

**f) What are the implications of a site being located within a High Risk Coal Referral Area?**

1.24 Development on sites located within a high risk coal referral area (unless exempt) would need to submit a coal mining risk assessment alongside their planning application in accordance with published government guidance "Planning applications: Coal Mining Risk Assessments" and taking into account the Coal Authority's published guidance for them.

1.25 The fact that a high risk coal referral area exists does not necessarily mean the presence of coal mining legacy risks which would adversely affect development on a site. It flags the need for an assessment to be carried out at the time of a planning application. The conclusion of this assessment may mean that planning conditions can be attached if planning permission is granted requiring specific mitigation.

**g) What approach has the Council taken to sites that fall within HSE zones, in the vicinity of hazardous installations? Is this approach justified and effective?**

- 1.26 The council's general approach to sites which fall within a HSE zone is set out in the Local Plan Methodology Statement Part 2 (BP23). The presence of a HSE inner safety zone is considered to be an absolute constraint to development. Where an HSE inner safety zone affects part of a site, consideration has been given to whether it is possible to remove the affected area whilst retaining a reasonable development site. Where this is not possible, or the remainder of the site would fall below the site size threshold for allocation, the option has been rejected.
- 1.27 Where sites fall into middle and outer zones the council have considered the Health and Safety Executive's published land use planning methodology. Most residential and employment development sites of the scale allocated in the Local Plan are considered to have Level 2 sensitivity and following HSE's advice for middle and outer zones results in 'Don't advise against development'. In these cases this is considered the final HSE advice as set out in their published land use planning methodology. In some cases planning applications and permissions have been taken into account when the council has considered this advice, together with the benefit of meeting housing needs when considered against other relevant alternatives, and ensuring the effective use of land. The NPPG (NE2, Paragraph: 002 Reference ID: 39-002-20161209) allows planning decisions to give due weight to risks, when balanced against other relevant planning considerations and where relevant this has applied on a case by case basis.

**h) What scale/form of 'enhanced affordable housing and green infrastructure' is proposed in association with Council-owned allocations?**

- 1.28 It is unknown at this stage what the exact level of affordable housing and green infrastructure will be on these sites. This text is to signpost to developers that the council as a landowner would be willing to discuss enhanced levels of affordable housing and green infrastructure when considering disposal of land.

**i) Where proposals state that a site 'would benefit from a drainage masterplan', is this a requirement or an option? (for example, sites H755 on page 29, H173 on page 85 and H612 on page 99)**

- 1.29 This is desirable but not a requirement. In practice this would be achieved primarily through the implementation of Policy PLP5 (Masterplanning) and Policy PLP28 (Drainage). The purpose of its inclusion in the site box is to signpost the consideration of comprehensive drainage solutions particularly where sites are located adjacent to each other.

**j) Are the allocations consistent with paragraph 100 in the National Planning Policy Framework (NPPF) which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk and manage any residual risk, taking account of the impacts of climate change?**

- 1.30 Yes. The council's Strategic Flood Risk Assessment (LE43) has been used to assess the site options through a sequential test in accordance with the NPPF. The results of this exercise are set out in the Flood Risk Technical Paper (BP24) which lists all accepted site options and whether they are located in flood zones 1, 2 or 3 and explains how these have been taken into account in determining the developable area for sites in each flood zone.

- 1.31 The developable area of housing allocations which overlap with Flood Zone 3(a) has been reduced to remove the area at high risk of flooding or where a site has planning permission the planning permission capacity has been shown. As no housing development will take place in Flood Zone 3a, there is no requirement for a Sequential Test for these sites in relation to Flood Zone 3a. This approach has been agreed with the Environment Agency and avoids the need for any exception testing.
- 1.32 The site box for each allocation signposts the provision of a site-specific Flood Risk Assessment for sites over 1 hectare in accordance with NPPF paragraph 103.

**k) Has flood risk been factored into indicative site capacity estimates? [for example, sites E1879 (page 9), H1647 (page 34), H202 (page 47), H307 (page 59), H85 (page 64)]**

- 1.33 Flood risk has been factored into indicative site capacity estimates as set out in the Flood Risk Technical Paper (BP24) for site allocations located in Flood Zone 3, but the council has not factored flood risk into the indicative site capacity estimates for areas of lower flood risk (Flood Zones 1 and 2). The council has satisfied the sequential test as required by national planning policy. The council also considers that this approach is justified as site layouts are considered capable of absorbing the areas affected by flood zone 2 through landscaping and public open space areas. For the specific examples given the council can confirm the following:

- E1879 – majority located in Flood Zone 2 – no adjustment made as set out above
- H1647 – small part of site located in Flood Zone 2– no adjustment made as set out above
- H202 – site has planning permission for 22 dwellings 2015/90452 (however the Local Plan recognises that this site is affected by an overland surface water flood route which may mean careful consideration of siting and layout)
- H307 – part of site is in flood zone 2, part in flood zone 3 and partly affected by a culvert in the same area as the flood zones. An adjustment has been made to the indicative site capacity for the flood zone 3 areas.
- H85 – majority of this site is in flood zone 2 and although it contains sewers and may require an ordinary watercourse easement it is considered that through careful consideration of the site/road layout and public open space to avoid ponding and allow for surface water flows these issues can be addressed. No adjustment made.

**l) Part 2 of the Plan specifies that employment sites are allocated for ‘employment uses’. Does this cover Use Classes B1 to B8, or are other uses accepted? Is the Council’s approach justified and clearly articulated?**

- 1.34 The term ‘employment uses’ includes the B use class employment uses derived from the Town and Country Planning (Use Classes) Order Guide 1987 (as amended) and is set out in the ‘Employment Technical Paper’ (SD22, paragraph 1.2).
- 1.35 The employment land requirement has been derived from the OAN for jobs in B Use Class operations only. Development proposals on land allocated for employment

would be expected to conform to the Local Plan and National Planning Policy Framework.

- 1.36 The Plan does however, provide flexibility within the B use classes to ensure suitable ratios (see response to Matter 26, question m)) can be achieved on allocations in order to meet the local needs of different sectors and the intentions of landowners/businesses and changes in circumstances. This flexibility is based on the expectation that development proposals will create jobs and address the objectives of the Kirklees Economic Strategy and the Leeds City Region Strategic Economic Plan.
- 1.37 The NPPF (paragraph 14) requires that Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change. Therefore employment allocations should remain attractive to the market and not restrictive in terms of viability.
- 1.38 The Council's approach is considered justified and clearly articulated in the Allocations and Designations document (SD2) paragraph 2.1 and the site allocation text boxes in Part 2 of the Plan clearly state that these sites are allocated for use as employment and that they have been allocated to meet the employment requirement.

**m) On employment and mixed-use sites, how have the indicative capacity floorspace figures been derived? Has a particular proportion of different B use classes been assumed?**

- 1.39 On employment sites and the employment element of mixed use sites the indicative capacity floorspace figures have been derived by using the ratios as set out in paragraphs 4.24 and 4.25 of the Site Allocation Methodology Part 2 (BP23), as follows:

*'In order for a total amount of employment floorspace to be estimated, a standard ratio of area/employment type has been applied unless there is specific evidence to indicate otherwise, such as a detailed ratio in a master plan or other accompanying document or where the location or other characteristic of the individual site suggests otherwise. This calculation will result in an estimate of the amount of B1a, B1b, B1c (Office, Research and Development and Light Industry), B2 (General Industry) and B8 (Storage and Distribution) floorspace that could be achieved on the site.*

*The assumptions that have been used per site are:*

*B1a = 10%*

*B1b = 10%*

*B1c = 10%*

*B2 = 60%*

*B8 = 10%'*

- 1.40 The assumptions above relate to strategic sites only, the indicative capacity on all other employment sites are based on the following assumptions that are not listed in the Site Allocation Methodology paper Part 2:



B1a = 10%

B1b = 10%

B1c = 10%

B2 = 35%

B8 = 35%

1.41 For mixed use sites, the methodology applied is set out in paragraph 4.26, as follows:

*'The capacity on proposed mixed use sites will be estimated using a 50/50 ratio of housing to employment provision unless there is specific evidence to indicate otherwise, such as a detailed ratio in a master plan or other accompanying document or where the location or other characteristic of the individual site suggests otherwise. The capacity for housing and employment on each portion of the site will be calculated in the same way as for sites wholly proposed for housing or employment. In all cases the estimated capacity is based on the remaining developable area of a site once any constrained area has been removed.'*

1.42 A different amount of floor space per hectare is used for B1(a) office than is for the other B use classes. 'Planning for Employment Land, Translating Jobs into Land' study produced by Roger Tym and Partners (2010) was used to understand the land requirement based on the jobs need. The assumptions applied were:

- B1(a) office – 16 sq m of building floorspace per worker, and 6,000 sq m of building floorspace per hectare of land
- B1(b), B1(c), B2 and B8 – 67 sq m of floorspace per worker, and 3,500 sq m of floorspace per hectare

1.43 These assumptions are also set out on page 26 of the Employment Technical Paper (SD22) and discussed in more detail in EX36 – Employment Land Supply Briefing Note.

1.44 The ratio split between all the non-office uses (B1(b), B1(c), B2 and B8) is not a consideration as the density assumptions are the same for all. Therefore, there are no implications on the land requirement and total floorspace figures if changes were made to the non-office use class ratios. As such, we have not specified ratios in the site allocations text boxes. This allows for flexibility but crucially ensures that land supply is sufficient to meet the identified needs for B use class operations as established in Table 2 of the Employment Technical Paper (SD22, page 27).

**n) Are the proposed site allocation modifications relating to effects on the wider highway network necessary for reasons of soundness? (ADMM4, 5, 7, 11-20, 24, 26, 27, 29, 32, 33, 37-40, 48, 50, 53, 58, 61)**

1.45 Modifications AD - MM 1, 4, 5, 11, 12, 13, 15, 16, 17, 18, 19, 20, 27, 29, 33, 37, 38, 39, 40, 48, 50, 53 and 61 are necessary in order to delete 'other site specific considerations' that are not consistent with national policy (i.e. Paragraph 204 of the NPPF) and are therefore unsound.

- 1.46 Modifications AD-MM7, AD-MM14, AD-MM24, AD-MM26, AD-MM32 and AD-MM58 are necessary for reasons of soundness as they enable the Council to require the following if a Transport Assessment demonstrates that committed schemes will not provide sufficient capacity to deal with the additional demand generated by the site:
- a. Measures that reduce and mitigate significant impacts on the M62/M1.
  - b. Phased development.
  - c. Contributions to additional schemes identified by Highways England.
- 1.47 Modifications AD-MM7, AD-MM14, AD-MM24, AD-MM26, AD-MM32 and AD-MM58 only apply to sites that have the potential to generate a significant impact upon the Strategic Road Network.
- 1.48 In accordance with the Kirklees Council and Highways England Joint Position Statement (18th January 2018) Modifications AD-MM4 and AD-MM50 with regard to E1831 and MX1930 should be amended to delete wording rather than replace it.

**o) Are the proposed site allocation modifications relating to the effect on the South Pennine Moors SPA necessary for reasons of soundness? (ADMM8-10, 36, 41-46)**

- 1.49 The council considers that modifications ADMM8-10, 36, 41-46 are necessary for the reasons of soundness to provide certainty in accordance the requirements of the NPPF (NE1, paragraph 199) whereby such sites may be exempt from the presumption in favour of sustainable development, the outcomes of the Habitat Regulation Assessment (SD10) and to comply with the legal requirements of the Habitat Regulations (Conservation of Habitats and Species Regulations 2010 (as amended)). These modifications have been agreed with Natural England as set out in their letter to the council dated 3 April 2017 (enclosed in BP28).

**p) Should the estimated housing capacity for each safeguarded land allocation be identified in Part 2 of the Plan?**

- 1.50 There is no requirement for a set amount of safeguarded land to be included in the Local Plan. This would be determined should these sites need to be allocated for housing when they are reviewed in accordance with national planning policy, taking into account any relevant guidance/constraints at that time. Site capacities are indicative only. The need to review such sites when the development plan is reviewed in accordance with the National Planning Policy Framework could mean that their capacity needs to reflect changes in policy over time, such as housing density.

**q) Are there any implications for the site selection process, arising from the Council's re-assessment of RAG Green Belt edge ratings relating to Test 2d, as set out in Examination document ID17?**

- 1.51 The existing Green Belt Review (SD19) Test 2d assesses Green Belt land around settlements for its role in protecting the setting of historic assets using a 'RAG' rating (red/amber/green). How each of these assessments was derived and the resulting conclusion from the Assessment Matrix is set out in the Green Belt Review at pages

16 and 17 and at Appendix 1. It is recognised that Test 2d is not assessing land against a Green Belt purpose as set out in paragraph 80 of NPPF which refers to historic towns. Consequently, Test 2d has been revisited replacing any 'amber' or 'red' assessments with 'green', indicating that land is not playing an important role in protecting the setting of historic towns. The results are set out in 'Green Belt Review (SD19) Test 2d: Reassessment' (ID17). There are no implications for the site selection process as a result of this reassessment because both the overall Green Belt Review methodology, which combines the Test 2d assessment with the assessments at Test 2b and Test 2c in a matrix to arrive at an overall outcome, and the Site Allocation methodology, remain unchanged.

- 1.52 ID17 shows the outcome of the revised assessment applied to each length of green belt affected by the reassessment at Test 2d. In the majority of cases there is no change to the outcome of the Green Belt Review because the score for the edge either remains the same or is only slightly modified, indicating that the impact on the role and function of the green belt as a result of the reassessment is not significant. In a small number of cases the change in the conclusion is more significant, as it changes the outcome of the edge assessment from amber to green. This affects edges BW5 (Batley West), AL5 (Almondbury) and UD7 (Upper Denby). There are no development options associated with BW5 or UD7 but there are two rejected options, H510 and H1681 located on edge AL5. These sites have been reassessed using the revised score for edge AL5. There are no implications for the site selection process as a result of the reassessment as the overall green belt assessment is not affected. There are no implications for the assessment of any accepted options.

**r) Are the environmental and historic designations listed in Chapters 8 and 9 of Part 2 of the Plan up to date and accurate? Are any modifications necessary?**

- 1.53 The council has used the latest data held by West Yorkshire Archaeological Service, Historic England, West Yorkshire Ecology Service, Natural England and the councils own internal records wherever possible at the time of preparing the Local Plan. The council recognises that such designations are often updated by these organisations.
- 1.54 The council has proposed a number of minor corrections to the site areas and site name of Local Wildlife Sites (LWS) in the Local Plan. These are set out under modification reference numbers AD-MM63-ADMM75 (SD4). These have corresponding changes to the Policies Map as set out in Table 3 of SD4 (modification reference numbers PM-MM2 – PM-MM13). The council consider these changes are helpful to include in the Local Plan at this point in time to correspond with West Yorkshire Ecology Service records at this point in time.
- 1.55 Comments have been received regarding the allocation of scheduled ancient monument SM00475 (Medieval Ironstone Pits, south of Bentley Grange, Emley) stating that it does not reflect with the area defined by Historic England, and is therefore unsound and that the allocation should be amended to identify the correct area as defined by Historic England (List Entry Number 1005786). The council have consulted Historic England and West Yorkshire Archaeological Service on the Local Plan and received no comments in relation to the boundary of this scheduled monument. However, it appears from the Historic England website that there is a

revised boundary for this scheduled monument therefore if this represents a soundness issue to the plan the council would consider an amendment to the Policies Map.