



Kirklees Local Plan Examination

Stage 4 – Other site allocations

Hearing Statement

**Submitted on behalf of Upper
Dearne Valley Environmental Trust
(registered charity number 1157540)**

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

January 2018

Matter 26 – General approach in Part 2 of the Plan

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

1. The Upper Dearne Valley Environmental Trust has already submitted representations in relation to this issue and trust that the Inspector has these representations and will take them in to consideration. However, the UDVET wish to make the following additional comments in relation to the specific Questions raised by the Inspector. Upper Dearne Valley Environmental Trust also wish to speak at the hearing in relation to Matter 26.
2. The UDVET are wholly against the allocation of Sites E2333a and H3325a for the reasons set out in their previous submissions and as set in the hearing statement relating to Matters 27 and 41. However, if sites are to be allocated the UDVET have the following comments to make in relation to the specific Questions raised by the Inspector
3. Question (a)
 - 3.1 It is UDVET's position that in order to be effective requirements for each site need to be included within the policies rather than within supporting text.
 - 3.2 It is development plan policies which are cited and given weight when making planning decisions and it is therefore imperative that anything of substance and importance is included within the policy. UDVET support anything which gives the developers less room to avoid commitments.
4. Question (b)
 - 4.1 UDVET do not consider that the infrastructure and open space requirements for each site are clearly set out within Part 2 of the Local Plan. In fact so little information is provided that we are unclear what a developer would be required to provide and at what stage for the proposed allocation sites?
 - 4.2 UDVET would like to see from the start specific site development masterplans for each allocation which has specific open space requirements. This is particularly important as green open space (attractive landscaping with trees, shrubs, etc) and play areas are in extremely short supply in Kirklees Rural. We would even like to see larger sites (say over 100 dwellings) providing allotment space which is in extremely short supply in Kirklees rural (331 on waiting list).
5. Question (c)
 - 5.1 Part 2 of the Local Plan seeks to list the constraints which are present on each Site. However, as we have set out previously we do not consider that these lists

cover all constraints on each site and no mitigation appears to be suggested other than the production of reports. This is insufficient

- 5.2 Full details of constraints and related mitigation for each site must be clearly defined within Part 2 of the Plan. The Plan does not provide sufficient detail to effectively guide development and it does not make clear what will be permitted on each site.
- 5.3 Concept masterplans have been submitted in relation to some strategic sites. However, these are only indicative where they have been produced. UDVET believe that sufficient information needs to be provided regarding access to sites and local highway improvements so that it is clear what is being proposed and what is expected from the sites.
- 5.4 As set out above indicative masterplans may have been produced for some proposed allocations. However, we believe that masterplans showing the location and extent of non-developable areas and landscape/other buffer zones need to be clarified clearly within the Plan for all proposed allocations. This will ensure that these zones are provided for. Even if Masterplans are not required for all proposed allocations these zones should be identified within the plan (UDVET would like to see masterplans for all proposed allocations).
- 5.6 Although Part 2 of the Plan identifies where public rights of way cross an allocation site it goes no further than this. If sites which contain public rights of way are to be allocated then we would like to see specification of the protection and enhancement of the PROW's and how the PROWs and Core Walking, Cycling and Riding Network link up. We believe that the loss of the PROWs which exist on proposed allocation sites would have a significant negative impact on the health and welfare of the local residents and this must be avoided or at best mitigated.
- 5.7 Many of the proposed allocations, contain key habitats/mature trees/hedgerows/ boundary walls/other landscape features which are notable on those sites. If sites are to be allocated, then Part 2 of the Plan must specify how these are going to be protected otherwise they will be lost forever.
- 5.8 Part 2 of the plan should identify and specific mitigation measures relating to the historic environment where relevant.
- 5.9 UDVET consider that it is imperative that constraints are identified along with mitigation at this stage. This is critical to making sure the community gets a quality approach to site development and the Plan achieves its objective and vision.

6. Question (d)

6.1 Masterplans should be provided for all allocations. Local people must also be given the opportunity to be actively involved in the development on these Masterplans from the start. See comments in response to question (b) on this point.

7. Question (e)

7.1 UDVET believe that the Plan should specify where planning permission has already been granted. The whole question of what has been allocated where and what already has planning permission is already a source of confusion. Much information has been hidden from public view and hard to find. This will assist in showing what is being proposed and where.

8. Question (f)

8.1 A number of proposed allocations are in a high risk coal area. UDVET consider that issues of land stability need to be addressed before any development can be proposed. This will ensure that any proposed allocations are actually suitable for development. Inadequate investigations have been undertaken to date. In accordance with paragraph 121 of the National Planning Policy Framework development which would contribute to land instability should be prevented.

9. Question (h)

9.1 There is a desperate need for affordable and social housing in Kirklees which is not currently being met by the large national developers who dominate the delivery of this LP (itself a grave fault and high risk factor with the PLP).

9.2 UDVET would welcome as many Council owned sites as possible being given over to create affordable housing and green space. The Council could then hopefully meet the real housing need in the borough.

10. Question (i)

10.1 Flooding and drainage are such key issues that where a site is said to benefit from a drainage masterplan this must be a requirement not an option.

11. Question (j)

11.1 For the reasons previously set out we do not consider that allocations are consistent with paragraph 100 in the NPPF as we do not consider that flood risk and mitigation has been fully addressed for all allocation sites.

12. Question (l)

- 12.1 UDVET believe that further clarification and articulation is needed in relation to what is meant by “employment uses”. We do not believe that the approach is justified or clearly articulated.
- 12.2 What is of concern to UDVET is that the Council’s policies allow the review of employment land after 3 years if not developed and the use of that land re-allocated for housing - something which is viewed as a great advantage by developers (See Para 5.11, Page 31 of the Growth Delivery Statement, April 2017). This is a backdoor entry into converting greenbelt (in the case of Clayton West E2333a) into a huge housing development in years to come.
- 12.3 UDVET support the Holme Valley Vision response to the Employment Land Supply Briefing note, November 2017.

13. Question (n)

- 13.1. UDVET’s general position is that the proposed amendment are not needed for soundness but simply to let developers off the hook for contributing to critically needed improvements to the local road network. The size and scale of development proposed in the Dearne Valley area is unsound and unsustainable for the existing local road network. (See note below on B6116 at ADMM38 below).
- 13.2 Improvements to the highway network are critical and we can see no justification for the proposed amendments.
- 13.3 UDVET have no confidence in Transport Assessments produced by developers. They are biased in favour of supporting their client’s case. Supporting information/reports should be independently commissioned by the Council to ensure that they are unbiased. UDVET have had their own highway specialist review the assessments submitted in relation to a number of proposed allocations and the highway specialist was very critical.

14. Question (r)

- 14.1 UDVET are unable to comment on this. UDVET have not been able to identify the Pack Horse Bridge at Clayton West. Also we wonder why Pilling Lane is not classified in some way – it is the remains of the original old road to York. UDVET have found it very difficult to identify. We therefore suggest that the presentation of the information in these chapters – chapter 9 especially - is improved.