

FARNLEY ESTATES

LAND ADJACENT TO PENISTONE ROAD/WOODSOME ROAD, LEPTON

**KIRKLEES LOCAL PLAN EXAMINATION
MATTERS, ISSUES AND QUESTIONS
Matter 30: Site H2684a**

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1. INTRODUCTION

- 1.01 These representations to the examination of the Kirklees Local Plan are submitted on behalf of the site's owners, Farnley Estates (FE).
- 1.02 These representations support the Council's housing allocation of 9.33ha of land adjacent to Penistone Road/Woodsome Park, Lepton (site ref: H2684a). The site was initially considered as two separate sites (H32 and H334), but they are now linked and considered as one site.
- 1.03 These representations provide a response to the Inspector's Matters, Issues and Questions (MIQs) to support the Stage 4 hearing sessions due to commence on Tuesday 20th February 2018.

2. MATTER 30 - HUDDERSFIELD HOUSING ALLOCATIONS: GREEN BELT RELEASES

Issue: Are the proposed Green Belt release housing allocations in the Huddersfield sub-area justified, effective, developable/deliverable and in line with national policy?

a) How do sites H2730a and H2684a relate to each other? Should they be combined in a single text box/policy and a joint Masterplan required?

- 2.01 Site H2684a is predominantly owned by Farnley Estates, with site H2730a being owned by the Dartmouth Estate. Of the proposed allocation of H2684a, a small section crossing the former railway line is owned by a third party who have agreed to sell the land.
- 2.02 An Indicative Masterplan was prepared in December 2016 which provided an assessment of the site's constraints and opportunities. The route of the former railway line bisects the site, which provides a significant green corridor. A public footpath runs to the east of the former railway line, providing a link from Lepton to Highburton.
- 2.03 The land to the west of the former railway line slopes from east to west and is bounded by vegetation.
- 2.04 The former brickworks land to the east of the former railway line is surrounded by mature vegetation to all sides, with areas of woodland along the Beldon Brook to the

southern boundary, providing a strong edge to the site. There is also a copse of trees within the site.

2.05 The two sites of H2684a and H2730 are considered to be separate and standalone. Firstly, due to the nature of the sites; they are screened from each other due to mature trees and hedging on site boundaries, set out above, and they are at different topographical levels. The majority of existing trees and vegetation on the boundary of site H2684a is proposed to be retained, which emphasises and ensures the separation of the two sites going forward.

2.06 Secondly, both sites have proposed their own access arrangements, further emphasising the fact that the sites operate independently and are not reliant upon each other in coming forward.

2.07 Any development proposals associated with site H2684a will have to conform to other relevant policies included in the Local Plan, this would include Proposed Policy PLP 5 Masterplanning. A Masterplan will therefore be drawn up in this regard to ensure the proper planning of the site.

2.08 Due to the limited relationship between the sites, we do not consider that combining the sites in policy terms, or the requirement for a joint Masterplan, as being necessary. It is anticipated that planning applications will be submitted on behalf of the individual owners of H2684a and H2730, and they will be prepared and Masterplanned as such. We therefore support the Council's approach taken in the preparation of the Local Plan.

b) How does the proposed new roundabout at Penistone Road/Woodsome Road fit with the Indicative Masterplan for Rowley Lane (December 2016)? What are the implications for site phasing?

2.09 In combination, the two allocations provide the opportunity for c. 600 dwellings. There will be the opportunity to serve a limited number of dwellings from H2730a using Hermitage Park and from H2684a using Rowley Lane, but the cumulative impact of the traffic from both sites will require some form of junction with Penistone Road to access the local highway network as it is considered that the existing priority junction of Rowley Lane with Penistone Road will at some point become over capacity.

- 2.10 A roundabout is one option to provide that form of junction with Penistone Road. The Council has requested that the developer undertake some modelling to understand at what point the roundabout would be needed on the basis that the existing priority junction of Rowley Lane with Penistone Road could accommodate the traffic impact of the allocations up to a certain point.
- 2.11 'With development' scenarios of 100, 150 and 200 dwellings were compared to 2020 base model. The results are as follows. In the 'with development' scenarios it is assumed that there is a junction improvement in place, made possible by the fact that the adjoining land is in the control of one of the site promoters:

| Scenario | Number of dwellings modelled | Minor Junction Improvements (yes/no) | Junction Delay (secs) | |
|-----------|------------------------------|--------------------------------------|-----------------------|-------|
| | | | AM | PM |
| 2020 base | 0 | No | 7.83 | 36.89 |
| 2020 | 100 | Yes | 10.92 | 29.73 |
| 2020 | 150 | Yes | 14.6 | 36.17 |
| 2020 | 200 | Yes | 19.37 | 41.55 |

- 2.12 The conclusion from the above work is that the improvement on the minor arm can clearly mitigate impact of between 100-150 units; and the impact at the junction is unlikely to be severe until a threshold of circa 200 units.
- 2.13 Therefore from the work undertaken to date the Council believes that the assessments suggest that subject to minor improvement works at the Rowley Lane/Penistone Road priority junction, up to 200 dwellings could be developed prior to having a significant impact on capacity at this junction. Therefore, at this point, a major improvement (e.g. the proposed roundabout or an improvement of similar scale) will be required to accommodate development traffic from the remaining site allocations in Lepton.
- 2.14 With regard to development phasing, once development extends into the main site area to the east beyond the former railway line, then this is likely to be the trigger that requires the delivery of the roundabout, as development would then exceed the 200 unit threshold. However, the alignment of the roundabout and access roads through the western parcel of site H2684a (land adjacent to Penistone Road), will need to be agreed/secured during the initial development phase(s).

2.15 It should be noted that this work is indicative only and has been undertaken to support the allocations. It should therefore not wholly be relied on at application stage where more detail around the impacts and potential mitigation will be sought.

c) Is there sufficient provision to ensure that development on sites H2730a and H2684a does not cause unacceptable impacts on biodiversity and local habitats?

2.16 A Preliminary Ecological Appraisal (PEA) was undertaken by JCA Limited on site H2684a in June 2017. After conducting a thorough site investigation and a detailed Desktop Study, the site was considered to contain habitats of high ecological and low ecological value; these are set out in full in Section 3.2 of the submitted PEA.

2.17 The site is situated within influencing distance (88m) of a Site of Special Importance at Lepton Great Wood, connected by a thin strip of riparian habitat along Beldon Brook. Sections of the proposed development site, namely woodland, pond and brook that run along the southern boundary of the eastern field, as well as the disused railway line which separates the western and eastern fields, lie within the Kirklees Wildlife Habitat Network.

2.18 The western field is considered to be of low ecological value, however a large tree and hedgerow require further investigation as part of the application process. The eastern field is much more ecologically diverse and valuable, offering habitat for a number of protected species. The pond could support Great Crested Newts, and the field has potential to support foraging barn owls. The woodland, hedgerows and riparian habitat could likely support roosting, foraging and commuting bats. The brook has a high potential to support otter, water vole and white-clawed crayfish.

2.19 The PEA acknowledges that the proposed development plans offer a number of opportunities to offset, enhance and gain habitat for potential protected species and known protected species, as much of the surrounding land is owned by the landowners of this development.

2.20 Additionally, the PEA sets out a number of mitigation measures that will/may be required on site. This includes a number of surveys, design-interventions, and buffer zones. A considerable area of trees, hedgerow and foliage on site boundaries and around sensitive areas will be retained as existing, further minimising the impact of development. Development will have a density of around 30 dwellings per hectare,

slightly lower than typically assumed in the district, further emphasising the development's potential and consideration for biodiversity.

2.21 A number of reports have been commissioned on the site and these have been considered in conjunction with the Council's Ecology Officer who is in agreement with the conclusions, recommendations and does not foresee any unacceptable impacts on biodiversity and local habitats.

d) Has the impact of the proposal on heritage assets been adequately assessed and addressed? Should protection and mitigation measures linked to the Heritage Impact Assessment (LE98) be specified in the Plan?

2.22 A Heritage Impact Assessment was undertaken by Farrell & Clark Architects on site H2730a, which is situated much closer to listed buildings than H2684a. It is considered that as no heritage assets adjoin or can be seen from site H2684a, there will be no impact on any listed buildings or heritage assets of significance.

2.23 Kirklees Council also commissioned a Castle Hill Setting Study (August 2016). This demonstrates that site H2684a is not visible from Castle Hill.

2.24 The Castle Hill Setting Study concludes that in general, where such development is located within or immediately adjacent to areas of existing urban development, and is not out of scale with the design of surrounding existing buildings, the impact on the setting of Castle Hill will not be substantial. Similarly, where such development does not lie on a ridgeline, and would therefore not alter the character of views to and from the hilltop across such ridgelines, or challenge Castle Hill's prominence within the landscape, there is low risk of harm to setting.

e) Are the sites available and deliverable in the timescales set out in the Council's housing trajectory?

2.25 Site H2684a is available for development. We make these representations on behalf of the landowner. The small strip of land of the former railway line is currently owned by a separate party, however discussions are well-advanced and it is anticipated it will be in Farnley Estates control shortly.

2.26 There is considerable market interest in the site, with a number of house-builders interested in developing it for residential purposes. It is considered that upon adoption of the Local Plan, a planning application is likely to be forthcoming in a short timeframe.

f) What effect would the proposed boundary changes and allocations have on the Green Belt and the purposes of including land within it? In particular, how would the existing gap between Lepton and Highburton be affected? Are there exceptional circumstances that justify altering the Green Belt? If so, what are they?

2.27 Site H2684a is surrounded by development to the north, east and south, with Penistone Road running parallel to the site along the western boundary. The gap between Highburton and Lepton will not reduce as any new development would not encroach any further south than existing. Reliance Precision Limited is situated to the south of the development site, with development to the east being situated at the rear of Reliance Precision Limited and behind existing housing of Woodstone Park.

2.28 Additionally, any development on the site would be well screened due to mature trees and hedging on the site's boundaries and therefore would not harm the perception of openness of the remaining Green Belt.

2.29 Kirklees' Council undertook a Green Belt Review (April 2017), the existing Green Belt boundary at this location is identified as ref. AL12 (for the western part of the site) and ref. AL13 (for the eastern part of the site and the adjacent land to the north, as far north as Rowley Lane). The Review applied two tests to this boundary. The first test concluded that there are no topographical, physical or environmental constraints that would indicate that the boundary should not be reviewed. The second test evaluated the boundary in terms of its contribution to the first four of the five purposes of Green Belt. The exercise concluded:

2.25 **AL12: The western part of the site**

Test 2a: prevents merging – 'extensive gap'

Test 2b: checks sprawl – 'Penistone Road and tree belt on other three boundaries would contain development'

Test 2c: safeguards from encroachment – 'little visual relationship with wider countryside'

Test 2d: preserves setting and character – ‘no impact’

Conclusion: ‘development would have only limited impact on the openness of the Green Belt’

Score: ‘1 – less important role’

2.30 AL13: The eastern part of the site (and land to the north as far north of Rowley Lane)

Test 2a: prevents merging – ‘part of gap between Lepton and Highburton – see Highburton assessment’

Test 2b: checks sprawl – ‘Lepton Great Wood and hedgerows could contain development. Need to guard against any potential impact on area of ancient woodland’

Test 2c: safeguards from encroachment – ‘part of wider countryside but contained by woodland’

Test 2d: preserves setting and character – ‘no impact’

Conclusion: ‘development between Hermitage Park and Lepton Great Wood would likely to have only limited impact on openness of Green Belt but potential impact on environmentally sensitive area’

Score: ‘4 - moderately important to important role’

2.31 It is clear from this objective assessment that the western part of the site is not meeting the purposes of Green Belt.

2.32 In respect of the eastern part of the site, it is important to recognise that the Council’s assessment of the Green Belt boundary AL13 applies to the land all the way north to Rowley Lane, well beyond Site H2684a. If the Council were to apply its assessment criteria to the Green Belt boundary just alongside H2684a, it would receive a much lower score, as there is a significant distance between site H2684a and the environmentally sensitive ancient woodland at Lepton Great Wood.

2.33 It is therefore considered that the Green Belt boundary changes and allocations would have limited impact on the Green Belt and the purposes it undertakes. The gap between Highburton and Lepton would, on the whole, not be impacted upon significantly. Any encroachment into this ‘gap’ would be minimal, with development taking place on land which is well screened from the surroundings and not fulfilling all of the intended purposes of Green Belt land.

APPENDIX 1:
MASTERPLAN OF SITE H2684a

FARNLEY MASTERPLAN POTENTIAL DEVELOPMENT SITES

Site 03+06 - Land to the south of Woodsome Drive, Fenay Bridge, and, Land to the south east of Hermitage Park, Lepton

Site Area: 3.24 + 6.10Ha (9.34Ha)

Existing Site Description:

The site consists of two separate areas (site 03 to the west and site 06 to the east) consisting of open agricultural fields, bisected by a dismantled railway line and viaduct, and associated mature vegetation, running north to south. The railway line and viaduct create a physical and visual barrier between the two sites

Penistone Road (A629) runs along the western boundary of site 03 with Rowley Lane to the northern boundary. An office complex and residential properties at Woodsome Park lie to the east of the dismantled railway, south of site 03 and west of site 06. Both sites sit at the edge of the open countryside with a number of residential properties lying along the northern boundaries.

Planning Context:

The site is located within Green Belt, however, it is proposed that it be allocated as an "Accepted-Site Option" in the Kirklees Council Draft Local Plan - November 2015.

A Green Belt Review and Outcome survey carried out as part of the Draft Local Plan identifies development on this "green belt boundary site" and concludes that it would have a negligible degree of conflict with green belt purposes.

The dismantled railway and associated vegetation between the sites is proposed as Urban Greenspace and a potential Core Walking, Cycling and Riding Network within the Draft Local Plan. A public right of way runs along the northern and western site boundaries of site 06.

The site is located at the edge of the Fenay Beck Green Infrastructure Corridor, as identified within the Draft Local Plan.

Landscape Character Area:

The site is located within National Character Area (NCA) **37: Yorkshire Southern Pennine Fringe** and the Kirklees District Landscape Character Assessment: **G9: Fenay Beck Valley & Tributaries**. A site visit was also undertaken to carry out a localised character assessment.

The landscape character of the site and its surrounding area can be summarised as:

- made up of the main valley of the Fenay Beck River
- broadleaved woodland cover
- regular fields of medium scale, with smaller fields found around the edges of settlements. Land is



- predominantly pastoral with occasional arable use.
- Field boundaries are commonly hedgerows or stone walls
- visually enclosed along the bottoms of the valley.

Existing landscape features and assets:

Topography: Rolling: slope north east to south west.

Vegetation Cover: Generally open with boundary vegetation to site boundaries with main green corridor along railway line

Public Rights of Way: Public right of way runs along site's northern and western boundary of site 06. Dismantled railway is proposed as Urban Greenspace and a potential Core Walking, Cycling and Riding Network

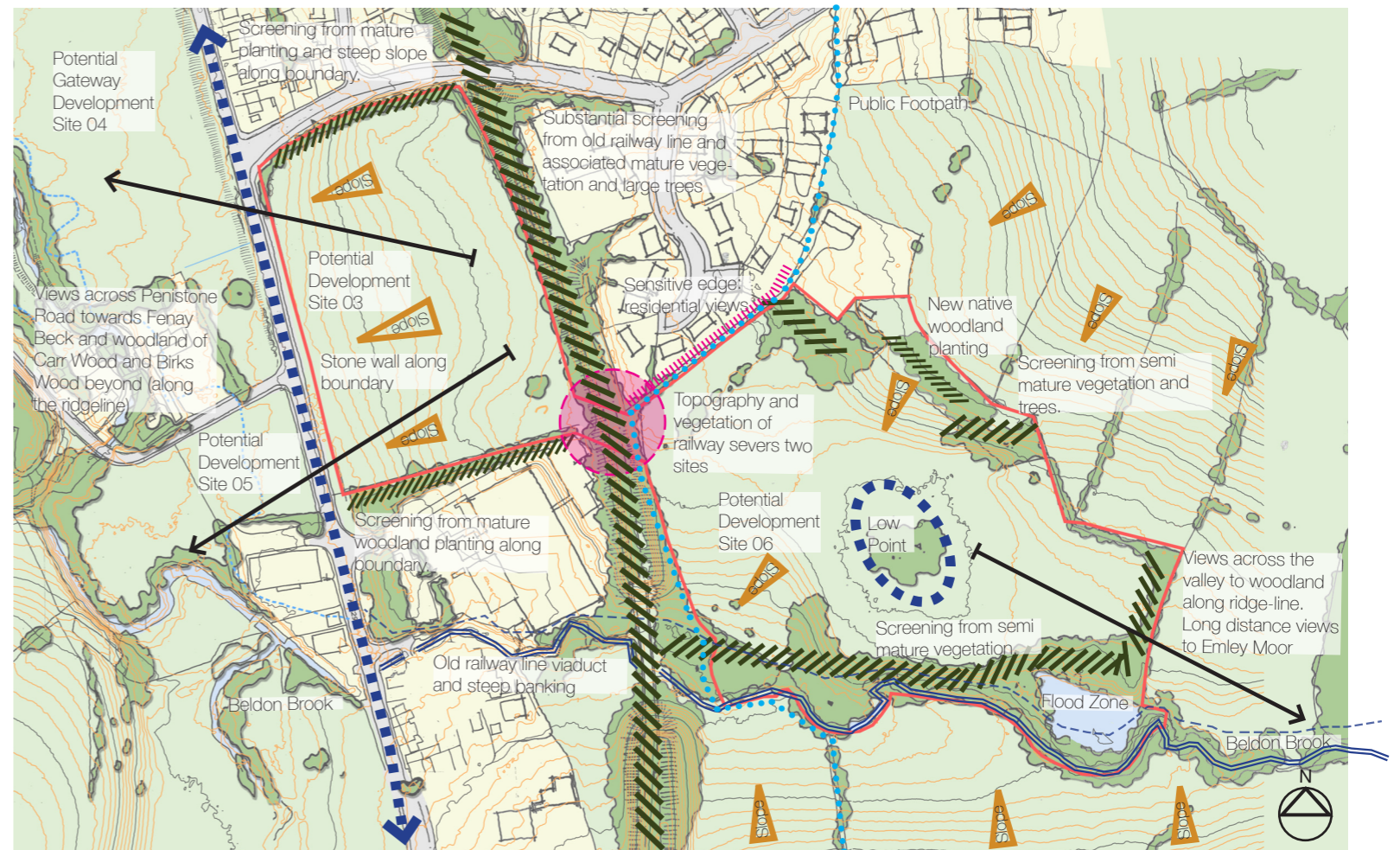
Ecological Features: Boundary Vegetation / Kirklees Wildlife Habitat Network

Water features and Flood Zones: Beldon Brook to the southern boundary of site 06 with small part of the southern tip of site 06 within flood risk Zones 2 and 3, however, this is located within existing woodland.

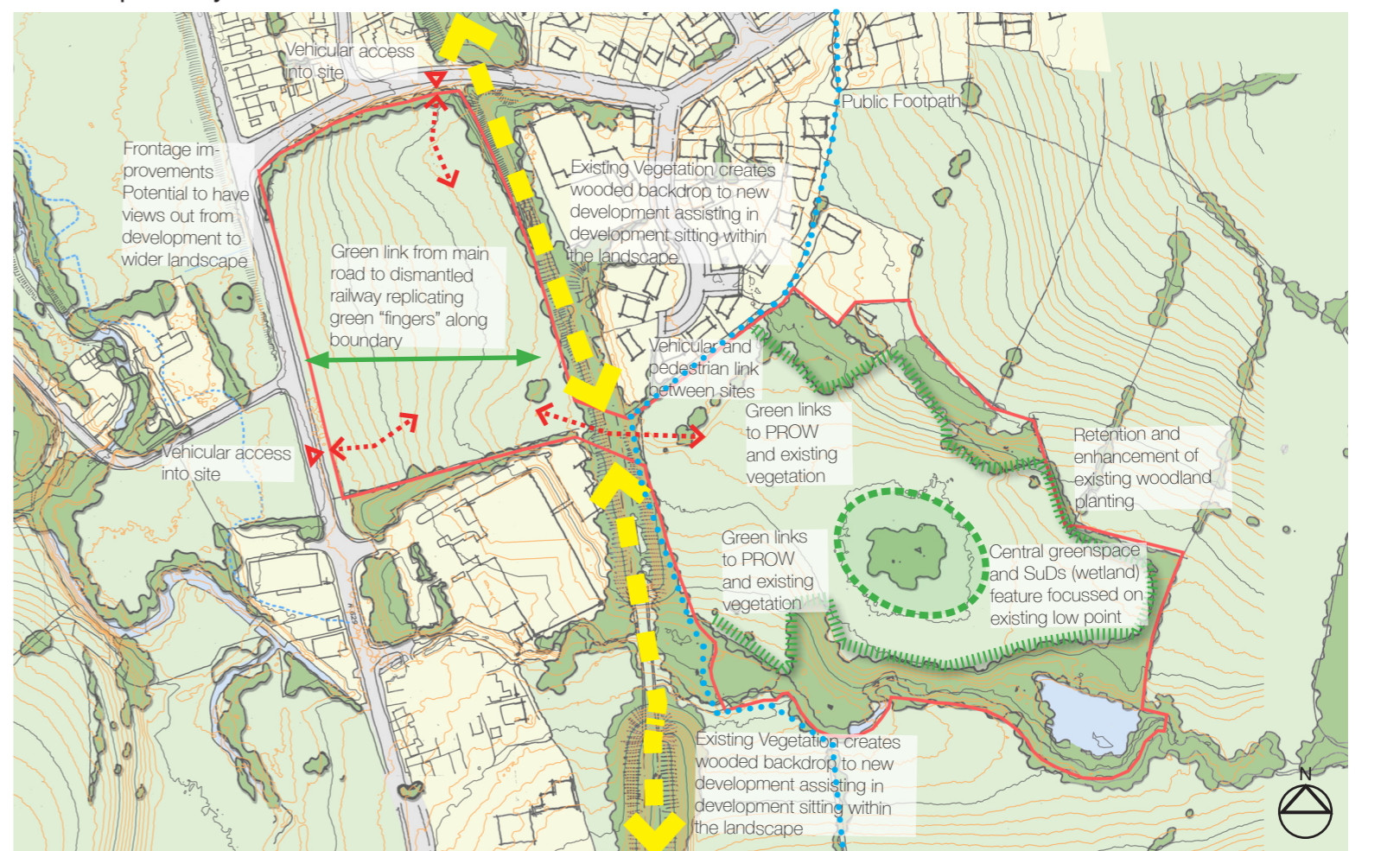
Visual Analysis:

A site visit was undertaken to carry out a visual appraisal of key views into and out of the site. Due to the topography of the site, medium distance views are afforded from site 06 to the surrounding wooded ridge-lines and the Emley Moor mast is visible to the south east.

Due to the sloping nature of site 03, clear views are afforded to the west across Fenay Beck towards mature woodland of Carr Wood and Woodsome Hall Golf Club.



Landscape Opportunities and Structure Plan. NTS



Landscape Opportunities and Structure Plan. NTS

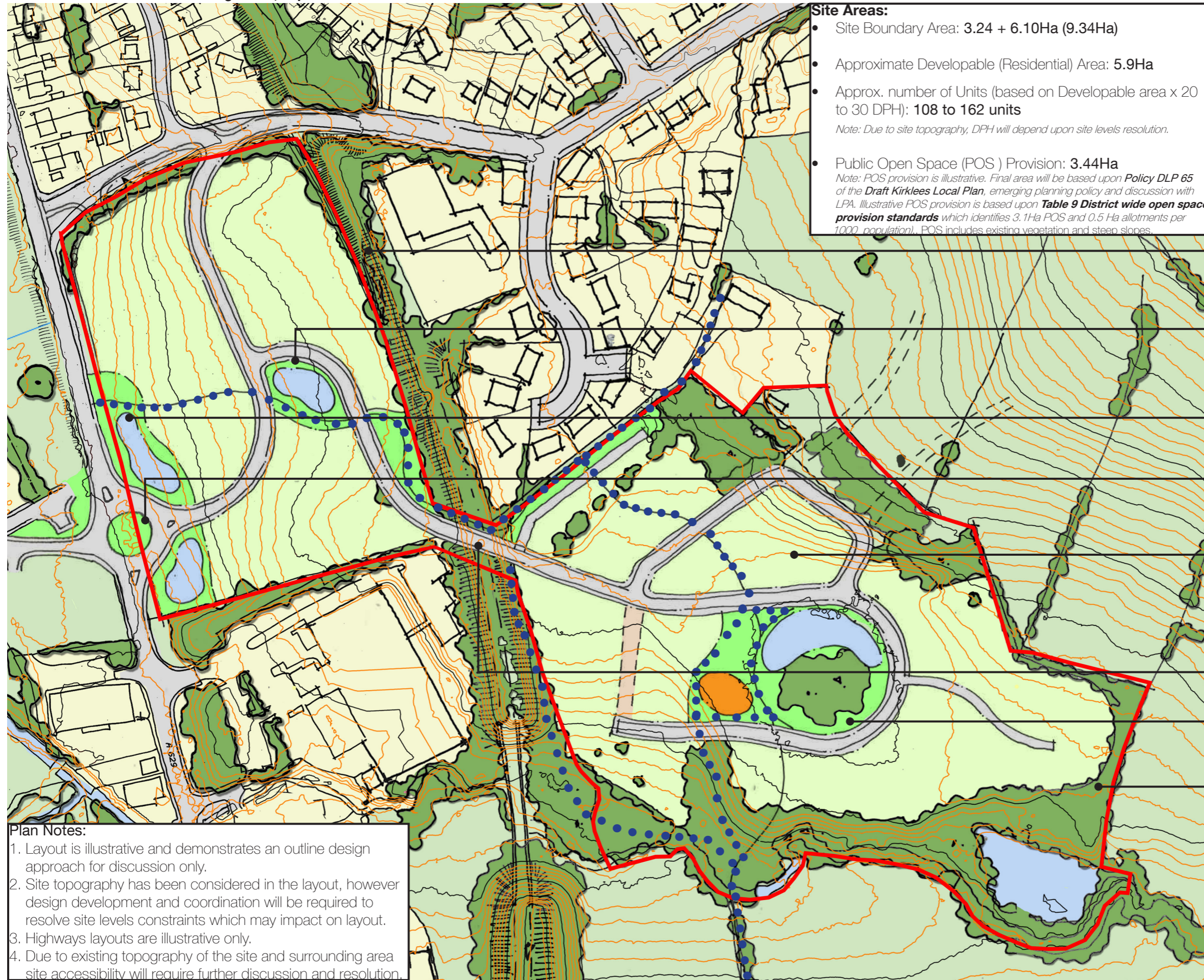
DLA DESIGN



22nd January 2016

FARNLEY MASTERPLAN POTENTIAL DEVELOPMENT SITES

Site 03+06 - Land to the south of Woodsome Drive, Fenay Bridge, and,
Land to the south east of Hermitage Park, Lepton



Site Areas:

- Site Boundary Area: 3.24 + 6.10Ha (9.34Ha)
- Approximate Developable (Residential) Area: 5.9Ha
- Approx. number of Units (based on Developable area x 20 to 30 DPH): 108 to 162 units
- Note: Due to site topography, DPH will depend upon site levels resolution.*
- Public Open Space (POS) Provision: 3.44Ha
- Note: POS provision is illustrative. Final area will be based upon Policy DLP 65 of the Draft Kirklees Local Plan, emerging planning policy and discussion with LPA. Illustrative POS provision is based upon Table 9 District wide open space provision standards which identifies 3.1Ha POS and 0.5 Ha allotments per 1000 population. POS includes existing vegetation and steep slopes.*

Aims for Landscape and Masterplan Strategy:

- Respond to the site and its context; and
- Develop a robust landscape structure.

Landscape and Masterplan Opportunities:

- Retain key landscape features
- Provide links to existing wildlife habitats;
- Provide space for recreational and amenity use;
- Creating a network of engaging green spaces that link to potential PROW networks;
- Connect the development to the landscape;
- Integrate the development into the local landscape

- Dismantled Railway
- POS with paths and SuDs features integrated to create connected multi functional green infrastructure
- Northern parcel shown as housing for layout purposes. Subject to LPA requirements area may be utilised as POS and/or allotments.
- Vehicular Access via roundabout on Penistone Road. SuDs features and greenspace created to soften engineered feature and provide pedestrian links.
- Housing Development: with housing fronting onto greenspace where possible (secure by design principles).
- Link between two sites over dismantled railway.
- POS centred on existing vegetation with play area, paths and SuDs features integrated to create connected multi functional green infrastructure
- Existing Vegetation

Plan Notes:

1. Layout is illustrative and demonstrates an outline design approach for discussion only.
2. Site topography has been considered in the layout, however design development and coordination will be required to resolve site levels constraints which may impact on layout.
3. Highways layouts are illustrative only.
4. Due to existing topography of the site and surrounding area site accessibility will require further discussion and resolution.

**Note: Plan is illustrative only.
Final design and layout subject to detail design, site surveys and coordination with other consultants and LPA.**