

**Kirklees Local Plan**

**Examination Stage 4 Hearings**

**Site Allocations Huddersfield Sub-Area**

**Matter 30**

**Vernon Property LLP**

1. **Issue**

Are the proposed Green Belt release housing allocations in the Huddersfield Sub-Area justified, effective, developable/deliverable and in line with National Policy.

**H351 – Land North of Bradley Road, Bradley (381 dwellings)**

**H1747 – Land North of Bradley Road, Bradley (1,577 dwellings)**

- a) **What is the relationship between sites H351 and H1747? Should they be combined in a single text box/policy and a joint Masterplan required?**

We agree that there is a very strong correlation between the two sites and they should be combined so as to provide for a joint Masterplan in the interest of comprehensive development. The development of the site separately is plainly not good planning.

It is also inappropriate for the smaller site to be brought forward without consideration of the larger site in the context of the Environmental Impact Regulations 2017. It is quite clear that the 'project' must be in relation to the whole of the site. The law does not provide for carving out separate applications for the project. A joint masterplan and EIA in respect of the entire site is required.

- b) **Is the allocation of site H1747 consistent with paragraph 74 in the National Planning Policy Framework (NPPF) in relation to the potential loss of open space, sports and recreational buildings and land? What does the evidence show regarding the need for play and play golf facilities in the local area?**

We refer to other objections in relation to this question. Evidence has been shown that this would result in a loss of open space and sports facilities which would be contrary to paragraph 74 of the NPPF.

- c) **What are the key access and transport infrastructure requirements/costs associated with the proposed scheme? Are there any delivery issues or phasing implications? To what degree is development of later phases dependent on a connection to a new Bradley link road and/or access to new junction 24a of the M62?**

*[In responding the Council should address key concerns made in representations, including those raised by Thornhill Estates in the Highway Documentation Review document (September 2017)]*

We support the views raised by Thornhill Estates and have nothing further to add.

- d) **Has the necessary third party land been secured for access and drainage solutions?**

We have seen no evidence that the requisite third party land has been secured in order to provide for access and drainage solutions. The fact that third party lands are required and are not currently available points to serious questions as to the deliverability at the very least in relation to the proposed housing trajectory which we consider, in any event, wholly unrealistic.

- e) **Does the Plan clearly specify the number of access points required and transport infrastructure requirements?**

Insufficient clarity regarding the deliverability of the site in relation to transport and infrastructure requirements has been put forward.

- f) **Does the Plan provide sufficient detail on other infrastructure requirements including education, open space, sports and recreation facilities, and the provision of a local centre? Should the Plan specify the amount of land required for the provision of these facilities, along with details of timing/phasing? How will provision be made for early years/childcare and secondary education facilities?**

We reiterate the point made in respect of question e. The information provided as to the delivery of any of the infrastructure does not give confidence that this development could proceed in the timescales which the Council suggest. All of these matters are needed to ensure that a comprehensive and lawful Environmental Impact Assessment is required in relation to the scheme.

- g) **Have constraints relating to heritage, biodiversity, air quality, noise, odour, contamination and land stability been satisfactorily investigated and addressed? Are related mitigation measures and requirements clearly expressed in the Plan? How have these constraints and measures impacted on the viability of the scheme?**

Again, the same point as above. None of these issues appear to have been satisfactorily addressed so as to provide the necessary information to populate an Environmental Impact Assessment. This is a large scheme and will require substantial consultant input just in order to address the technical issues.

We have seen absolutely no viability information in relation to this scheme which would demonstrate that the scheme is actually viable having regard to the values realistically achievable in this area.

- h) **Is the indicative site capacity justified, having regard to environmental and other constraints and the provision of necessary infrastructure?**

It is difficult to answer this question because of the lack of information before the inquiry. It goes to prove that this scheme is not yet fully considered.

- i) **The housing trajectory indicates that 360 dwellings will come forward within five years, with the first units delivered in 2019/20. At the Stage 1 hearings the Council confirmed that a development partner(s) has yet to be appointed and a planning application is not anticipated until Summer 2018. Are the estimated delivery timescales reasonable and justified? Why do the trajectory timescales differ from the 15 year phasing approach established in the Bradley Park Phase II Masterplan Delivery Statement (page 23) (September 2016) (SS2)?**

***[the Council is requested to provide a detailed delivery programme which sets out phasing information relating to different parts of the sites and timings of key stages, including preparatory work, marketing/appointment of housebuilders/development companies, EIA work if necessary, Section 106 work, other legal and contract work, planning application preparation, planning application determination, discharge of conditions, site preparation, commencement of development. Anticipated timings of key infrastructure delivery should be provided as part of this programme.]***

We believe the Housing Trajectory is completely optimistic. Given the need for an outline planning application accompanied by a full EIA, Section 106 Agreement, reserved matters and then sales in parcels to house builders, a minimum of 2 years (being optimistic) is in our view generous. More realistic in our view would be a 3 year wait until the first houses are delivered on the site. We reserve the right to comment upon

this further once further information has been received as requested by the Inspector.

- j) **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 Huddersfield and Brighouse be affected? Are there exceptional circumstances that justify altering the Green Belt? If so, what are they?**

We accept that the need for further housing is an exceptional circumstance as a matter of principle. We do however consider that there are better sites to be taken from Green Belt which have much less impact on the Green Belt and are far more contained. Not surprisingly, we consider that our client's site in Birkenshaw is one such site. We also consider that a range of smaller sites would be much preferable so as to ensure a more prompt delivery and less risky strategy than is proposed by the Council. This is quite clearly a case of a planning authority lumping all the eggs in one basket with the accompanying risk.