

Kirklees Local Plan Examination Hearing Statement

Our ref 50511/JG/CD
Date January 2018

Subject **Matter 34 Hearing Statement on behalf of KeyLand Developments Ltd – Site MX1905**

1.0 Introduction

- 1.1 This Hearing Statement has been prepared by Lichfields on behalf of KeyLand Developments Ltd (“KeyLand”) and responds to the questions set by the Inspector in relation to site MX1905 (Chidswell, Dewsbury) within Matter 34.
- 1.2 It is important to note that KeyLand do not object to the principal of the development of this site and recognise that it will play an important role in accommodating an element of the housing needs of the District, as well as meeting a spatial priority in the Leeds City Region Strategic Economic Plan (SEP) (Local Plan Part 1, para 1.29). Our concerns over this site however relate to its ability to deliver the level of housing that the Local Plan as submitted relies upon and importantly the level within the plan period. We have previously made representations to the Local Plan consultation, including at Stage 1 of the examination, regarding the likely shortfall of housing which will occur as a result of the unrealistic lead-in times and phasing/delivery rates which have been applied to this site in the draft Plan. These concerns remain, and are elaborated upon within this Statement.
- 1.3 This Hearing Statement should be read in conjunction with our representations submitted during the Local Plan Consultation (2016) on behalf of KeyLand (Lichfields representor ID: 969464).

KeyLand Developments

- 1.4 Prior to responding to a number of the questions specifically posed by the Inspector, we consider that it is important to set further detail about KeyLand.
- 1.5 Keyland is part of the wider Kelda Group and a sister company of Yorkshire Water. In addition to regenerating former Yorkshire Water sites, Keyland now works with other landowners to unlock the potential of sites to contribute towards the land supply and delivery much needed new housing.
- 1.6 This is the case in Kirklees. In addition to acting on a number of former Yorkshire Water site, KeyLand are promoting land presently identified as Green Belt at Windy Bank Lane, Hightown, within the Batley and Spen part of the District. Although not presently allocated this site (Ref. H596) could accommodate approximately 160 dwellings.
- 1.7 Given the need for additional sites to be identified in the Plan to address the full objectively assessed need for housing and make up for the shortfall in delivery from the Chidswell site as discussed in this statement, the other very large allocations (H1747 and H2089), as well as other sites which have been demonstrated to be undeliverable as proposed, KeyLand would welcome

the opportunity to bring this site into the Plan, in order to help meet identified housing needs. Detailed assessments have supported our submissions to earlier drafts of the Local Plan and pre-application discussions with the Council are ongoing and this has demonstrated no technical constraints to the delivery of housing on this site.

1.8 Although the rejected Windy Bank Lane site (Batley and Spen) is within a different sub-area to the Chidswell Site (Dewsbury and Mirfield) its inclusion as a housing allocation in the plan to address an element of the identified shortfall in delivery from this site (as discussed below) would have no material change on the overall Spatial Development Strategy or Policy PLP3.

1.9 It is in this context that our responses to the Inspectors questions are made.

2.0 *Issue – Are the proposed Green Belt release housing and mixed-use allocations in the Dewsbury and Mirfield Sub-Area justified, effective, developable/deliverable and in line with national policy?*

MX1905 – land east of 932-1110 Leeds Road, Shaw Cross/Woodkirk, Dewsbury (1,535 dwellings and 122,500 m² employment)

MX3394 – Lees House Farm, Leeds Road, Dewsbury (38 dwellings and 3,816 m² employment)

Question (a) - What is the relationship between sites MX1905 and MX3394? Is access between the sites achievable given the Public Rights of Way along the south-eastern and northern boundaries of MX3394?

2.1 No comment.

Question (b) - How was the proposed mix of uses and the amount of dwellings/employment floorspace determined? Is there evidence that this mix is viable and deliverable? Should the Plan provide clearer details regarding the type/form of employment floorspace anticipated on MX1905, as set out in Table 3.2 of Interim Transport Assessment Scoping Note 2016 (SS13)?

2.2 No comment.

Question (c) - How does allocation MX1905 fit with the Leeds City Region Strategic Economic Plan and the Kirklees Economic Strategy?

2.3 No comment.

Question (d) - Should the Plan clearly specify the number/location of access points required and highways/transport infrastructure requirements? Has the necessary third party land been secured for access solutions to MX1905?

2.4 The Plan states that ‘multiple access points’ are required to serve the site, but gives no indication to the exact number which are required or where these should be located.

2.5 It is noted that one of the access points shown on the masterplan at SS13 shows an access road serving the residential parcels at the south of the site from Owl Lane through land which we do not believe to be controlled by the site promoter, and which is allocated for residential development (H559).

Question (e) - Does the Plan provide sufficient detail on other infrastructure requirements for site MX1905, including education, open space, other recreation facilities and the provision of a Local Centre? Should the Plan specify the amount of land required for the provision of facilities, along with details of timing/phasing? How and at what stage will provision be made for early years/childcare and secondary education facilities?

- 2.6 The Plan lists a requirement for 'Early Years and Childcare provision' within the site specific considerations, but no mention of this provision is made within the Delivery Statement (SS13), and it is vague on the phasing of other social infrastructure.
- 2.7 It is considered that further detail should be provided regarding the phasing of necessary infrastructure linked to housing delivery, and the size of/amount of land this social infrastructure requires should be calculated and factored into the masterplan. Following this, it may be necessary to make consequential adjustments to the site capacity, and to identify additional sites which can deliver homes in the short term to make up for this deficit.

Question (f) - Should the proposal provide clearer detail on mitigation required in association with biodiversity and landscaping on site MX1905, including the retention of existing woodland habitats? Has ecological and arboricultural survey work been completed?

- 2.8 No comment.

Question (g) - Have constraints for site MX1905 relating to air quality, flood risk, drainage, 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/measures impacted on the viability of the scheme?

- 2.9 No comment.

Question (h) - The housing trajectory indicates that 355 dwellings will come forward within five years, with the first units delivered in 2019/20. To date no planning application has been submitted. Are the estimated delivery timescales reasonable and justified?

- 2.10 As set out in our representations to the Stage 1 hearings, it is considered that the delivery timescales for this site are wholly unreasonable and unjustified.
- 2.11 Our response to this question draws on evidence from a recent research piece undertaken by Lichfields entitled 'Start to Finish'. This research was referred to by the Inspector in the MIQs at Stage 1 (Matter 4), was discussed in the corresponding hearing sessions, and was included at Annex 1 of our Matter 4 Hearing Statement. It shows that, for sites of 1,000 – 1,499 units, the average planning approval period (i.e. the amount of time taken from first outline application validation to delivery of first dwelling) is around 5.5 years, whereas for sites of 1,500 – 1,999 units this period is around 6.5 years.
- 2.12 The Start to Finish research shows that the average build rate for sites of 1,000 – 1,499 units is just over 100 dwellings per annum (dpa), and for sites of 1,500 – 1,999 the average built rate is around 130dpa.

- 2.13 A comparison of the planning approval period and build rate assumed by the Plan and that based on our extensive research is shown in Table 1 below.
- 2.14 The residential capacity of Site MX1905 is 1,535 units. For the purpose of this exercise we have taken the median figures from the Start to Finish research from the 1,000 – 1,499 unit and 1,500 – 1,999 ranges. The Chidswell Delivery Statement envisages submission of an outline planning application in ‘early 2018’. Given that this is yet to happen, and that the site is currently Green Belt, we have assumed in the ‘Lichfields Evidence’ row that the application will be submitted in October 2018 (estimated adoption of Local Plan). We consider that this later date is still optimistic in light of the scale and complexity of the proposals and the likely need for Environmental Impact Assessment.

Table 1 Lead-in times comparison, Site MX1905

	Year of first delivery	Total Plan Period delivery
Housing Trajectory*	2019/20	1,535 ¹
Lichfields Evidence	2024/25	748 ²
Shortfall		787

*Taken from EX30.2

- 2.15 Based on our national assessment of planning approval periods and delivery rates, we expect the Chidswell site to fall short of its residential capacity by 787 dwellings – a significant undersupply equivalent to almost half of the annual housing requirement for the entire District. When this is added to the shortfall from the strategic allocations at Bradley Golf Course (H1747/H351) and Dewsbury Riverside (H2089), we calculate that there will be an **under-delivery in the region of 3,045 homes across the plan period** (14% of total housing land requirement).
- 2.16 Additionally, it is noted from the masterplan at SS13 that only a small part of the residential development within the site is shown within the north of the site adjacent to Leeds Road. The rest of the residential development is to be located at the south of the site, and will either need to be accessed by long estate roads through the employment land parcels, or via the link through allocation H559. If the delivery of H559 is delayed, this could further reduce the rate of housing output as it may not be viable or practical to access these parcels through large tranches of potentially undeveloped (depending on speed of employment floorspace creation) employment land.
- 2.17 To make up for this shortfall, additional housing sites will need to be identified. Although the rejected Windy Bank Lane site (Ref. H596) (Batley and Spen) is within a different sub-area to the Chidswell site (Dewsbury and Mirfield) its inclusion as a housing allocation in the plan to address an element of the identified shortfall in delivery from this site (in addition to those other sites identified) would have no material change on the overall Spatial Development Strategy or Policy PLP3.
- 2.18 KeyLand has control of this site, and has extensive technical evidence which demonstrates its suitability for residential development. This evidence has been provided to the Council as part of

¹ As provided in EX30.2 Housing Trajectory

² Assuming a 6 year period from submission of outline to 1st dwelling and build rate of 115dpa

previous stages of the Local Plan consultation process and its suitability is discussed further as part of KeyLand's statement in respect of Matter 37 (Batley and Spen sites).

Question (i) - 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 Dewsbury and settlements within Wakefield be affected? Are there exceptional circumstances that justify altering the Green Belt? If so, what are they?

2.19

No comment.