

**Matter 37 – Batley and Spennings housing allocations: Green Belt releases**

**Issue – Are the proposed Green Belt release housing allocations in the Batley and Spennings Sub-Area justified, effective, developable/deliverable and consistent with national policy?**

**Site H69 – Merchant Fields, Hunsworth Lane, Cleckheaton (413 dwellings)**

*Question a. Is the site suitable for the proposed use? Does the Plan provide clear guidance on requirements and constraints, and seek appropriate mitigation measures?*

Highways England and Kirklees Council have agreed a Joint Position Statement on site H69 (dated 18<sup>th</sup> January 2018). This is as follows:

Highways England considers H69 to be sound, notwithstanding the postponement of the RIS Scheme at Junction 26 of the M62/M606 (Chain Bar), in view of the fact that:

1. Modification AD-MM32 to the H69 Site Allocation text box enables 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 H69:
2. Measures that reduce and mitigate significant impacts on M62 Junction 26 (Chain Bar).
3. Phased development of H69.
4. Contributions to additional schemes identified by Highways England.

It is an agreed position between Kirklees Council and Highways England that:

1. Any infrastructure contributions secured through a Section 106 agreement for Site H69 would need to be:
  - 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.
2. To ensure viability, the costs of any infrastructure contributions should, when taking account of the normal cost of development and mitigation, provide competitive returns to a land owner/developer to enable the development of H69 to be deliverable (in accordance with NPPF 173).

Furthermore, it is an agreed position between Kirklees Council and Highways England that:

1. H69 is modelled by Highways England as generating a less than significant impact on the strategic road network (including at Junction 26 of the M62/M606 - Chain Bar) until 2027 at the earliest.

2. (N.B. the Council's latest phasing information within Document EX30.2 'Housing Supply Topic Paper Dec 2017' re-phases H69 as commencing in 2020/21 rather than 2018/19 - as originally outlined in SD1).
3. H69 is modelled by Highways England as generating a less than significant impact on the strategic road network (including at Junction 26 of the M62/M606 - Chain Bar) until two years after the next RIS funding period of 2020/21-2024/25.

*Question ii) Are there phasing or other implications arising from potential mitigation to the strategic road network?*

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Highways England considers H69 to be sound, notwithstanding the postponement of the RIS Scheme at Junction 26 of the M62/M606 (Chain Bar), in view of the fact that:

5. Modification AD-MM32 to the H69 Site Allocation text box enables 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 H69:
6. Measures that reduce and mitigate significant impacts on M62 Junction 26 (Chain Bar).
7. Phased development of H69.
8. Contributions to additional schemes identified by Highways England.

It is an agreed position between Kirklees Council and Highways England that:

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  - a. necessary to make the development acceptable in planning terms
  - b. directly related to the development; and
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4. H69 is modelled by Highways England as generating a less than significant impact on the strategic road network (including at Junction 26 of the M62/M606 - Chain Bar) until 2027 at the earliest.
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6. H69 is modelled by Highways England as generating a less than significant impact on the strategic road network (including at Junction 26 of the M62/M606 - Chain Bar) until two years after the next RIS funding period of 2020/21-2024/25.