

Kirklees Local Plan Examination

Stage 4 – Initial Hearings

MATTERS, ISSUES AND QUESTIONS (MIQs)

Council Response

Matter 38 – Batley and Spen employment, housing and mixed use allocations in the urban areas of Batley and Spen justified, effective, developable/deliverable, and in line with national policy?

- 1.1 This statement sets out the council's responses in relation to the Inspector's matters and issues Matter 38 – Batley and Spen employment, housing and mixed use allocations in the urban areas of Batley and Spen. All the documents referred to in this statement are referenced within the main body of the statement.
- 1.2 The modifications proposed in this document have been provided to assist with the discussions at the hearings for this matter and have not been subject to sustainability appraisal testing or public consultation. Should it be necessary to make any of the modifications these will be added to the full schedule of modifications to the Local Plan which will be made available for comment and subject to sustainability appraisal at a later stage of the Examination in Public, subject to the delegated powers agreed by the council's Cabinet.
- 1.3 The following sites are included in this response:
- E1873 – land to the north of Crossroad Commercials Ltd, Pheasant Drive, Birstall
 - E1876 – land south-east of Spen Valley Industrial Park, Cleckheaton
 - H758 – land off Soothill Lane, Lower Soothill, Batley
 - H1938 – land off Wards Hill, Batley
 - H323 – land west and south of Lady Anne Business Park, Soothill, Batley
 - H2647 – Spafield Mill, Upper Road, Batley
 - H124 – land at Squirrel Hill Reservoir, Staincliffe Road, Dewsbury Moor
 - H760 – land adjacent Halifax Road, Staincliffe (
 - H1696 – land adjacent Mayman Lane, Mount Pleasant, Batley
 - H1702 – land adjacent Mayman Lane, Mount Pleasant, Batley
 - H1763 – Fire and Rescue Station, Carlinghow Lane, Batley
 - H527 – land west of 19 Staincliffe Hall Road, Staincliffe, Batley
 - H11 – land north-east of Highfield Drive, Birstall
 - H138 – land south of Mill Street, Birstall
 - H172 – land at West Yorkshire Fire and Rescue Service Headquarters, Bradford Road, Birkenshaw
 - H173 – land adjacent to 17 Whitehall Road West, Birkenshaw
 - H203 – Thornfield, Prospect Lane, Birkenshaw
 - H224 – former Cemex site, Smithies Moor Lane, Birstall
 - H601 – land south-east of Park House Healthcare, Whitehall Road West, Birkenshaw
 - H761 – land adjacent to Raikes Lane, Birstall
 - H796 – land adjacent Old Lane, Birkenshaw
 - H162 – former Cleckheaton Bowling Club, Park View, Cleckheaton

- H509 – Brook House Mill, Balme Road, Cleckheaton
- H640 – land adjacent to South Parade, Cleckheaton
- H708 – land adjacent to Ashbourne Drive, Liversedge
- H762 – land adjacent to Rooks Avenue, Cleckheaton
- H810 – land adjacent to Moorfield Avenue, Scholes, Cleckheaton
- H1704 – land adjacent to Highmoor Lane, Hartshead, Liversedge
- H1983 – land north of Tesco Superstore, Northgate, Cleckheaton
- H2645 – land to the east of Hightown Road, Cleckheaton
- H145 – Spensborough Industrial Estate, Parker Street, Liversedge
- H612 – land north of 2-4 Traith Court, White Lee, Batley
- H783 – land adjacent Dale Lane, Heckmondwike
- H1772 – land east of Boundary Street, Heckmondwike
- H134 – land at Headlands Farm, Headlands Road, Liversedge
- H2159 – land off Primrose Lane, Liversedge
- H2584 – land to the south of Halifax Road, Hightown
- H2627 – Highgrove Beds, Spen Lane, Gomersal
- MX1907 – Moorlands Business Centre, Balme Road, Cleckheaton
- MX3349 – land adjacent Westgate, Cleckheaton

1.4 The council's responses on the general and site-specific questions are grouped and ordered by the above list.

Site	a) Is the site suitable for the proposed use? Does the plan provide clear guidance on requirements and constraints, and seek appropriate mitigation measures?	b) Is the indicative site capacity appropriate, taking account of constraints and the provision necessary infrastructure? On mixed-use sites, what uses are proposed?	c) Is the site available and deliverable in the timescales envisaged?
E1873- land to the north of Crossroad Commercials Ltd, Pheasant Drive, Birstall (6,371 m2)	<p>Yes. This site is proposed as an accepted employment allocation and has been assessed in accordance with Local Plan Methodology Part 2: Site allocation methodology (BP23). It is an existing UDP Business and Industry allocation and has good access to Junction 27 of the M62. It is located within an existing industrial area. The plan provides clear guidance on the requirements and constraints, pages 9 and 10 of the Allocations and Designations document (SD2) lists these constraints, none of which are considered as significant and all could be addressed as part of a detailed planning application and the reports that maybe required to accompany the submission of a planning application. Mitigation measures are also specified, the proximity of the site to residential properties has been taken into account and appropriate mitigation will be considered.</p> <p>High level site access and local highway constraints have been</p>	<p>An indicative capacity is provided (6,371 sq m); this capacity is based on the net site area. The council considers this site capacity to be appropriate and has been based on the Yorkshire and Humber 'Translating Jobs into Land' study by Roger Tym & Partners, April 2010 (CR25). The recommended plot ratios of this study have been applied to all of the employment and mixed use allocations (where employment forms part of that mix) and are set out in the Employment Technical Paper (SD22) at paragraphs 5.1 to 5.3.</p> <p>The plot ratios as recommended by Roger Tym also take account of the need for circulation space, car parking and landscaping. This is set out in CR25 at paragraphs 4.14 to 4.15 and paragraph 4.21. The Council are therefore confident that indicative site capacities are appropriate and take account of a broad range of constraints outside of those already identified and netted off from the developable area.</p>	<p>The landowner has confirmed that this land is earmarked for future development to support continued operations and expansion at the main site adjacent (Tennants Distribution Limited), and therefore they welcome designation as an employment allocation. As such this site is considered as currently available and deliverable in the timescales envisaged.</p>

	<p>considered within the context of the site capacity. The Transport Assessment provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p> <p>This site falls with a HSE Inner Hazard Zone, however in this case it is considered to have Level 1 Sensitivity, as it is a workplace that is the source of the HSE Zone, therefore HSE 'Don't advise against development'.</p> <p>Proposed modification Reports required: Replace Transport Statement with Transport Assessment</p>		
<p>E1876- land south-east of Spen Valley Industrial Park, Cleckheaton (5,320 m2)</p>	<p>Yes. This site is proposed as an accepted employment allocation and has been assessed in accordance with Local Plan Methodology Part 2: Site allocation methodology (BP23). It is an existing UDP Business and Industry allocation, it has planning permission for 18 business units (2015/92093 and 2016/90894), which has been implemented, some may now be complete and occupied.</p> <p>The plan provides clear guidance on the requirements and constraints, pages 12 and 13 of the Allocations</p>	<p>An indicative capacity is provided (5,320 sq. m); this capacity is based on a net site area. This is considered appropriate given that the total amount of floorspace created across all 13 units is 6,291 sq. m (2015/92093 - 3,780 sq. m and 2016/90894 - 2,511 sq. m).</p> <p>The council considers the indicative site capacity to be appropriate and has been based on the Yorkshire and Humber 'Translating Jobs into Land' study by Roger Tym & Partners, April 2010 (CR25). The recommended plot ratios of this study have been applied to all of the</p>	<p>The site is available as evidenced by the planning permissions 2015/92093 and 2016/90894 and is therefore deliverable in the timescales envisaged.</p>

	<p>and Designations document (SD2) lists the constraints, none of which are considered as significant and all could be addressed as part of a detailed planning application and the reports that maybe required to accompany the submission of a planning application. Mitigation measures are also specified.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Transport Assessment provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p> <p>Proposed Modification: Replace Transport Statement with Transport Assessment in Reports Required</p>	<p>employment and mixed use allocations (where employment forms part of that mix) and are set out in the Employment Technical Paper (SD22) at paragraphs 5.1 to 5.3.</p> <p>The plot ratios as recommended by Roger Tym also take account of the need for circulation space, car parking and landscaping. This is set out in CR25 at paragraphs 4.14 to 4.15 and paragraph 4.21. The Council are therefore confident that indicative site capacities are appropriate and take account of a broad range of constraints outside of those already identified and netted off from the developable area.</p> <p>Proposed Modification: Amend site capacity from 5,320 sq. m to 6, 291 sq. m to reflect the planning permission currently under construction.</p>	
<p>H758- land off Soothill Lane, Lower Soothill, Batley (393 dwellings)</p>	<p>The site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints. Such constraints have been overcome and the site has planning for residential use. (2015/92908 – discharge of conditions approved in 2016/92107)</p>	<p>The indicative site capacity (393 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. This site has planning permission (2015/92908) covering the whole site.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.</p>	<p>The site is available as evidenced by the planning permission (2015/92908). The site is an existing UDP allocation and is available as evidenced by the planning permission (2015/92908). There are no significant constraints identified to prevent the site from being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.</p>

<p>H1938- land off Wards Hill, Batley (19 dwellings)</p>	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of noise and contaminated land.</p> <p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site.</p>	<p>The site capacity of 19 dwellings is appropriate as there are no on-site constraints which would lead to a reduction in the site capacity.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Design & Access Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	<p>The site is owned by Kirklees Council, who are a willing landowner. As set out in EX30.2, the site is deliverable with development anticipated to commence in 2019/20.</p>
<p>H323- land west and south of Lady Anne Business Park, Soothill, Batley (97 dwellings)</p>	<p>The site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of noise, contaminated land, transport, flood risk, health impacts and ecological assessment.</p> <p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that the constraints; surface water issues, risk of noise impacts, UK BAP priority habitat can be overcome to enable the delivery of the site.</p>	<p>The site capacity of 97 dwellings is appropriate as it recognises the on-site constraints with a total of 0.46ha removed from the total site area.</p> <p>0.46ha was removed to protect a BAP priority habitat and to remove an area of land located in flood zone 3.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Transport Assessment provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	<p>The site is available and has a willing land owner. As set out in EX30.2, the site is deliverable (scheduled to start in 2018/19). This is a realistic time scale as a full application (2017/91851) is pending on site.</p>
<p>H2647- Spafield Mill, Upper Road, Batley (26 dwellings)</p>	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the</p>	<p>The indicative site capacity (33 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. This site</p>	<p>The site is available as evidenced by the planning permission (2014/91721). As set out in EX30.2, the site is deliverable (completions 2019/20)</p>

	<p>constraints. Such constraints have been overcome as this site now has planning permission for residential use (2014/91721).</p>	<p>has planning permission (2014/91721) covering the whole site.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.</p>	
<p>H124- land at Squirrel Hill Reservoir, Staincliffe Road, Dewsbury Moor (30 dwellings)</p>	<p>The site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including Contamination Assessment Phase 1 and Health Impact Assessment.</p> <p>The assessment of this site by the council and technical consultees conclude there are no constraints that cannot be addressed as part of a detailed planning application</p>	<p>The site capacity of 30 dwellings is appropriate as there are no on-site constraints which would lead to a reduction in the site capacity.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Design & Access Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	<p>The site is available and has a willing land owner identified through the Call for Sites Process.</p> <p>Due to the site still being in operation by Yorkshire water it has been phased later in the plan.</p>
<p>H760- land adjacent Halifax Road, Staincliffe (23 dwellings)</p>	<p>The site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of noise, health impact and contaminated land.</p> <p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the</p>	<p>The site capacity of 33 dwellings is appropriate as there are no on-site constraints which would lead to a reduction in the site capacity.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Design & Access Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	<p>The site is owned by Kirklees Council, who are a willing landowner. As set out in EX30.2, the site is deliverable with development anticipated to commence in 2019/20.</p>

	site.		
H760 i)	What value does the site have as public amenity space? Is the proposal in line with paragraph 74 in the NPPF		
	The council does not consider that this site has sufficient open space characteristics to merit protection as open space through NPPF para 74. However consideration for new public open space would be required as part of the development taking into account the availability, quality and accessibility of open space provision in the area considered against PLP63. Due to its limited visual benefits and opportunities for informal recreation as there are no PROW or footpaths through the site. The site has previously had the benefit of planning permission for residential development (2010/91972).		
H1696- land adjacent Mayman Lane, Mount Pleasant, Batley (41 dwellings)	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of contaminated land, flooding, health impact and coal mining risk assessment.</p> <p>The assessment of the site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site. Site access is unsuitable via Weatherhill Street, potentially contaminated land and part/all of the site is within a High Risk Coal Referral Area.</p>	<p>The site capacity of 41 dwellings is appropriate as there are no on-site constraints which would lead to a reduction in the site capacity.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Transport Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p> <p>Proposed Modification: Insert reference to Transport Statement in site allocation box.</p>	The site is owned by Kirklees Council, who are a willing landowner. As set out in EX30.2, the site is deliverable with development anticipated to commence in 2019/20.
H1702- land adjacent Mayman Lane,	The site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23)	The site capacity of 19 dwellings is appropriate as there are no on-site constraints which would lead to a	The site is owned by Kirklees Council, who are a willing landowner. As set out in EX30.2, the site is deliverable with

<p>Mount Pleasant, Batley (19 dwellings)</p>	<p>subject to the reports listed in the site allocations box including consideration of noise, contaminated land, health impact and coal mining risk assessment.</p> <p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable delivery of the site.</p>	<p>reduction in the site capacity.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Design & Access Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	<p>development anticipated to commence in 2020/21.</p>
<p>H1696 & H1702 i)</p>	<p>Will the loss of public open space on the frontage of H1696 be mitigated?</p> <p>The council does not consider that this site has sufficient open space characteristics to merit protection as open space through NPPF para 74. However consideration for new public open space would be required as part of the development taking into account the availability, quality and accessibility of open space provision in the area considered against PLP63.</p>		
<p>H1696 & H1702 ii)</p>	<p>What is the relationship between H1696 and H1702? Should these sites be comprehensively planned?</p> <p>There is a possibility that these two sites could be developed together, however the housing allocations do not rely on each other in order for development to come forward. At the time of allocation an operational business was still located on site H1696. To maintain flexibility for the relocation of the business, the sites have been allocated individually. There are opportunities for the sites to be comprehensively planned through policy PLP5.</p>		
<p>H1763- Fire and Rescue Station, Carlinghow Lane, Batley (14 dwellings)</p>	<p>The site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23). The plan provides clear guidance on the constraints. Such constraints have been overcome as this site now has planning permission for residential use (2016/92111)</p>	<p>The indicative site capacity (14 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. This site has planning permission (2016/92111) covering the whole site.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.</p>	<p>The site is available as evidenced by the planning permission (2016/92111). The site has been submitted by a willing land owner and is available as evidenced by the planning permission (2016/92111). There are no significant constraints identified to prevent the site from being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.</p>

<p>H527- land west of 19 Staincliffe Hall Road, Staincliffe, Batley (23 dwellings)</p>	<p>The site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of contaminated land and health impact assessments.</p> <p>The assessment of this site by the council and technical consultees there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site. Safety issues have been identified on the surrounding road network.</p>	<p>The site capacity of 23 dwellings is appropriate as there are no on-site constraints which would lead to a reduction in the site capacity.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Design & Access Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	<p>The site has been submitted by a willing land owner and has no significant constraints to being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.</p>
<p>H11- land north-east of Highfield Drive, Birstall (22 dwellings)</p>	<p>The site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of noise, contaminated land and drainage.</p> <p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site. Third party land required to achieve drainage options, provision of cycle route through the site.</p>	<p>The site capacity of 22 dwellings is appropriate as there are no on-site constraints which would lead to a reduction in the site capacity.</p> <p>Communications with the site promoter have confirmed the provisions of a cycle route will be included within the scheme.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Design & Access Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	<p>The site has been submitted by a willing land owner and has no significant constraints to being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.</p>
<p>H138- land south of Mill Street, Birstall</p>	<p>The site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23)</p>	<p>The site capacity of 262 dwellings is appropriate as it recognises the on-site constraints with a total of 0.22ha</p>	<p>The site has been submitted by a willing land owner and has no significant constraints to being</p>

<p>(262 dwellings)</p>	<p>subject to the reports listed in the site allocations box including consideration of noise, air quality, transport and travel, contaminated land, flood risk, odour, botanical survey, coal mining risk assessment, surface water drainage and drainage masterplan.</p> <p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site.</p> <p>Noise and odour source near site, surface water issues, watercourse present on site, part/all of the site is within a high risk coal referral area. Replacement playing pitch provision will be required to meet the needs of existing users.</p> <p>Proposed Modification: remove text in Other site specific constraints: “Replacement playing pitch provision will be required to meet the needs of existing users” Replace with “Replacement playing pitch provision or mitigation measures of equivalent value will be required to meet local needs having regard to the most up-to-date evidence for sport and recreational needs”</p>	<p>removed from the total site area.</p> <p>0.22ha was removed to protect an area of lowland mixed deciduous woodland.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Transport Assessment provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	<p>developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.</p>
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<p>H138 i)</p>	<p>Is the proposal in line with paragraph 74 of the NPPF? What are the plans for re-provision of the sports facility?</p> <p>The site is privately owned. The site allocations box in SD2 states that: <i>Replacement playing pitch provision will be required to meet the needs of existing users.</i></p> <p>Replacement playing pitch provision will be required to meet the needs of existing users unless the provision is shown to be surplus to requirements in accordance with Local Plan policy PLP50.</p> <p>It is considered that this addresses the requirements of Paragraph 74 of the NPPF.</p>		
<p>H172- land at West Yorkshire Fire and Rescue Service Headquarters, Bradford Road, Birkenshaw (55 dwellings)</p>	<p>The site was assessed as suitable through the Local Plan site allocations methodology (BP23). The plan provides clear guidance on constraints.</p> <p>Site is close to a Listed Building, noise source in close proximity and part/all of the site is located within a high risk coal referral area.</p> <p>The site has outline permission for residential use (2014/93173). It is therefore considered that there is a reasonable prospect that these constraints can be overcome to enable the delivery of the site.</p>	<p>The indicative site capacity is appropriate taking account of the site constraints and provision of the necessary infrastructure. The site has outline planning permission (2014/93173) covering the whole site.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.</p> <p>Proposed Modification: Area of TPO's not netted off 0.32 is to be netted off from site area. New site area 1.26, capacity to change to 44.</p>	<p>The site is available as evidenced by the planning permission (2014/93173). As set out in EX30.2, the site is deliverable (scheduled to start in 2019/20). This is a realistic time scale as a full application (2017/94129) is pending on site.</p> <p>Proposed Modification: The capacity used in the phasing table would be affected by the change in the capacity)</p>
<p>H172 i)</p>	<p>Has the impact of the proposal on heritage assets been adequately assessed and addressed?</p> <p>The site has outline planning permission (2014/93173) with a full application (2017/94129) pending on site.</p> <p>The site is within close proximity to Grade II Listed Building Oakroyd Hall Fire Services HQ Building, The redevelopment of this area has the potential to harm elements which contribute to the significance of this building.</p> <p>Pre application advice was given on layout in order to protect the setting of the building. The allocation box in SD2 makes reference to the site being within close proximity to a listed building and the need for a heritage impact assessment.</p>		

<p>H173- land adjacent to 17 Whitehall Road West, Birkenshaw (24 dwellings)</p>	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of air quality, noise, contaminated land, coal mining risk assessment and pre-determination archaeological evaluation.</p> <p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site.</p>	<p>The site capacity of 24 dwellings is appropriate as there are no on-site constraints which would lead to a reduction in the site capacity.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Design & Access Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	<p>The site has been submitted by a willing land owner and has no significant constraints to being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.</p>
<p>H203- Thornfield, Prospect Lane, Birkenshaw (14 dwellings)</p>	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints. Such constraints have been overcome as this site now has planning permission for residential use (2015/93238)</p>	<p>The indicative site capacity is appropriate taking account of the site constraints and provision of the necessary infrastructure. This site has planning permission (2015/93238) covering the whole site.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.</p>	<p>The site is available as evidenced by the planning permission (2015/93238). As set out in EX30.2, the site is deliverable (scheduled to start in 2018/19). There are no significant constraints identified to prevent the site from being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.</p>
<p>H224- former Cemex site, Smithies Moor Lane, Birstall (21 dwellings)</p>	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints. Such constraints have been overcome as this site now has outline planning permission for</p>	<p>The indicative site capacity (21 dwellings) recognises the onsite constraints. 0.1ha has been removed from the site area to protect a BAP priority habitat. No residential development is to take place in flood zone 3.</p>	<p>The site is available as evidenced by the planning permission (2014/93236). As set out in EX30.2, the site is deliverable (scheduled to start in 2018/19). There are no significant constraints identified to prevent the site from being developed; therefore it is</p>

	residential use (2012/92614). Reserved matters application approved on site 2014/93236	High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.	considered deliverable in the anticipated timescale in EX30.2
H601- land south-east of Park House Healthcare, Whitehall Road West, Birkenshaw (116 dwellings)	This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints. Such constraints have been overcome as this site now has planning permission for residential use (2016/92633). Construction started on site.	The indicative site capacity (116 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. This site has planning permission (2016/92633) covering the whole site. High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.	The site is available as evidenced by the planning permission (2016/92633). As set out in EX30.2, the site is deliverable (scheduled to start in 2018/19). There are no significant constraints identified to prevent the site from being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.
H761- land adjacent to Raikes Lane, Birstall (75 dwellings)	This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of contaminated land, flood risk, heritage impact and a coal mining risk assessment. The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site. Pedestrian footway is substandard across the site frontage, public right of	The site capacity of 75 dwellings is appropriate as there are no on-site constraints which would lead to a reduction in the site capacity. High level site access and local highway constraints have been considered within the context of the site capacity. The Transport Assessment provided with a planning application will inform and direct the nature and scale of any mitigation measures required.	The site is owned by Kirklees Council, who are a willing landowner. As set out in EX30.2, the site is deliverable with development anticipated to commence in 2019/20.

	way runs along the eastern boundary of the site, site is close to listed building, improvements to local highway links may be required.		
H761 i)	<p>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 (LE85 be specific in the plan?)</p> <p>The impact of the proposal on the heritage asset has been appropriately assessed and addressed in accordance with the NPPF (NE1, chapter 12). This approach is set out in the HIA for H761 (LE85). Section 6 of the HIA, sets out below demonstrates that identified impacts can be mitigated, however it is considered appropriate to allow a range of mitigation measures to be considered at the design stage of the planning application and not be specified in the local plan. As such Policy PLP35 is considered the appropriate mechanism to secure mitigation measures, with document LE85 a reference document at the time of the determination of the planning application.</p>		
H796- land adjacent Old Lane, Birkenshaw (28 dwellings)	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of contaminated land, air quality impacts and low emission plan.</p> <p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site.</p> <p>Proposed Modification: Insert reference to Transport Statement in site allocation box.</p>	<p>The site capacity of 24 dwellings is appropriate as there are no on-site constraints which would lead to a reduction in the site capacity.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Transport Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	<p>The site is available as evidenced by the pending planning application (2014/92893). As set out in EX30.2, the site is deliverable (scheduled to start in 2018/19).</p>

<p>H162- former Cleckheaton Bowling Club, Park View, Cleckheaton (23 dwellings)</p>	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints. Such constraints have been overcome as this site now has planning permission for residential use (2015/90022) and is under construction.</p> <p>Proposed Modification: Insert reference to Transport Statement in site allocation box.</p>	<p>The indicative site capacity (23 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. This site has planning permission (2015/90022) covering the whole site.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.</p>	<p>The site is available as evidenced by the planning permission (2015/90022). As set out in EX30.2, the site is deliverable (scheduled to start in 2016/17). This is a realistic timescale as the site is now under construction.</p>
<p>H509- Brook House Mill, Balme Road, Cleckheaton (21 dwellings)</p>	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of contaminated land, flood risk, health impacts, coal mining risk assessments and ecological assessments.</p> <p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site.</p> <p>Part of the site is within flood zone 3; no residential development should take place in flood zone 3.</p> <p>Watercourse runs through the site, part of the site lies within a UK BAP</p>	<p>The indicative site capacity (25 dwellings) recognises the onsite constraints. 0.26ha has been removed from the developable area of the site to protect a BAP priority habitat. No residential development is to take place in flood zone 3.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Design & Access Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p> <p>Proposed Modification: capacity in SD2 wrong. Currently 21 should be 25.</p>	<p>The site is available and has a willing landowner identified through the Call for Sites process. The site has no significant constraints to being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.</p> <p>Proposed Modification: amendments to phasing table following change in capacity</p>

	priority habitat, part/all of the site is within a high risk coal referral area.		
H640- land adjacent to South Parade, Cleckheaton (24 dwellings)	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of contaminated land, health impact and coal mining risk assessment.</p> <p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site.</p> <p>Noise source near site, site potentially on contaminated land, part/all of the site is within a high risk coal referral area.</p>	<p>The site capacity of 75 dwellings is appropriate as there are no on-site constraints which would lead to a reduction in the site capacity.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Transport Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	<p>The site is available and has a willing landowner identified through the Call for Sites process. The site has no significant constraints to being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.</p>
H708- land adjacent to Ashbourne Drive, Liversedge (53 dwellings)	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints. Such constraints have been overcome as this site now has outline planning permission for residential use (2012/93062). Reserved matters application 2014/91242) pending on site.</p>	<p>The indicative site capacity (53 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. This site has outline planning permission (2012/93062) covering the whole site. Reserved matters application 2014/91242) pending on site.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.</p>	<p>The site is available as evidenced by the planning permission (2012/93062). As set out in EX30.2, the site is deliverable (scheduled to start in 2019/20).</p>

<p>H762- land adjacent to Rooks Avenue, Cleckheaton (58 dwellings)</p>	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints. Such constraints have been overcome as this site now has outline planning permission for residential use (2017/92809).</p>	<p>The indicative site capacity (58 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. This site has outline planning permission (2017/92809) covering the whole site.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.</p>	<p>The site is available as evidenced by the planning permission (2017/92809). As set out in EX30.2, the site is deliverable (scheduled to start in 2019/20).</p>
<p>H810- land adjacent to Moorfield Avenue, Scholes, Cleckheaton (17 dwellings)</p>	<p>This site no longer has a willing land owner. Yorkshire Water has confirmed that this site is a critical part of their strategic water supply infrastructure. There is no prospect that the land will be decommissioned during the plan period and should therefore be removed from the plan.</p> <p>Proposed Modification: remove site from the plan. No willing land owner.</p>		
<p>H1704- land adjacent to Highmoor Lane, Hartshead, Liversedge (56 dwellings)</p>	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of contaminated land, health impact, noise and odour, flood risk and air quality impact assessment.</p> <p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site.</p>	<p>The site capacity of 56 dwellings is appropriate as there are no on-site constraints which would lead to a reduction in the site capacity.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Transport Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	<p>The site is owned by Kirklees Council, who are a willing landowner. As set out in EX30.2, the site is deliverable with development anticipated to commence in 2019/20.</p>

	Noise and Odour sources near site.		
H1983- land north of Tesco Superstore, Northgate, Cleckheaton (48 dwellings)	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of noise, contaminated land, flood risk, health impact and coal mining risk assessments.</p> <p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site.</p> <p>Proposed Modification: Insert reference to Transport Statement in allocation box.</p>	<p>The site capacity of 48 dwellings is appropriate as there are no on-site constraints which would lead to a reduction in the site capacity.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Transport Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	<p>The site is available and has a willing landowner identified through the Call for Sites process. The site has no significant constraints to being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.</p> <p>Full application (2017/91677) pending on site.</p>
H2645- land to the east of Hightown Road, Cleckheaton (44 dwellings)	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints. Such constraints have been overcome as this site now has outline planning permission for residential use (2015/90035)</p> <p>Proposed Modification: Insert reference to Transport Statement in site allocation box.</p>	<p>The indicative site capacity (44 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. This site has outline planning permission (2015/90035) covering the whole site.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.</p>	<p>The site is available as evidenced by the planning permission (2017/92809). As set out in EX30.2, the site is deliverable (scheduled to start in 2018/19).</p>

<p>H145- Spenborough Industrial Estate, Parker Street, Liversedge (28 dwellings)</p>	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints. Such constraints have been overcome as this site now has outline planning permission for residential use (2013/91771).</p>	<p>The indicative site capacity (28 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. This site has outline planning permission (2013/91771) covering the whole site.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.</p>	<p>The site is available as evidenced by the planning permission (2013/91771). As set out in EX30.2, the site is deliverable (scheduled to start in 2018/19).</p>
<p>H612- land north of 2-4 Traith Court, White Lee, Batley (24 dwellings)</p>	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints. Such constraints have been overcome as this site now has planning permission for residential use (2014/93425) and is under construction.</p>	<p>The indicative site capacity (24 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. This site has planning permission (2014/93425) covering the whole site.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.</p>	<p>The site is available as evidenced by the planning permission (2014/93425). As set out in EX30.2, the site is deliverable (scheduled to start in 2016/17). This is a realistic timescale as the site is now under construction.</p>
<p>H783- land adjacent Dale Lane, Heckmondwike (17 dwellings)</p>	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of contaminated land, health impact assessment, coal mining risk assessment and heritage impact assessment.</p> <p>The assessment of this site by the</p>	<p>The site capacity of 17 dwellings is appropriate as there are no on-site constraints which would lead to a reduction in the site capacity.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Design & Access Statement provided with a planning application will inform and direct the nature and scale of any</p>	<p>The site is owned by Kirklees Council, who are a willing landowner. As set out in EX30.2, the site is deliverable with development anticipated to commence in 2019/20.</p>

	council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site. Site is close to a listed building, part/all of the site is within a high risk coal referral area.	mitigation measures required.	
H783 i)	Has the impact of the proposal on heritage assets been adequately assessed and addressed? Should the protection and mitigation measures linked to the Heritage Impact Assessment (LE89) be specified in the Plan?		
	The impact of the proposal on the heritage asset has been appropriately assessed and addressed in accordance with the NPPF (NE1, chapter 12). This approach is set out in the HIA for H783 (LE89). Section 6 of the HIA, sets out below demonstrates that identified impacts can be mitigated, however it is considered appropriate to allow a range of mitigation measures to be considered at the design stage of the planning application and not be specified in the local plan. As such Policy PLP35 is considered the appropriate mechanism to secure mitigation measures, with document LE89 a reference document at the time of the determination of the planning application.		
H783 ii)	Is the proposal in line with paragraph 74 of the NPPF?		
	The council does not consider that this site has sufficient open space characteristics to merit protection as open space through NPPF para 74. However consideration for new public open space would be required as part of the development taking into account the availability, quality and accessibility of open space provision in the area considered against PLP63.		
H1772- land east of Boundary Street, Heckmondwike (34 dwellings)	This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of contaminated land, Noise, flood risk and health impact assessments. The assessment of this site by the council and technical consultees	The indicative site capacity (34 dwellings) recognises the onsite constraints. 0.6ha has been removed from the developable area as it falls within flood zone 3. High level site access and local highway constraints have been considered within the context of the site capacity. The Design & Access Statement provided with a planning application will inform	The site is available and has a willing landowner identified through the Call for Sites process. The site has no significant constraints to being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2. Proposed Modification: Capacity in phasing table would be affected by the change in the capacity.

	<p>conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site.</p> <p>Part of the site is within flood zone 3, a combined sewer crosses the site and culverted watercourse crosses the site, noise source near site.</p> <p>Proposed Modification: Remove “No residential development to take place in flood zone 3”. And “Part of the site is in flood zone 3” from site allocation box.</p>	<p>and direct the nature and scale of any mitigation measures required.</p> <p>Proposed Modification: Area netted off at PLP was flood zone 2 not 3. Increase capacity to 54. Change net site area to 1.58</p>	
<p>H134- land at Headlands Farm, Headlands Road, Liversedge (20 dwellings)</p>	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints. Such constraints have been overcome as this site now has outline planning permission for residential use (2017/92216)</p>	<p>The indicative site capacity is appropriate taking account of the site constraints and provision of the necessary infrastructure. This site has outline planning permission (2017/92216) covering the whole site.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.</p>	<p>The site is available as evidenced by the planning permission (2017/92216). As set out in EX30.2, the site is deliverable (scheduled to start in 2019/20). This is a realistic time scale as site has outline planning permission covering the majority of the site (2017/94129).</p>
<p>H2159- land off Primrose Lane, Liversedge (87 dwellings)</p>	<p>This site was assessed as suitable for mixed use using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of contaminated land, flood risk, travel, plan, and transport assessment.</p>	<p>The indicative site capacity (87 dwellings) recognises the onsite constraints. An area of lowland mixed deciduous woodland, 0.64ha, has been removed from the developable area of the site.</p> <p>High level site access and local highway constraints have been considered within</p>	<p>The site is available and has a willing landowner identified through the Call for Sites process. The site has no significant constraints to being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.</p>

	<p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site.</p> <p>Area of lowland mixed deciduous woodland on site.</p>	<p>the context of the site capacity. The Transport Assessment provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	
<p>H2584- land to the south of Halifax Road, Hightown (14 dwellings)</p>	<p>This site was assessed as suitable for housing using the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints. Such constraints have been overcome as this site now has planning permission for residential use (2015/90435)</p>	<p>The indicative site capacity (14 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. This site has planning permission (2015/90435) covering the whole site.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.</p>	<p>The site is available as evidenced by the planning permission (2015/90435). As set out in EX30.2, the site is deliverable (scheduled to start in 2018/19). This is a realistic time scale as the site has planning permission covering the majority of the site (2015/90435).</p>
<p>H2627- Highgrove Beds, Spen Lane, Gomersal (45 dwellings)</p>	<p>This site was assessed as suitable for mixed use using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of contaminated land, flood risk and coal mining risk assessment.</p> <p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable delivery of the site.</p>	<p>The site capacity of 45 dwellings is appropriate as there are no on-site constraints which would lead to a reduction in the site capacity.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Transport Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	<p>The site has previously had outline permission on site, currently expired. Therefore the principle of development on this site has been established.</p> <p>The site has no significant constraints to being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.</p>

	Proposed Modification: Insert reference to Transport Statement in site allocation box.		
MX1907- Moorlands Business Centre, Balme Road, Cleckheaton (8 dwellings)	<p>This site was assessed as suitable for mixed use using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box including consideration of flood risk, noise, odour, contaminated land, pre-determination archaeological assessment, health impact and coal mining risk assessment.</p> <p>The assessment of this site by the council and technical consultees conclude there is a reasonable prospect that such constraints can be overcome to enable the delivery of the site.</p> <p>No residential development is to take place in flood zone 3, the flood risk vulnerability of proposed uses will be considered and an exception test may still be required as part of a planning application as set out in national policy, prevention and mitigation to reflect Water Framework Directive, allocation should seek to promote opportunities to support River Spen restoration work.</p>	<p>The indicative site capacity (8 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure.</p> <p>The site has been promoted, thorough the call for sites process, as mixed use specifically for residential, retail and leisure, therefore no employment use has been allocated.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Design & Access Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p>	The site is available and has a willing landowner identified through the Call for Sites process. The site has no significant constraints to being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.
MX3349- land adjacent	This site was assessed as suitable for mixed use using the Local Plan site	The indicative site capacity (223 dwellings) is appropriate taking account	The site is available as evidenced by the planning permission (2010/91431).

<p>Westgate, Cleckheaton (223 dwellings)</p>	<p>allocations methodology (BP23). The Plan provides clear guidance on the constraints. Such constraints have been overcome as this site now has outline planning permission for mixed use development (2010/91431)</p>	<p>of the site constraints and provision of the necessary infrastructure. This site has planning permission (2015/90435) covering the whole site.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity and the approved planning application.</p>	<p>As set out in EX30.2, the site is deliverable (scheduled to start in 2019/20). This is a realistic time scale as the site has planning permission covering the majority of the site, variation of conditions application pending (2017/92640).</p>
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