

**Kirklees Local Plan Examination**

**Stage 4 hearings  
Other Site Allocations**

**KIRKLEES RURAL SUB-AREA  
(Matter 40)**

**MATTERS, ISSUES AND QUESTIONS (MIQs)**

**Council Response**

**Matter 40 – Colne Valley<sup>1</sup> allocations**

- 1.1 This statement sets out the council's responses in relation to the Inspector's matters and issues Matter 40. 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 table (table 1) sets out the response to each question against the site reference.

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<sup>1</sup> Colne Valley ward – including Linthwaite, Slaithwaite, Marsden and Outlane. But excluding site H738 which is captured in Matter 42 (Golcar).

**Issue – Are the proposed housing, mixed use and safeguarded land allocations in the Colne Valley justified, effective, developable/deliverable and in line with national policy?**

Table 1: Matter 40 – Colne Valley allocations

<u>Linthwaite</u>	a) Is the site suitable for the proposed use? In the case of housing allocations, 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 of necessary infrastructure?	c) Is the site available and deliverable in the timescales envisaged?	d) For sites currently in the Green Belt - what effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?
H213 – Black Rock Mills, Waingate (236 dwellings) (part Green Belt release)	This site has been assessed as suitable for housing development in accordance with the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints, including additional mitigation on wider highway network, taking account of watercourses on the site, contaminated land and the location of the site adjacent to listed buildings and the conservation area. The constraints have been overcome as this site now has planning permission for residential use (2015/93867) and is now under construction.	The site has reserved matters permission for 113 dwellings (2015/93867) which is currently under construction. This represents a reduction compared to the 236 dwellings indicated on the outline permission.  <b>Proposed modification: Change capacity for H213 from 236 to 113.</b>	The site is available as evidenced by the planning permission (2015/93867, Kier Living Limited). As set out in EX30.2, the site is deliverable (development commenced in 2016/17). This is a realistic timescale as the site is now under construction.  <b>Proposed modification: The capacity to be amended in the phasing table.</b>	The majority of this site is unallocated. The existing green belt boundary on the south eastern boundary of this site is difficult to determine on the ground. It has therefore been modified slightly to align with the extent of the planning permission so that a new defensible boundary can be established.  The full green belt assessment for this site is set out in the appendix at the end of this hearing statement.  Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the

				objectively assessed need for housing in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating housing development on the site outweigh the loss of this part of the green belt.
H1709 – land east of Upper Clough (53 dwellings)	<p>This site has been assessed as suitable for housing development in accordance with the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints, including the provision of a footway across the site frontage, improvements to local highway links, watercourse on the eastern boundary and the location of the site in the Linthwaite conservation area.</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 potential odour source referred to in the site allocations box is a farm however this is no longer a working farm. The industrial noise source referred to is Black Rock Mills,</p>	The site capacity of 53 dwellings is appropriate as no on-site constraints have been identified which would lead to a reduction in the site capacity. The capacity is therefore based on the approach set out in EX30.2.	<p>The site is council owned and is available for development.</p> <p>The phasing in EX30.2 has considered the proximity of H213 by considering the phasing of these sites together, with development commencing on H1709 after H213. The proposed modification to amend the capacity of the adjacent H213 (following the planning permission) means that delivery on this site may also come forward earlier than expected.</p>	N/A

	<p>adjacent to the site, which is now being developed for residential development.</p> <p>The assessment of this site by the council and technical consultees identified there is a reasonable prospect that the constraints can be overcome to enable the delivery of the site.</p> <p><b>Proposed modification:</b></p> <p><b>Remove the noise and odour sources / assessments from the site allocations box.</b></p>			
<p><b>H213 – Black Rock Mills, Waingate, Linthwaite</b>  <b>H1709 – land east of Upper Clough, Linthwaite</b></p> <p>i) <u>What is the relationship between H213 and H1709? Are links between the sites desirable and achievable?</u></p> <p>The two sites are separate options generated from separate landowners. H1709 is owned by the Council. Site H213 has been granted planning permission and is under construction (2015/93867). The proposed layout for this site does not show a link to H1709. Furthermore, the topography of the site would mean it would be difficult to make a road connection between the two sites, as the landform is shaped by the watercourse that runs to the east of site H1709 and within the western part of H213.</p>				
<p>H712 – land south of Hillside View (65 dwellings)</p>	<p>This site has been assessed as suitable for housing development in accordance with the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints including that the site is located partly within Linthwaite conservation area.</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 capacity of 65 dwellings is appropriate as no on-site constraints have been identified which would lead to a reduction in the site capacity.</p>	<p>This site has been tested as a Local Plan option as it was Provisional Open Land in the UDP. The northern part of the site has outline planning permission (2014/93289) granted Jan 2016 and subsequently a full application has been submitted on the site (2018/90208, SB Homes). The southern part of the site was submitted by a willing landowner as part of the call for sites process. The owner</p>	<p>N/A</p>

	The area of land located within the conservation area has outline planning permission (2014/93289).		of the southern part of the site has indicated that they own a house which could be used to gain access to the site. As set out in EX30.2, the site is deliverable with development anticipated to commence in 2019/20. As there a full application pending on part of the site, there may be some delivery earlier than anticipated.	
H1776 – land south of The Lodge (209 dwellings) (Green Belt release)	<p>This site has been assessed as suitable for housing development in accordance with the Local Plan site allocations methodology (BP23). The Plan provides clear guidance on the constraints, including the provision of a pedestrian footway across the site frontage and noise source close to site.</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>Site H1776 extends over land that slopes steeply up towards the south and east where development would impact on the open nature of the valley side. As such, the site allocations box for H1776 (SD1, page 113) states that “<i>Development on this site should have regard to the topography and the south east area of the site should remain open to form a continuation of the open steep hill from the east of the site.</i>” and that development should have regard to links to</p>	The development capacity is 209 from a net area of 5.99 hectares. Whilst the site allocations box states that the south-east of the site should remain open – this does not necessarily reduce the site capacity - as the net area includes on site public open space provision as required by policy PLP63.	<p>The site is available and has a willing landowner identified through the Call for Sites process.</p> <p>Taking into account the willing landowner the phasing of this site to start delivery in 2020/21 is appropriate in accordance with the approach set out for the phasing of sites currently in the green belt in EX30.2.</p> <p>A pre-application enquiry setting out a detailed site layout has been submitted.</p>	<p>The full green belt assessment for this site is set out in the appendix at the end of this hearing statement.</p> <p>Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating housing development on the site outweigh the loss of this part of the green belt.</p>

	<p>the Wildlife Habitat Network. The landscape sensitivity of the site is considered in further detail in the question below.</p> <p>The assessment of this site by the council and technical consultees identified there is a reasonable prospect that the constraints can be overcome to enable the delivery of the site.</p>			
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**H1776 – land south of The Lodge, Linthwaite**

i) Does the proposal provide sufficient landscape mitigation, taking into account the sloping topography of the site?

The topography of the site is flatter at the north-western end of the site, but slopes up to the south-east and is significantly steeper at its south-eastern extent. Development on the south-east boundary of the site needs to be considered with regard to any future development. The visual and physical impact of development to the south-eastern extent of this site would be significant and will require mitigation measures to be implemented to minimise impact on the wider landscape. Retaining the south-east slope as open, as identified in the site-allocations box, will help reduce the impact of the development on the landscape. The site allocations box for H1776 (SD1, page 113) states that “*Development on this site should have regard to the topography and the south east area of the site should remain open to form a continuation of the open steep hill from the east of the site.*”

The proposal would be subject to policies in the Local Plan including Policy PLP24 (Design) that seeks to ensure that the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape and the Landscape Policy (PLP32) which states proposals should be designed to take into account and seek to enhance the landscape character of the area; the setting of settlements and field boundaries.

<u>Slaithwaite</u>	a) Is the site suitable for the proposed use? In the case of housing allocations, 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 of necessary infrastructure?	c) Is the site available and deliverable in the timescales envisaged?	d) For sites currently in the Green Belt - what effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?
H221 – land east of Howgate Road (36	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. The Plan	The indicative site capacity (36 dwellings) is appropriate taking account of the site constraints and provision of	The site is available as evidenced by the planning permission (2010/92767, SB Homes Ltd). As set out in	N/A

<p>dwelling(s)</p>	<p>provides clear guidance on the constraints including surface water issues, the location of the site within a conservation area and adjacent to listed buildings. The constraints have been overcome as this site now has full planning permission for residential use (2010/92767) and is now under construction.</p> <p><b>Proposed Modification: Add Transport Statement to reports required.</b></p>	<p>the necessary infrastructure and reflects planning permission (2010/92767) which covers the whole site.</p>	<p>EX30.2, the site is deliverable (development commenced in 2016/17). This is a realistic timescale as the site is now under construction.</p>	
<p>H356 – land north of Lingards Road (36 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. The Plan provides clear guidance on the constraints including the provision of a pedestrian footway across the site frontage, the location of the site close to listed buildings and that part of the site lies within a UK BAP Priority Habitat.</p> <p>The majority of the site has outline planning permission (2014/93946).</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>In accordance with the Habitats Regulation Assessment, a modification has been proposed to the H356 site box (as set out in SD4, reference AD-MM43).</p> <p><b>Proposed Modification: Add Transport Statement to reports required.</b></p>	<p>The indicative site capacity (36 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure and reflects planning permission for 30 dwellings (2014/93946) which covers the majority of the site. The area of the site without planning permission at Lower Wood Farm is estimated to yield an additional 6 dwellings.</p> <p><b>Proposed modification: The northern boundary of the site requires an adjustment to better reflect field boundaries and the red-line boundary of the submitted planning application that covers the majority of the site – this would not affect capacity. This would result in a consequential change to the policies map.</b></p>	<p>The site is available as evidenced by the planning permission (2014/93946) and has a willing landowner identified through the Call for Sites process. As set out in EX30.2, the site is deliverable (site expected to deliver from 2019/20).</p>	<p>N/A</p>

**H356 – land north of Lingards Road, Slaithwaite**

i) Does the proposal provide sufficient landscape mitigation, taking into account the edge of settlement location of the site?

The majority of this site has outline planning permission (2014/93946) – granted November 2015. As this was an outline application, details of the built form / site layout were reserved matters. The outline planning permission has conditions requiring landscape details, enhancement and mitigation measures to include retention of parts of the existing areas of rich grassland and trees in the interest of visual amenity and to maintain and enhance ecological interest within the site.

The landscape and visual assessment for this site specified:

*“Design would need to ensure a sensitive approach to reflect the character of the surrounding area and incorporate mitigating elements to filter views and minimise the impact of the development.”* The assessment also includes recommendations relating to the scale, materials, access, trees and landscape features to ensure that any development provides sufficient landscape mitigation.

The proposal would be subject to policies in the Local Plan including Policy PLP24 (Design) which seeks to ensure that the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape and the Landscape Policy (PLP32) which states proposals should be designed to take into account and seek to enhance the landscape character of the area – giving particular consideration to the setting of settlements; woodlands, trees and field boundaries.

<p>H763 – land north-west of Gordon Street (28 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. The Plan provides clear guidance on the constraints. The constraints for this site primarily relate to achievement of access and the relationship of the site to heritage assets. A Heritage Impact Assessment (LE86) has been produced for the site and this issue is covered in question (i) below.</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 capacity of 28 dwellings is appropriate, is appropriate taking account of the site constraints and provision of the necessary infrastructure.</p> <p>The site allocations box notes that a play-area on the site would need relocating, but this could be achieved as part of the sites Public Open Space provision.</p>	<p>This site has been tested as a Local Plan option as it was a housing allocation in the UDP. Part of the site is owned by the Council so has a willing landowner. The ownership for the remainder of the site is unknown. This site has been phased as delivering homes from 2019/20 although, as the ownership is unknown for the majority of the site, the delivery of homes may occur later than expected.</p>	<p>N/A</p>
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	<p>The assessment of this site by the council and technical consultees identified there is a reasonable prospect that the constraints can be overcome to enable the delivery of the site.</p> <p><b>Proposed Modification: Add Transport Statement to reports required.</b></p>		<p><b>Proposed modification: Amend phasing of this site to deliver homes in 2027/28.</b></p>	
<p><b>H763 – land north-west of Gordon Street, Slaithwaite</b></p>				
<p>i) <u>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 (LE86) be specified? Are there implications for indicative capacity?</u></p> <p>The site is adjacent to Slaithwaite conservation area and there are three Grade II listed buildings to the north and west of the site; Wesleyan Methodist School, Former Wesleyan Chapel and Providence Baptist Chapel. The Heritage Impact Assessment (LE86) shows the north and western extents of the site to be of moderate significance in terms of the setting of these heritage assets. The remainder of the site has negligible significance in terms of their impact on the heritage assets.</p> <p>The HIA identifies how 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 LE86 a reference document at the time of the determination of the planning application.</p> <p>In terms of mitigation LE86 considers that the area of the site adjacent to the Baptist Church deemed to have moderate significance requires mitigation in order to maintain the rural setting and reduce the harm to the Providence Baptist Church. This report suggests that this could be done using careful design of the housing. The area of the site which has been identified as having moderate significance to the rear of the Methodist Church has been assessed as providing some contribution to the setting of the asset. The report states that the line of trees should be retained, the majority of which are outside of the site boundary. Detailed proposals for this site would be considered in relation to policy PLP35 of the Kirklees Local Plan.</p>				
SL2183 – south of Tudor Street	<p>This site was assessed using the Local Plan site allocations methodology (BP23) which determined that the site should be safeguarded land.</p> <p>There is insufficient evidence to demonstrate this site is deliverable and/or developable during the Local Plan period, however there is a reasonable prospect that site specific constraints can be overcome and the site is</p>	<p>No site capacity has been assigned to safeguarded land options in the Local Plan as this would be determined through a review of the Local Plan.</p>	<p>This site is available as shown by the Call for Sites submission.</p> <p>There is insufficient evidence to demonstrate this site is deliverable and/or developable during the Local Plan period, however there is a reasonable prospect that</p>	N/A

	capable of coming forward for development post 2031. In this case access to the site via Stockerhead Lane would require a significant amount of third party land. Access from Linfit Lane is unlikely to form a safe access.		site specific constraints can be overcome and the site is capable of coming forward for development post 2031.	
<u>Marsden</u>	a) Is the site suitable for the proposed use? In the case of housing allocations, 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 of necessary infrastructure?	c) Is the site available and deliverable in the timescales envisaged?	d) For sites currently in the Green Belt - what effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?
H2649 – land south-west of Victoria Terrace (35 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. The Plan provides clear guidance on the constraints. The constraints for this site primarily relate to part of the site being located in flood zone 3, as considered in question (i) below and the proximity of the SPA / SAC / SSSI. The site is located within the Marsden conservation area and is located adjacent to listed buildings and a Heritage Impact Assessment (LE96) has been prepared.</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Design &amp; Access Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p> <p>The assessment of this site by the council</p>	<p>The indicative site capacity (35 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. The implications of the small area of flood zone 3 are considered in the response to question (i) below.</p> <p>The heritage impact assessment prepared for the site concludes that the majority of the site is of moderate or slight significance in terms of the setting of heritage assets. The footpath through the site and the former fire station building are identified as high significance. Policy PLP35</p>	The site is available and has a willing landowner identified through the Call for Sites process. As set out in EX30.2, the site is deliverable with development anticipated to commence in 2019/20.	N/A

	<p>and technical consultees identified there is a reasonable prospect that the constraints can be overcome to enable the delivery of the site.</p> <p><b>Proposed Modification:</b></p> <p><b>Add: “site is within a conservation area” to site allocations box.</b></p> <p><b>Add “Heritage Impact Assessment” to reports required.</b></p>	<p>is considered the appropriate mechanism to secure mitigation measures, with document LE96 a reference document at the time of the determination of the planning application.</p>		
<p><b>H2649 – land south-west of Victoria Terrace, Marsden</b></p> <p>i) <u>How much of the site is in Flood Zone 3? Does the net area and indicative site capacity need to be adjusted?</u></p> <p>There is a 1% overlap with flood zone 3 which equates to approximately 0.01 hectares in the north-west corner of the site. It is not considered that this will affect the developability of the site or the site capacity.</p>				
<p>MX1919 – Bank Bottom Mills, Mount Road (38 dwellings and 3,953 m2 employment)</p>	<p>This site was assessed as suitable as a mixed use site using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box. The Plan provides clear guidance on the constraints. The constraints for this site primarily relate to part of the site being located in flood zone 3 and the proximity of the SPA / SAC / SSSI and the proximity of the site to Marsden Conservation Area.</p> <p>The site has been assessed in the Kirklees Employment Market Strength Assessment (LE11) and concluded it may be attractive to the market. 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</p>	<p>The indicative site capacity (38 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. The area of the site covered by a priority habitat and flood zone 3 has been removed from the site. However the capacity of the site will ultimately depend on how any existing buildings on the site are re-used, as set out in the response to (i) below.</p> <p>The approach to the mix of housing and employment uses is set out in the Local</p>	<p>The site is available and has a willing landowner as identified through the Call for Sites process. As set out in EX30.2, the site is deliverable with development anticipated to commence in 2019/20.</p>	<p>N/A</p>

	<p>nature and scale of any mitigation measures required.</p> <p>The assessment of this site by the council and technical consultees identified there is a reasonable prospect that the constraints can be overcome to enable the delivery of the site.</p> <p><b>Proposed Modification: Add Transport Assessment to reports required.</b></p>	<p>Plan methodology statement (paragraph 4.26, BP23) and has generally been assigned on a 50/50 basis. The council's response to Matter 26 (m) clarifies how the mix of employment within that part of the site has been determined.</p>		
<p><b>MX1919 – Bank Bottom Mills, Mount Road, Marsden</b></p> <p>i) <u>What key buildings/features are to be retained on the site?</u></p> <p>There are no listed buildings on this site and the site is not within a conservation area (although is close to it). The site allocations box does not specify the retention of the existing buildings on this site as this would be unduly restrictive. This would allow the complete re-development of this site for housing but also the re-use for employment or conversion of the mill to residential (which could increase the site capacity). Any development on the site would have to have regard to Local Plan policies PLP7 in relation to making efficient use of previously developed land in sustainable locations and PLP24 (re-use and adaptation of existing buildings) and PLP35 (Historic Environment).</p>				
<p>MX1920 – New Mills, Brougham Road (29 dwellings and 2,976 m2 employment)</p>	<p>This site was assessed as suitable as a mixed use site using the Local Plan site allocations methodology (BP23) subject to the reports listed in the site allocations box. The Plan provides clear guidance on the constraints. The constraints for this site primarily relate to part of the site being located in flood zone 3 and the proximity of the SPA / SAC / SSSI and the location of the site within the Marsden Conservation Area.</p> <p>The site has been assessed in the Kirklees Employment Market Strength Assessment (LE11) and concluded it may be attractive to the market. High level site access and local highway constraints have been considered within the context of the site capacity. The Transport Assessment provided with a</p>	<p>The indicative site capacity (38 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. However the capacity of the site will ultimately depend on how any existing buildings on the site are re-used, as set out below.</p> <p>The approach to the mix of housing and employment uses is set out in the Local Plan methodology statement (paragraph 4.26, BP23) and has generally</p>	<p>The site is available and has a willing landowner as identified through the Call for Sites process. As set out in EX30.2, the site is deliverable with development anticipated to commence in 2019/20.</p>	<p>N/A</p>

	<p>planning application will inform and direct the nature and scale of any mitigation measures required.</p> <p>The assessment of this site by the council and technical consultees identified there is a reasonable prospect that the constraints can be overcome to enable the delivery of the site.</p> <p><b>Proposed Modification: Add Transport Assessment to reports required.</b></p>	<p>been assigned on a 50/50 basis. The council's response to Matter 26 (m) clarifies how the mix of employment within that part of the site has been determined.</p>		
<p><b>MX1920 – New Mills, Brougham Road, Marsden</b></p> <p>i) <u>What key buildings/features are to be retained on the site?</u></p> <p>The site allocations box does not specify the retention of the existing buildings on this site as this would be unduly restrictive. This would allow the complete re-development of this site for housing/employment but also the re-use of the mill for employment or conversion of the mill to residential (which could increase the site capacity). This site is located within the Marsden Conservation Area therefore any development would have to accord with policy PLP35 that requires development in conservation areas to ensure that proposals within conservation areas conserve those elements which have been identified as contributing to their significance in the relevant Conservation Area Appraisals. Any development on the site would also have to have regard to Local Plan policies PLP7 in relation to making efficient use of previously developed land in sustainable locations and PLP24 (re-use and adaptation of existing buildings).</p>				
<p>SL2167 – west of 82-138 Mount Road</p>	<p>This site was assessed using the Local Plan site allocations methodology (BP23) which determined that the site should be safeguarded land.</p> <p>There is insufficient evidence to demonstrate this site is deliverable and/or developable during the Local Plan period, however there is a reasonable prospect that site specific constraints can be overcome and the site is capable of coming forward for development post 2031. Improvements will be required at Netherley Drive / Mount Road and third party land may be required to facilitate this.</p>	<p>No site capacity has been assigned to safeguarded land options in the Local Plan as this would be determined through a review of the Local Plan.</p>	<p>This site is available as shown by the Call for Sites submission.</p> <p>There is insufficient evidence to demonstrate this site is deliverable and/or developable during the Local Plan period, however there is a reasonable prospect that site specific constraints can be overcome and the site is capable of coming forward for development post 2031.</p>	<p>N/A</p>

SL2184 – north of Dirker Drive	<p>This site was assessed using the Local Plan site allocations methodology (BP23) which determined that the site should be safeguarded land.</p> <p>There is insufficient evidence to demonstrate this site is deliverable and/or developable during the Local Plan period, however there is a reasonable prospect that site specific constraints can be overcome and the site is capable of coming forward for development post 2031. The site has no frontage to the adopted highway and there would need to be a significant upgrade to Spring Head Lane to facilitate this or via third party land elsewhere.</p>	No site capacity has been assigned to safeguarded land options in the Local Plan as this would be determined through a review of the Local Plan.	<p>This site has been tested as a Local Plan option as it was Provisional Open Land in the UDP. Parts of the site are available as shown by the Call for Sites submission. There is a reasonable prospect that this site will be available beyond 2031.</p> <p>There is insufficient evidence to demonstrate this site is deliverable and/or developable during the Local Plan period, however there is a reasonable prospect that site specific constraints can be overcome and the site is capable of coming forward for development post 2031.</p>	N/A
<u>Outlane</u>	a) Is the site suitable for the proposed use? In the case of housing allocations, 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 of necessary infrastructure?	c) Is the site available and deliverable in the timescales envisaged?	d) For sites currently in the Green Belt - what effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?
H2652 – former Gees garage, New Hey Road (29 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. The Plan provides clear guidance on the constraints. The site requires a pedestrian footway across the site frontage and there are noise (traffic noise) and surface water constraints. A	The indicative site capacity (29 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure.	The site is available and has a willing landowner as identified through the Call for Sites process. As set out in EX30.2, the site is deliverable with development anticipated to commence in 2019/20.	N/A

	<p>surface water drainage report is required for this site. The development of this site would be considered in the context of the drainage requirements of Policy PLP28 (SD1).</p> <p>High level site access and local highway constraints have been considered within the context of the site capacity. The Design &amp; Access Statement provided with a planning application will inform and direct the nature and scale of any mitigation measures required.</p> <p>The assessment of this site by the council and technical consultees identified there is a reasonable prospect that the constraints can be overcome to enable delivery.</p> <p><b>Proposed Modification: Add Transport Statement to reports required.</b></p>			
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**H2652 – former Gees garage, New Hey Road, Outlane**

i) Does the proposal provide sufficient landscape mitigation, taking into account the edge of settlement location of the site?

The proposal would be subject to policies in the Local Plan including Policy PLP24 (Design) which seeks to ensure that the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape and the Landscape Policy (PLP32). This states proposals should be designed to take into account and seek to enhance the landscape character of the area, giving particular consideration to the setting of settlements; woodlands, trees and field boundaries.

This site is a predominantly brownfield site currently unallocated in the UDP. The site is visible from the surrounding roads, New Hey Road to the south, Swan Lane to the east, Mulehouse Lane to the north/north west. The site is relatively flat and well contained by field boundaries and is less visible than the land to the east, which rises up considerably towards Swan Lane. The site is visible through distant views across the valley through settlements situated to the north, but is set in the context of other built form along New Hey Road and the small estate of Burcote Drive. The site is not within a valued landscape area but may benefit from mitigative planting to reflect its edge of settlement location.

**Matter 40: Impact of the allocation on the Green Belt and the purposes of including land within it**

**Colne Valley**

**Green Belt Review tests 2 and 3**

The edge reference and value reflects the Green Belt Review outcomes (SD19 and SD20)

Tests 2a to 2c are site specific assessments of the degree to which land performs a green belt role and function following the methodology for those tests set out in the Green Belt Review (SD19)

Test 2d defaults to 'green - no impact' in all cases. This follows Stage 1 hearing discussions and is set out in the Council's note; Green Belt Review (SD19) Test 2d Reassessment (ID17). Struck-through text removes reference to the setting of historic assets.

Test 3: One of the purposes of including land in the green belt is “to assist in urban regeneration, by encouraging the recycling of derelict and other urban land” (Green Belt Review page 17). By constraining the potential for the expansion of built-up areas the green belt will direct development pressure towards opportunities to recycle land within urban areas and thereby achieve urban regeneration. The green belt is considered to support this green belt purpose equally throughout Kirklees. Test 3 is not included within the Green Belt Review matrix (Green Belt Review Appendix 1) and the Test 3 column is therefore neutral.

**Site Allocation Methodology**

Site specific assessment of the ability of the site to present a strong new green belt boundary and its relationship to the existing settlement form, following the assessment methodology set out in BP23 Local Plan Methodology Statement Part 2

		Green Belt Review					Site allocation methodology		
Option	Edge ref and value	Test 2				Test 3	Suitability of potential boundary	Relationship to settlement	Assessment set out in BP29.1
		2a: merger	2b: sprawl	2c: encroachment	2d: historic towns	urban regeneration			
H213 Black Rock Mills	LN6_B, LN7_3	No impact	Well contained	Not part of countryside	No impact		Difficult to determine - will be formalised by development for which permission has been granted	Very minor settlement extension	The majority of this option is within the settlement. The green belt land over which the option projects marginally appears to be associated with the historical use of the site as a mill and it is acknowledged both that the exact position of the green belt boundary on the ground over much of its length in this location is difficult to determine and that permission for development has been granted. The very small areas affected are entirely contained by trees and landform and their release would have no impact on the openness of the green belt.
H1776 Broad Oak Linthwaite	LN13_3, LN12_2	Minor impact on gap with Crosland Moor	Well contained but may appear as sprawl on rising land	South eastern extent of site prominent in long distance views	No impact		Short length does not follow ground feature	Significant amount of additional land release required but will bring existing built form into settlement	This site is bounded by significant urban fringe development fronting Cowlersley Lane, the existing settlement to the north and Church Lane to the south. The land rises significantly to the east so development at the eastern extent could be prominent on rising ground and encroach on the narrow gap separating Linthwaite from Crosland Moor. The western boundary behind properties on Cowlersley Lane does not follow a feature on the ground, but as the properties between the site and the Cowlersley Lane could not remain in the green belt in isolation, Cowlersley Lane would form a strong new boundary to the green belt. This is an open countryside landscape and development would constitute encroachment, although this impact is lesser towards the west where there is more containment by existing development.