

## **Kirklees Local Plan Examination**

### **Stage 4 hearings Other Site Allocations**

#### **KIRKLEES RURAL SUB-AREA (Matter 41)**

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

##### **Council Response**

##### **Matter 41 – Denby Dale allocations**

- 1.1 This statement sets out the council's responses in relation to the Inspector's matters and issues Matter 41. 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.

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

Table 1: Matter 41 – Denby Dale allocations

<u>Clayton West / Scissett</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?
H17 – land at Park Mill House, Wakefield Road (26 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 including third party land to achieve necessary visibility splays.</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 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</b></p>	The site capacity of 26 dwellings is appropriate as no on-site constraints have been identified which would lead to a reduction in the site capacity.	<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>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</p>

	<b>Statement to reports required.</b>			facilitating housing development on the site outweigh the loss of this part of the green belt.
<b>H17 – land at Park Mill House, Wakefield Road, Clayton West</b>				
<p>i) <u>What opportunities are there to link the development to the existing fabric of the village, via pedestrian and cycling links?</u></p> <p>It is noted that there is an existing footway provided along the north side of the A636 which provides access into the village of Clayton West. The A636 is subject to a 40mph speed limit within the vicinity of the site. A footway is provided on the south side of the A636 from circa 20m west of the site, running into the centre of Clayton West Village. The potential to provide crossing facilities could be explored through the planning application process. The Council could consider links to the wider walking and cycling network through Local Plan policy PLP23: <i>“Proposals shall seek to integrate into existing and proposed cycling and walking routes as identified in the core walking and cycling network by providing connecting links where appropriate”</i></p> <p>ii) <u>Does the proposal provide sufficient landscape mitigation, taking into account the topography of the northern section?</u></p> <p>The housing allocation will need to be carefully designed in terms of massing and scale, with the Park Mill site adjacent. Kiln Lane has high hedgerow banks so will afford some mitigate screening but design will need to take account of the topography and the rising land to towards the north of the site in order to be in-keeping and sympathetic to the existing village. Due to the screening effects of the existing topography, vegetation and built form within Clayton West, visibility of the site is afforded relatively good screening and the housing development may not be seen as out of context from wider views and those travelling along Wakefield Road (bearing in mind the existing visual impact of the adjacent light industry buildings). Keeping the development within the visual boundary of the built form of the adjacent Park Mill buildings and incorporating landscape mitigation measures within the site itself will minimise the adverse effect in terms of visual impact and change to character.</p> <p>The proposal would be subject to policies in the Local Plan Design Policy (PLP24) 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 – paying particular consideration to the setting of settlements; woodlands, trees and field boundaries.</p>				
H454a – land west of Manor House Farm, Wakefield Road (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. The Plan provides clear guidance on the constraints including third party land to achieve sufficient visibility splays and the relationship between the site and adjacent cricket ground, as set out below.	The site capacity of 34 dwellings is appropriate as no on-site constraints have been identified which would lead to a reduction in the site capacity.	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. The site has been phased taking account of the adjacent H454a and is	N/A

	<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 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>expected to come forward first. The relationship between the sites is set out in the further response below.</p>	
<p>H498 – land at Manor House Farm, Wakefield Road (20 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 achievement of access via H454a and the relationship between the site and adjacent cricket ground, as set out 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 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</p>	<p>The site capacity of 20 dwellings is appropriate as no on-site constraints have been identified which would lead to a reduction in the site capacity.</p>	<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 2020/21. The site is phased with the adjacent H454a and is expected to come forward following the development of that site as, based on the current available evidence, it would be necessary to access this site from H454a. The relationship between the sites is set out in the further response below.</p>	<p>N/A</p>

	site.  <b>Proposed Modification: Add Transport Statement to reports required.</b>			
<b>H454a – land west of Manor House Farm, Wakefield Road, Clayton West</b> <b>H498 – as above</b>				
<p>i) <u>Will the proposals affect the viability and operations of the adjoining cricket ground?</u></p> <p>The sites are adjacent to the cricket ground, but its allocation for housing is not predicated by losing the cricket ground. The cricket ground is protected as an Urban Greenspace in the Local Plan (UGS936). The site boxes for allocations H454a and H498 require the consideration of protective measures to ensure an appropriate relationship between the adjoining cricket ground and the development. As such the Council do not expect the allocation of these sites to have an impact on the viability and operations of the adjoining cricket ground.</p>				
<p>ii) <u>What is the relationship between sites H454a and H498? Would a joint proposal and comprehensive approach to development be appropriate?</u></p> <p>It is appropriate for the sites to be two separate allocations to reflect their differing circumstances. H454a is a greenfield site and has site frontage to Wakefield Road, where access can be provided subject to the achievement of sufficient visibility splays and/or measures to improve visibility and/or reduce traffic speeds. H498 is currently in operation as a farm and does not have site frontage to the highway. The site box specifies that H498 should be accessed through H454a but due to their differing circumstances the council believe they should remain as separate sites.</p>				
H222 – land north-east of Pilling Lane, Scissett (200 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. The constraints for this site relate to surface water issues and a small area of the site being 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 constraints have been overcome as this site now has reserved matters planning</p>	<p>The indicative site capacity (200 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure. The area of flood zone 3 has been removed from the developable area. The capacity reflects planning permission (2014/91699) which covers the whole site.</p>	<p>The site is available as evidenced by the planning permission (2014/91699, Redrow Homes).</p> <p>The site is deliverable and in accordance with the approach set out in EX30.2 delivery is expected to commence in 2018/19. This is appropriate as the site is now under construction.</p>	N/A

	<p>permission for residential development (2014/91699, under construction).</p> <p>A modification has been proposed (MM4, AD-MM37) for the site in SD4 to remove reference to contributing to improvements to the strategic road network.</p>			
H3325a – Park Mill, Manor Road (122 dwellings) (part 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 site is allocated subject to addressing constraints identified in the site allocations box, which are explored in further detail below. The Plan provides clear guidance on the constraints including part of the site being in flood zone 3, the wildlife habitat network, priority habitats, the proximity of the site to listed buildings and archaeological sites and part of the site located within a high risk coal referral area.</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 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. Some of these issues are examined in more detail in the questions below.</p>	<p>The capacity is appropriate as it takes account of 1.42 ha removed from the net developable area that are in flood zone 3 and form a UK BAP Priority Habitat. The remaining capacity is has been calculated in accordance with EX30.2.</p>	<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. Issues relating to the relocation of the existing business are set out in response to the detailed questions below.</p>	<p>The majority of this site is unallocated in the Kirklees UDP. The northern part of the site is within the current green belt.</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>

### H3325a – Park Mill, Manor Road, Clayton West

- i) Taking into account that much of the site is in employment use, is there some capacity for vehicular access to the proposed housing scheme via Manor Road?

The developers Transport Access Appraisal, dated 16<sup>th</sup> August 2016, submitted as part of their submission assessing the impact of 150 dwellings indicates that 112 two way car trips would be generated by this development. As a result of surveys recently undertaken of similar sized housing developments in the locality, the Council is mindful to suggest that this number will be nearer to 98, but for the proposed allocation of 122 units.

Nonetheless the developers Transport Access Appraisal (PDLP\_AD3139, Site Promotion document (Adare7) – Appendix 3) states: “*Vehicular access to the existing employment use is currently taken from Wakefield Road, via Manor Road and Whinmoor Drive. The existing layout of the Wakefield Road/Manor Road junction is currently restricted, such that the radius of left-turning vehicles in Manor Road is very tight and the width of the Manor Road carriageway is relatively narrow (less than 5m in places). Although such a layout could be considered appropriate for residential streets, it is less appropriate for regular use by larger vehicles associated with the employment use.*”

The Transport and Access Appraisal then goes onto state: “*It should be noted that for the purposes of this initial appraisal traffic associated with the existing employment use has not been quantified. However, at this stage it is considered likely that the residential traffic flows generate would be comparable to the employment use; as such, overall net impact of the residential allocation (relative to the existing employment use) is considered to be limited.*”

The Council is mindful to accept this assertion and concludes that Manor road is suitable for vehicular access to the proposed allocation on the basis that the overall net impact relative to the existing employment use is considered to be limited, although it will be for the developer to prove this at application stage.

- ii) Is access via Wakefield Road suitable and feasible, taking into account the removal of the River Dearne and woodland corridor (BAP) from the developable area?

The land north of the River Dearne would be unlikely to accommodate a large amount of development, as much of the site contains land that is at risk of flooding being within flood zones 2 and 3, which has been removed from the developable area. Open space provision and sustainable drainage systems could be provided here to keep the site open and to help enhance the setting of the Packhorse Bridge.

- iii) What effect would development on land north of the River Dearne have on the character and setting of the village, the river corridor, the listed Packhorse Bridge and the Green Belt?

In terms of the setting of the village and the Green Belt, the full green belt assessment is set out in the appendix at the end of this statement. Further consideration needs to be given to the development of allocation E2333a, on both sides of Wakefield Road. However when considered on its own, it is noted that the green belt element of this option consists of a narrow area of land between the River Dearne and Wakefield Road and is physically detached from the main body of the site by the river, which forms a strong natural edge to the settlement in this location. The local plan proposes employment development to the north and east and housing development to the south, consequently if these options continue to be accepted, this land does not perform any green belt role and function. North of the site is detached by the river – which currently represents a strong Green Belt boundary. However, the

acceptance of the larger sites to the north undermines this land's green belt role as it would lead to an isolated part of green belt land, which would not perform a green belt role or function and would therefore be removed from the green belt. The site is not within a valued landscape area and the majority of the site, to the south of the river, is a brownfield site and it is considered that any development on the north of the site would be within the context of the brownfield site and the built form of Clayton West to the south of Wakefield Road, to the west of the site.

iv) Is the loss of an active employment site justified? What are the plans for the relocation of the business?

Information from the site promoter (PDLP\_AD3139) states that the site will become available. The site promoter has indicated that the existing buildings are currently too small to meet the day to day business needs and the building also has differing eaves heights. The level of accessibility for HGV's has also been a factor that has constrained the business. It has been identified that a new build facility is required to facilitate the business and the future growth expected. NPPF paragraph 22 states that planning policies should avoid the long term protection of sites allocated for employment uses where there is no reasonable prospect of a site being used for that purpose. In this case, the landowner has indicated the site will no longer be available for an employment use therefore in accordance with NPPF the potential for alternative uses has been explored through the Local Plan assessment of this housing option.

<p>SL2284 – Lower Busker Farm, Busker Lane, Scissett (Green Belt release)</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 site constraints can be overcome and the site is capable of coming forward for development post 2031. In this case insufficient evidence exists at the plan making stage to determine whether development here would have significant impacts on heritage assets.</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 a reasonable prospect that site specific site constraints can be overcome and the site is capable of coming forward for development post 2031.</p>	<p>N/A</p>
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Skelmanthorpe	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?
H39a – land north of Strike Lane (39 dwellings)	<p>This site has been assessed as suitable for housing development in accordance with the Local Plan site allocations methodology (BP23). The site is allocated subject to addressing constraints identified in the site allocations box, which are explored in further detail below. The Plan provides clear guidance on the constraints. For this site the constraints include surface water drainage and a provision of a pedestrian footway, and road widening unless access can be gained through the adjacent site.</p> <p>The development of this site would be considered in the context of the surface water 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 Transport 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</p>	The site capacity of 39 dwellings is appropriate as no on-site constraints have been identified which would lead to a reduction in the site capacity	<p>This site was identified through the Call for Sites process.</p> <p>As set out in EX30.2, the site is considered to be deliverable within the plan period with phasing starting in 2027/28 as the landowner indicated site to become available later in the plan period.</p>	N/A

	<p>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>H72 – land off Station Road (44 dwellings) (Green Belt release)</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 surface water drainage and part of the site being located in a high risk coal referral 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 development of this site would be considered in accordance with the surface water drainage requirements of Policy PLP28 (SD1).</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 Statement to reports required.</b></p>	<p>The site capacity of 44 dwellings is appropriate as no on-site constraints have been identified which would lead to a reduction in the site capacity</p>	<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 planning application for housing (2017/92217 – Newett Homes) on the southern part of the site was refused in 2017 as this site is currently in the green belt.</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>H502 – land south of Huddersfield Road (203 dwellings) (part Green Belt release)</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. Constraints include achieving sufficient visibility splays (via third party land), UK BAP priority habitat and part of the site being located in a high risk coal referral area.</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 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>A modification has been proposed for the site (MM4, AD-MM38) to remove reference to contributing to improvements to the strategic road network.</p>	<p>The site capacity of 203 dwellings is appropriate and takes account of the reservoir / pond on the site which is a UK BAP priority habitat and has been removed from the developable area.</p>	<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. Two small parts of the site in the north-east are in different ownerships and had outline planning permission (2014/92889) granted in November 2015. A full application on this part of the site has now been submitted (2017/92504). Another area has Reserved Matters permission for two detached dwellings (2016/91566).</p> <p>The capacity from the planning permissions on a small part of the site amounts to 7 dwellings.</p>	<p>The majority of this site is allocated as Provisional Open Land in the UDP. The accepted development option in the Local Plan includes green belt land to the south to facilitate site access.</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>
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**H502 – land south of Huddersfield Road, Skelmanthorpe**

i) What are the access and development options for the site? Can the bulk of the site be developed without accessing the southern strip?

This site has potential access points at Heather Fold, Bedale Drive and Cumberworth Road. Of these, there is potential to have two access points (off Heather Fold and Bedale Drive), which together would have the potential to serve the bulk of the site although access to Bedale Drive would include using the southern strip of this site. Alternatively, the site access off Cumberworth Road and Heather Fold would facilitate the potential to develop full site.

<p>H688 – land north of Commercial Road (88 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, which for this site relate to part of the site being within a UK BAP priority habitat, protected trees, the site located close to a conservation area and protected trees on part of the site.</p> <p>The constraints have been overcome as this site now has planning permission for residential development (2014/91628) which is under construction.</p> <p>A modification has been proposed (MM4, AD-MM39) in SD4 for the site to remove reference to contributing to improvements to the strategic road network.</p>	<p>The indicative site capacity (88 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure and reflects planning permission (2014/91628) which covers the whole site.</p>	<p>The site is available as evidenced by the planning permission (2014/91628, Barratt David Wilson Homes).</p> <p>As set out in EX30.2, the site has provided completions in 2015/16 and 2016/17 and the site is expected to continue to deliver new homes in accordance with EX30.2.</p>	<p>N/A</p>
<p>H768 – land west of Willow Close (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. Constraints include the setting of listed buildings, the PROW crossing the site and surface water drainage issues.</p> <p>High level site access and local highway constraints have been considered within the</p>	<p>The site capacity of 28 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 a housing allocation in the UDP. The ownership for the site is unknown but there is a reasonable prospect that the site will become available during the plan period. As such, this site has been phased as delivering homes towards the end of the plan</p>	<p>N/A</p>

	<p>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 location of the site adjacent to listed buildings is given further consideration below following the production of a Heritage Impact Assessment (LE88).</p> <p>The development of this site would be considered in accordance with the surface water drainage requirements of Policy PLP28 (SD1).</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: The PROW runs along the eastern boundary of the site rather than crossing the site as described in the site allocations box.</b></p>		<p>period (2027/28).</p>	
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**H768 – land west of Willow Close, Skelmanthorpe**

- i) Has the impact of the proposal on heritage assets been adequately assessed and addressed? Should mitigation measures linked to the Heritage Impact Assessment (LE88) be specified? Are there implications for indicative capacity?

The site is adjacent to the Skelmanthorpe Conservation area and Grade II listed St Aidan's Church. As such, a Heritage Impact Assessment (HIA) has been undertaken (LE88) for this site.

The Assessment states that the site has a slight to moderate impact on the setting of the listed building, with the north-western part of the site having the most impact. The church is separated from the site by a line of trees, and whilst there are views to the church from the site these are not to the

principal façade of the building. The conclusion of the HIA is that the loss of these views would cause less than substantial harm to the asset and could be mitigated. In terms of options for mitigation and enhancement these include the retention of a buffer zone around the east elevation of the church in the area.

Any impact on the indicative capacity would ultimately depend on the type of housing proposed and the layout of the site taking into account the findings of the HIA including consideration of the location of open space within the development. In the context of this assessment the allocation therefore remains justified. As such Policy PLP35 is considered the appropriate mechanism to secure mitigation measures, with document LE88 a reference document at the time of the determination of the planning application.

<u>Emley</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?
H358 – land east of Wentworth Drive (44 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, including third party land for access and surface water drainage options.</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 assessment of this site by the council</p>	The site capacity of 44 dwellings is appropriate as no on-site constraints have been identified which would lead to a reduction in the site capacity	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: Add Transport Statement to reports required.</b></p>			
SL2204 – Thorncliffe Lane	<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 site constraints can be overcome and the site is capable of coming forward for development post 2031. In this case the site has no highway frontage to allow access to be achieved. A further assessment of the site constraints would be required at the review of the Local Plan. Further consideration is given to this in the response to question (i) below which relates to SL2204 and SL2205.</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 site constraints can be overcome and the site is capable of coming forward for development post 2031.</p>	N/A
SL2205 – Rodley Lane	<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 site constraints can be overcome and the site is capable of coming forward for development post 2031. In this case the road would need widening to provide footway, which would</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 site constraints can be overcome and the site is capable of coming</p>	N/A

	require third party land. Further consideration is given to this in the question below. A further assessment of the site constraints would be required at the review of the Local Plan. Further consideration is given to this in the response to question (i) below which relates to SL2204 and SL2205.		forward for development post 2031.	
<p><b>SL2204 – Thorncliffe Lane, Emley</b>  <b>SL2205 – Rodley Lane, Emley</b></p> <p>i) <u>Have road widening options via Thorncliffe Lane been explored?</u></p> <p>It may be possible to use parts of both of these sites to widen the access road, with SL2204 being delivered first to allow this. However there is no evidence that this constraint can be resolved at the present time including whether additional third party land would be required.</p>				
<u>Denby Dale</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?
H233 – land north of Barnsley Road (72 dwellings) (Green Belt release)	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 is allocated subject to achieving a satisfactory access from Barnsley Road, as considered below.  High level site access and local highway constraints have been considered within the	The site capacity of 72 dwellings is appropriate as no on-site constraints have been identified which would lead to a reduction in the site capacity	The site is available and has a willing landowner identified through the Call for Sites process.  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	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



	<p>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 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>phasing of sites currently in the green belt in EX30.2.</p> <p>The site is phased taking account of the adjacent H634, with H233 anticipated to come forward first.</p>	<p>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>H634 – land west of Inkerman Court, Barnsley Road (35 dwellings) (Green Belt release)</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 site is allocated subject to achieving a satisfactory access from Barnsley Road, as considered 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 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</b></p>	<p>The site capacity of 35 dwellings is appropriate as no on-site constraints have been identified which would lead to a reduction in the site capacity</p>	<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>The site is phased taking account of the adjacent H233, with H233 anticipated to come forward first.</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</p>

	<b>Statement to reports required.</b>			outweigh the loss of this part of the green belt.
<p><b>H233 – land north of Barnsley Road, Denby Dale</b>  <b>H634 – land west of Inkerman Court, Barnsley Road, Denby Dale</b></p> <p>i) <u>What is the relationship between sites H233 and H634? Is it desirable and achievable to have pedestrian links between the sites and to the wider footpath network via the intervening Public Right of Way (PROW)?</u></p> <p>The two sites were submitted by their respective landowners. The information provided by the owners of H233 shows that they own land to the east of the site and therefore would be able to find the land to accommodate the necessary visibility splays. The PROW is identified as a site specific constraint for H634, though it runs down the middle of the two sites. Local Plan policy PLP23 states: “<i>The core walking and cycling network as shown on the Policies map will provide an integrated system of cycle routes, public footpaths and bridleways that provide opportunity for alternative sustainable means of travel throughout the district and provide efficient links to urban centres and sites allocated for development in the local plan.</i>” and “<i>Proposals shall seek to integrate into existing and proposed cycling and walking routes as identified in the core walking and cycling network by providing connecting links where appropriate</i>”</p> <p>The justification text in as outlined in paragraph 10.103 Strategy and Policies states: “<i>Where a new development affects an existing public right of way (PROW), for example by changing the alignment, levels, surface, drainage arrangements, provision of new structures, or obstruction, full details will be required within the planning application with appropriate mitigation measures to ensure the protection of the PROW for users</i>”</p> <p>Therefore the Council agrees that it is desirable to have pedestrian links between the sites and to the wider footpath network via the intervening PROW and that the policy framework exists within the Local Plan to facilitate this through the planning applications process.</p>				
H689 – land north of Wood Nook (29 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 and reports required.</p> <p>The constraints have been overcome as this site now planning permission for residential development (2013/93271).</p> <p><b>Proposed Modification: Add Transport Statement to reports required.</b></p>	<p>The indicative site capacity (29 dwellings) is appropriate taking account of the site constraints and provision of the necessary infrastructure and reflects the planning permission (2013/93271) which covers the whole site.</p>	<p>The site is available as evidenced by the planning permission (2013/93271, Conroy Brook).</p> <p>The site is deliverable and in accordance with the approach set out in EX30.2, taking account of the planning permission, completions are expected from 2018/19. There have been several discharge of conditions applications made and the developer is</p>	N/A

			marketing the houses for sale.	
H690 – land at Cliff Hill, Leak Hall Crescent (113 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 include achieving the necessary land required for visibility splays and the provision of a pedestrian footway and the proximity of listed buildings. The Plan provides clear guidance on the constraints.</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>A Heritage Impact Assessment (LE80) has been prepared to consider the impact on the setting of the listed building. The north east of the site is considered to be of high significance in terms archaeological importance. Policy PLP35 is considered the appropriate mechanism to secure mitigation measures, with document LE80 a reference document at the time of the determination of the planning application.</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>	The site capacity of 113 dwellings is appropriate as no on-site constraints have been identified which would lead to a reduction in the site capacity.	<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.</p> <p>There was a recent planning application on south-east of site for 6 detached dwellings (2017/93798). This application seeks access from Leak Hall Crescent. The remainder of the site could be accessed via Leak Hall Lane or Cumberworth Lane if sufficient visibility splays are provided.</p>	N/A

	A modification has been proposed for the site (MM4, AD-MM40) to remove reference to contributing to improvements to the strategic road network.			
H1784 – land east of Denby Dale Railway Station, Station Road (19 dwellings)	<p>This site has been assessed as suitable for housing development in accordance with the Local Plan site allocations methodology (BP23), subject to addressing constraints. The Plan provides clear guidance on the constraints, which for this site relate to the site being located within a wildlife habitat network / UK BAP priority habitat, the location of a site in a high risk coal referral area and the noise source near the site.</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 the delivery of the site.</p>	The site capacity of 19 dwellings is appropriate and takes account of the woodland on the site which is a UK BAP priority habitat and has been removed from the developable area.	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. Part of the site has outline planning permission for residential development (2015/93360).	N/A

**Matter 41: Impact of the allocation on the Green Belt and the purposes of including land within it**

**Denby Dale**

**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 2	Test 2	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			
H17 Park Mill house Clayton West	CWS11a_2	No impact	Well contained but rising ground	Not part of countryside but may encroach into views from south	No impact		Good	Settlement extension	This is a contained area of land between the settlement edge and Kiln Lane which already contains a degree of built form. It is bounded by the line of Kiln Lane which could represent a strong new defensible boundary and as such there is no risk of sprawl. The site could be released from the green belt with limited impact on openness although the land immediately behind the houses is at a higher level than the existing buildings and as the land rises to the north there is some risk of prominent development if the tree cover is removed.
H3325a Park Mill Manor Road Clayton West	CWS11_B	No impact	Well contained	Associated with setting of river	No impact		Good	Settlement extension. Additional land release required	The green belt element of this option consists of a narrow area of land between the River Dearne and Wakefield Road and is physically detached from the main body of the site by the river, which forms a strong natural edge to the settlement in this location. The land performs an important role in protecting the river and its sensitive wildlife habitats from encroachment by built form. The local plan proposes employment development to the north and east and housing development to the south, consequently if these options continue to be accepted, this land does not perform any green belt role and function.
SL2284 Lower Busker Farm Scissett	CWS4_2	Minor impact on strategic gap	Well contained	Could be prominent on elevated ground	No impact		Good	Settlement extension. Some degree of rounding off	This site is contained by Busker Lane to the south and existing development, including Scissett Middle School to the north and east. To the west the treed footpath would represent a strong and defensible new boundary minimising any risk of further encroachment or sprawl. The location and configuration of the site means that it is well related to the settlement and would represent rounding off. The land slopes up towards Busker Lane so could be prominent in long distance views from the north.
H72 Station Road Skelmanthorpe	SK11_2	No impact	Reasonably well contained	Some relationship to countryside	No impact		Boundary to north present but not strong	Settlement extension. Some degree of rounding off	This is a reasonably well contained site with development to the north and west and the line of the light railway to the south. A field boundary gives a boundary to the east although it is not a strong feature on the ground and could leave the adjacent land vulnerable to encroachment. This site is well related to the settlement and could represent rounding off of Skelmanthorpe in this location
H502 Hudds Road Skelmanthorpe	SK3_3	No impact	Contained by field boundary	Countryside characteristic but limited by settlement edge	No impact		Present but not strong for short section	Rounding off	The majority of this site is within the settlement of Skelmanthorpe. The extension into the green belt represents a well related and well proportioned small extension that would appear as rounding off and could be accommodated without compromising the role and function of the green belt. A short section of boundary does not follow a feature on the ground as the existing field boundary does not continue to the road.

H233 Barnsley Road Denby Dale	DD3_2	No impact	Well contained	Countryside character but limited by urban fringe. Relationship to trees to east	No impact	
H634 Inkerman Court Denby Dale	DD3_2	No impact	Well contained	Countryside character but limited by urban fringe. Relationship to trees to west	No impact	

Present but not strong to west	Settlement extension. Additional land release required	This site is contained by Tanner Wood to the east and by Barnsley Road to the south which would present strong new boundaries to the green belt. The western boundary while weak, is present. The site is reasonably well related to the edge of the settlement to the north and there is no risk of sprawl. This is agricultural land but the degree of containment and existing urban land uses limits its relationship to the wider countryside. This site could therefore be removed without undermining the role and function of the green belt.
Present but not strong to east	Settlement extension. Additional land release required	This site is bounded to the north by residential gardens but is otherwise separated from the main settlement to the north by an small area of open land. Otherwise it is well related to the settlement and Barnsley Road to the south would present a strong new green belt boundary. The boundary to the east while weak, is present. The site is well contained by woodland to the west so there is little risk of sprawl or further encroachment and could be released from the green belt without significant impact on openness.