

## Written Statement – Matter 45

# Kirklees Local Plan

Safeguarded Sites SL2173 and SL3356 (Extn to SL2173)

On behalf of Taylor Wimpey

30 January 2018



## I. Introduction

- I.1. This is a Written Hearing Statement prepared by Spawforths on behalf of Taylor Wimpey in respect of:
- Matter 45: Safeguarded Sites SL2173 and SL3356 (Extn to SL2173)
- I.2. Taylor Wimpey has significant land interests in the area and has made representations to earlier stages of the Local Plan process.
- I.3. The Inspector's Issues and Questions are included in bold for ease of reference. The following responses should be read in conjunction with Taylor Wimpey's comments upon the submission version of the Kirklees Local Plan, dated December 2016 and to previous Matters and Issues at this Examination in Public.
- I.4. Taylor Wimpey submits this statement for consideration as part of this matter in written form only, but reserves the right to seek appearance at the respective Hearing session should a need arise.

## 2. Safeguarded Sites SL2173 and SL3356

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?**

- 2.1 Taylor Wimpey is concerned that certain safeguarded sites that are being allocated in the Local Plan have significant constraints to delivery and without any evidence or prospects that these constraints could be overcome. The site designations are therefore unsound.
- 2.2 This includes **Site SL2173** East of Far Bank, Shelley and the adjacent **Site SL3356** (4.66 Ha), which have been identified as safeguarded land in the draft Plan. We have highlighted previously that Site SL2173 is currently identified as Provisional Open Land in the adopted UDP, and has no available access, is in disparate ownerships and therefore does not accord with the Framework criteria for allocation. The site is not deliverable and does not satisfy the criteria for allocation. This position is reaffirmed in the Council's own Technical Appraisal (November 2016) which states "significant third party land required for access. Insufficient road frontage to gain access from Far Bank" that the "site is not deliverable or developable" and that there is a "lack of evidence that access can be achieved to ensure a deliverable or developable site".
- 2.3 The Technical Appraisal does state that one option to access the site is on land to the east, which is a new safeguarded site SL3356 Land to the East of Far Bank. However, the Technical Appraisal reinforces that both of these sites have no access and are not deliverable. It states for SL3356 that "third party land is required for access" and that "access could only be achieved through the housing option to the east which has not been accepted" and as such remains in the Green Belt, therefore there is "no site frontage to adopted highway".
- 2.4 Site SL3356 is therefore landlocked with no feasible access. The Technical Appraisal therefore concludes that the "site is not deliverable or developable" and that there is a "lack of evidence that access can be achieved to ensure a deliverable or developable site". Furthermore, the Appraisal explains that the site has potential impacts on the Grade 2 listed Shelley Methodist Church, which lies just west of the site adjacent to site SL2173, which also has impacts on the Church. The site contains a pond and a well/spring and has potential overland drainage issues. With regards to Site SL3356, it is also in a number of ownerships, and a significant proportion of the land is heavily constrained.

- 2.5 Therefore both SL2173 and SL3356 are not suitable or therefore developable or deliverable and should not be identified in the Plan.
- 2.6 Shelley is sustainable and has a number of facilities that serve it including primary school, public houses, and shops. It is connected by a range of means of transport with bus connections to Denby Dale and Huddersfield. According to the Council's Additional Evidence Document of December 2017 (EX38), the settlement is of a decent size (population 2,737) as compared to other villages in the rural sub-area, but the Council identify it as scoring low in accessibility. No housing sites have been allocated in Shelley in this Local Plan. However, the aforementioned sites have been safeguarded. Sites have been allocated in nearby Shepley and Skelmanthorpe.
- 2.7 Given our considerations above, Shelley is without either allocations or safeguarded land. Taylor Wimpey have been actively promoting a deliverable site in Shelley, which has not been identified in the Local Plan.
- 2.8 The site at Penistone Road, Shelley provides an accessible, deliverable housing opportunity to deliver growth for the settlement. It is available now. Given that the above sites are not capable of delivery to meet the safeguarded land supply, the site at Penistone Road should be considered as safeguarded land. Equally given that there are no housing allocations in Shelley proposed in the Local Plan, then the site should also be considered in this context as a potential allocation. We provide a Plan of the site at Appendix A.

## Proposed Change

- 2.9 To overcome the objection and address soundness matters, the following changes are proposed:
- Review the Green Belt around Shelley in accordance with national guidance
  - Review the approach to safeguarded sites to accord with national guidance
  - Remove the site at Penistone Road, Shelley from the Green Belt (H169/H2731)
  - Remove safeguarded sites SL2173 and SL3356
  - Allocate further safeguarded sites

**b) Is the indicative site capacity appropriate, taking account of constraints and the provision of necessary infrastructure?**

2.10 As indicated above, Taylor Wimpey do not consider sites SL2173 and SL3356 as deliverable and therefore will not provide for housing needs in Shelley in the future. Taylor Wimpey do not consider that the sites can come forward when envisaged beyond the plan period.

2.11 **c) Is the site available and deliverable in the timescales envisaged?**

2.13 As indicated above Sites SL2173 and SL3356 are not developable or deliverable and should not be identified in the Plan. The land cannot be accessed and is not available for development either within the Plan period or beyond this.

**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?**

2.14 Taylor Wimpey do not have a particular view on the above-indicated sites in terms of boundary changes, as it is considered to be immaterial on account of the significant barriers to delivery. Site SL2173 is identified as Provisional Open Land in the adopted UDP and Site SL3356 is currently Green Belt.

2.15 Taylor Wimpey have previously advocated Green Belt Review and change in Shelley and have previously assessed and put forward the deliverable housing allocation at Penistone Road, identified above.



### 3. Appendix I: Penistone Road, Shelley





