

MATTER 8:- APPROACH TO SITE ALLOCATIONS AND GREEN BELT RELEASE

Issue:- Is the Plan's approach to identifying site allocations (housing, employment and mixed use), safeguarded land and Green Belt releases soundly based and in line with national policy?

a):- Has the Council undertaken a robust and comprehensive assessment of development capacity within existing urban areas and other areas outside the Green Belt?

8.1 I consider that the Council's assessment is robust though I advocate that some limited further Green Belt release is necessary to comprehensively meet the employment land requirements.

b):- Do exceptional circumstances exist which justify the release of Green Belt land to accommodate some 11,500 dwellings and additional land for employment uses?

8.2 Yes the exceptional circumstances have been adequately and appropriately identified by the Council.

c):- What approximate proportion of land in Kirklees which would remain in the Green Belt following the implementation of proposals in the Local Plan?

8.3 I think that the words "is the" was meant to be inserted after "What" in this question. At paragraph 2.8 of the Green Belt Review (SD 19 -April 2017)the Council state that the Green Belt in Kirklees is extensive covering about 70% of the total land area in the District. In common with most of the West Yorkshire Green Belt the original boundaries were drawn tightly around the urban edge and subsequent changes have been very limited. Given the amount of development which has occurred on brownfield land over the last 10-15 years it is not surprising that the growth requirements of the current plan will have to rely on Green Belt releases via the exceptional circumstances justification.

d):- Is the Council's approach to assessing potential sites in the Green Belt for development soundly based and in line with national guidance?

i) Is the approach in the Green Belt Review, based on the assessment of Green Belt edge sites , robust and justified?

8.4 There is some confusion generated by this approach including the primacy given to the Green Belt edge Test , the mix of criteria on which the physical assessment is based. Similarly test 2a is applied as a sieve preventing the further assessment under tests 2b to 2d if a red rating is given. Green Belt Reviews carried out for or by other planning authorities take a more holistic approach in examining defined tracts of Green Belt land around the urban area with weightings applied as one composite stage without a sieving out process. The Kirklees approach could be adapted with limited amendments to the process and limited review based on the detailed evidence gathered.

Generally the criteria used by Kirklees are appropriate (subject to my comments on subsequent questions) in terms of policy and guidance but the hierarchy of application of these does not provide a comprehensive basis for comparison of site selection.

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ii):- As part of the overall site allocations methodology, is there clear evidence to show that site options not captured or fully appraised in the Green Belt review have subsequently been fully assessed against relevant Green Belt purposes?

8.5 There is no clear evidence that such sites have been subsequently assessed.

iii):- Is the 'gateway' approach in the Green Belt Review justified? (whereby failure to meet test 1 meant Test 2 on green Belt purposes was not engaged, and failure to meet Test 2a meant no further assessment against other Green Belt purposes).

8.6 My answer to question ii) also deals with this question. Removing the gateway approach could be achieved without incurring a total revamp of the process and the evidence gathered.

iv):-Are the other assessment tests in the green Belt review justified and soundly based ? To what degree are the identified topographical, physical and environmental constraints absolute, and were site specific solutions or partial development options taken into account? Is test 2d consistent with Green Belt purposes as defined in the NPPF and as they relate to Kirklees?

8.7 The application of the topographic, physical and environmental constraints should not generally be absolute and in only a few exceptional area/site specific cases should result in rejection of a candidate tract of Green Belt. Examples would be where primary and secondary environmental constraints on landscape and biodiversity cover the large majority of the area in question. A topographic constraint of slope should only rule out development where a primary access incorporating adoptable slopes of up to 1 in 10 or 1 in 12 cannot be provided. The consideration of the scope for site specific solutions involving mitigation of impacts should be taken into account which could lead to partial development options becoming acceptable if large enough to merit an allocation. Test 2d is not consistent with the proposed application of national guidance as now contained in paragraph 80 of the NPPF. The terminology used in the fourth bullet point of paragraph 80 retains the long accepted broad definition of "the setting and special character of historic towns". This has consistently been interpreted as applying to towns of high heritage significance such as Bath, York, Chester etc. it is clear that it is not intended to be used in relation to the presence of other heritage assets such as listed buildings or archaeological sites. The Council's explanation at paragraph 3.20 of SD19 does make it clear that they conclude that there are no historic towns in Kirklees. The Council then go on in this paragraph to link a Green Belt assessment to an evaluation of the presence and significance of other heritage assets. This is a separate environmental evaluation requiring a more detailed and specific approach which follows the policy and guidance on the assessment of development impact on such assets as set out in Section 12 and paragraphs 169 and 170 of the NPPF.

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v):- To what extent has the process of assessing Green Belt sites taken account of remaining gaps between different settlements and the maintenance of separate settlement identity and emerging proposals in neighbouring authorities that would reduce these gaps?

8.8 The assessment of settlement gaps has not been carefully and comprehensively considered. This particularly needs careful and integrated consideration where there are cross boundary issues of land provision as is the case in North Kirklees and the adjacent area of South Bradford. For example the acceptance of the North Bierley WWTW site as an employment allocation helps to make the case for the Green Belt release and allocation of the omitted site E2700 to the west which has as good or better ratings on several sustainability criteria. In combination the development of these two sites, as currently envisaged in their concept master plans would not have a major impact on the gap between the urban areas of South Bradford, at the settlement of Oakenshaw and Cleckheaton in North Kirklees. Both candidate allocation sites contain urbanising development /features at present which contribute to this reduction of impact. Both sites have the clear scope to incorporate landscape buffers to further mitigate the impact on the gap between settlements.

vi):- Is it clear how site development options were identified?

8.9 There is insufficient clarity as to how site development options have been identified and I look forward to reviewing the further submissions of the Council in relation to this question.

vii):- How have sustainable development requirements and the need to promote sustainable patterns of development been taken into account in decisions on site options, in accordance with paragraphs 84 and 85 in the NPPF? Are there specific examples of sites which scored well in the technical appraisal and Green Belt Review but were rejected for reasons linked to the sustainability of a settlement?

8.10 As with my response to question vi) above I await the further submissions of the Council.

viii):-Have all sites which scored well in the assessment process for housing been allocated for this purpose?

8.11 While I do not wish to make a specific response in relation to the assessment process for housing I argue that it is important to ask the same question in relation to the selection of employment sites.

e):- Is the Council's approach to other proposed changes to the Green Belt boundaries including those arising from the digitising exercise, small site assessment, consequential changes and proposed additions, justified and robustly based? Have exceptional circumstances been broadly demonstrated?

8.12 I have no further response to make in relation to these specific questions.

f):- The Plan identifies a number of safeguarded sites on land not currently within the Green Belt. Is this approach justified and in line with national policy and guidance?

- 8.13 The safeguarded sites identified are from the dated UDP. These should be reviewed in the full assessment process of sustainable site selection and decisions on the merits of their allocation or in some exceptional cases return to the Green Belt need to be made alongside the assessment of how much land is to be released from the Green Belt and where these releases are to be made. The need for additional safeguarded land to be identified also has to be assessed so that it is not necessary to re-visit the Green Belt Review now being carried out either prior to the end of the Plan period or for a few years after adoption of the Plan. This approach would be in accordance with the guidance at paragraph 85 of the NPPF.

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