

Kirklees Local Plan Examination

Statement in relation to Matter 8

Approach to site allocations and Green Belt release

Prepared by Nexus Planning on behalf of Ms Margaret Dugdill and Mr Brian Dugdill

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Matter 8

Approach to site allocations and Green Belt release



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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?

Policy PLP 6

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

1.1 Nexus Planning has no specific comments to make in response to this question at this stage.

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

1.2 Nexus Planning support the Council’s position that there are ‘exceptional circumstances’ which justify the release of Green Belt to meet development needs in the borough, in accordance with paragraph 83 of the National Planning Policy Framework.

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

1.3 Nexus Planning has no specific comments to make in response to this question at this stage.

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?

1.4 The assessment of Green Belt edge sites appears to be arbitrary and there are varying degrees of inconsistency shown. This inconsistency is also apparent during the site selection process and there appears to be no direct correlation between the findings of the Green Belt edge

sites assessment and the sites that have been selected for release from the Green Belt and allocated for development purposes.

1.5 Our primary concern is the approach that has been taken in Mirfield. As set out in our response to Matter 2, the housing distribution figure for Mirfield has clearly been constrained and the only explanation that has been offered within the evidence base for doing so is the limitations that the Green Belt presents around the settlement.

1.6 We have therefore undertaken a thorough assessment of the Green Belt edge assessment in Mirfield, along with other settlements and it is clear that any perception of the Green Belt acting as a constraining factor is simply not borne out by the findings of the assessment. A completely inconsistent approach has been taken and the following helps to demonstrate this point.

1.7 The Table below shows the various sections of Green Belt edge that have been assessed around the perimeter of the settlements of Mirfield, Dewsbury and Cleckheaton. Each of these parcels passed Test 1 and Test 2a and were then carried forward for a more detailed assessment against the five purposes for including land within the Green Belt. A number of parcels around the edge of Mirfield, including the one adjacent to our clients land (MF12) scored 3 and the decision seems to have been taken that this should automatically prevent the identification of land to be released from the Green Belt around Mirfield for development. This appears to be without any basis as a number of sites (as highlighted in the table) have been identified for release from the Green Belt despite scoring 3, or even 4 or 5, which are deemed to have a more significant degree of conflict with green belt purposes.

1.8 The table below provides a summary of the concluding comments as set out within the GBR and the highlighted sites have been identified for release for development.

Settlement	Green Belt Review Stage 2 Score					
	3		4		5	
Cleckheaton	CK1	Has limited impact on openness	CK6	Contained by physical features, but development to those features would be prominent	CK13	Limited potential for containment and prevention of ribbon development.
	CK3	Has limited impact on openness			CK21	Development likely to have significant impact on openness of the Green Belt
	CK8	Boundaries and land fragmentation			HT6	No existing boundary to prevent extensive and unrelated sprawl
	CK16	Contained site but development impacts surrounding dwellings			HT8	Development likely to have significant impact on openness of the
	CK19	Opportunity for rounding off without detriment to GB				
	HT1	Has limited impact on openness				
	HT3	Features form strong boundary, has limited impact on openness				

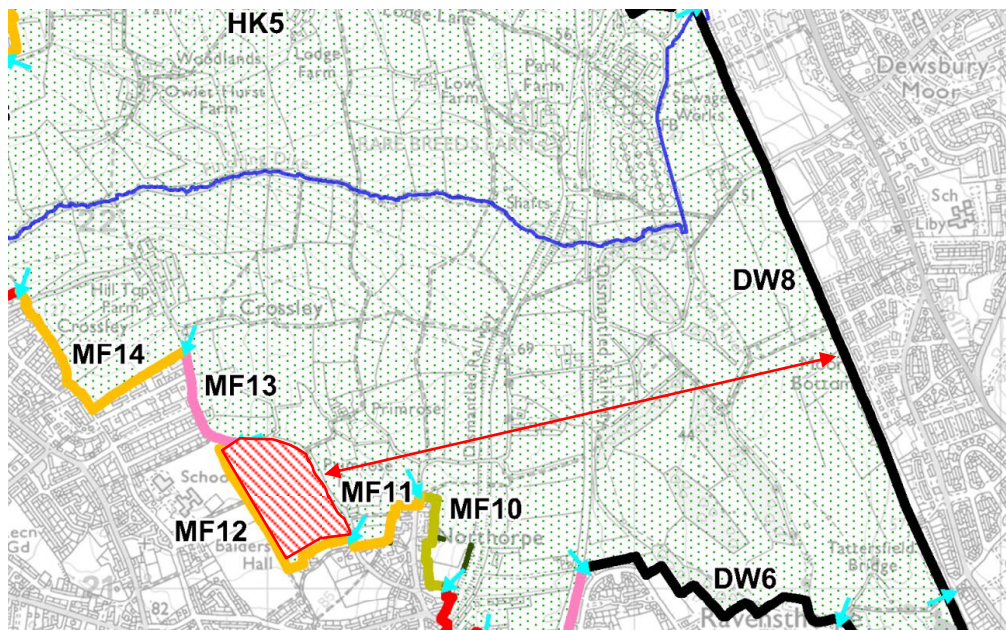
	HT5	Opportunity for release, strong boundaries provided				Green Belt and setting of ancient monument
	HT7	Has limited impact on openness				
Dewsbury	DS13	Development contained by landform, limited impact on openness	DS5	Development would erode green wedge	DW3	Development would breach linear feature with existing weak boundary
			DS14	No features to prevent encroachment, opportunity to create defensible boundary	DW5	Development would breach linear feature with existing weak boundary
	DE6	Potential to contain development, need to prevent any merger of settlements	DE2	Limited impact on openness, but few opportunities to restrict development	DS9	Would introduce risk of sprawl
			DE4	Development would reduce the gap between settlements	DS11	Not strongly bound, does not relate to urban features
	DE13	Development limited impact on openness, but separation between settlements to be maintained	DE11	Limited potential to contain development, but separation between settlements to be maintained	DE5	Limited potential for containment, strong boundary is required
DE8					Would breach existing strong boundary	
Mirfield	MF2	Has limited impact on openness			MF13	Development likely to have significant impact on openness of the Green Belt due to breaching of existing boundary
	MF11	Has limited impact on openness				
	MF12	Has limited impact on openness			MF17	Development would breach existing strong boundary
	MF14	Has limited impact on openness				
	MF18	Development risks being prominent to the south			MF21	Development increases risk of sprawl without strong settlement limit
	MF20	Has limited impact on openness				

1.9 There is no consistency in the approach taken and the claim that housing distribution in Mirfield is constrained as a result of the Green Belt is simply without foundation.

1.10 A closer inspection of the assessment of parcel MF12 in Mirfield, adjacent to which lies our clients site reveals that Crossley Lane is acknowledged to represent a defensible boundary beyond the green belt edge that would prevent further incursion into the wider countryside. This in our view is a soundly based justification to release this site from the Green Belt and any claim that it would result in harm to the purpose of the Green belt to prevent the merging of settlements is unfounded, as a separation of 1.5km will still be maintained from Dewsbury. The annotated extract from the Green Belt Extract map below helps to illustrate this point and our clients land lies within the wider parcel of land hatched in red:

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1.5 km
separation
maintained

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?

1.11 Nexus Planning has no specific comments to make in response to this question at this stage.

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)

1.12 The approach is considered to be logical, but then it is unclear as to what the implications are if a site fails to meet either Test 1 or Test 2a when it comes to the site selection process. It would normally be assumed that any sites that fail to meet either Test 1 or 2a would automatically be ruled out as allocations for development as they have not then been subject to a more detailed assessment against the five purposes for including land within the Green Belt.

1.13 However, upon review of the proposed changes to the green belt a somewhat inconsistent approach has been taken. For example, Green Belt Edge reference DW7 in Dewsbury failed Test 1 and is edged black on the April 2017 Green Belt Edge map, yet this boundary is proposed to be altered following the site selection process with a small parcel of Green Belt land proposed for removal and allocated for employment uses.

1.14 This again brings into question the consistency of the approach that has been taken in respect of all settlements. As stated previously, our particular concerns in this regard relate to Mirfield and the inference that a constrained housing distribution figure of 402 dwellings can be justified as a result of the findings of the Green Belt Review, despite the fact that it is a highly sustainable settlement capable of accommodating a significant level of housing growth.

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?

1.15 Nexus Planning has no specific comments to make in response to this question at this stage.

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

1.16 Nexus Planning has no specific comments to make in response to this question at this stage.

vi. Is it clear how site development options were identified?

1.17 No. As set out in our responses to other questions within this statement, it is not clear how site development options were identified as there is no consistency in the approach that has been taken.

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?

1.18 The opposite has been the case in Mirfield. The need to promote sustainable patterns of development by directing housing towards the most sustainable settlements appears to have been abandoned without reasoned justification. The evidence base confirms without any doubt that Mirfield is one of the most sustainable settlements in the borough. Having considered the approach that has been taken in respect of the release of land from the Green

Belt in other settlements and the corresponding findings of the Green Belt Review it is clear that a flawed and unsound approach has been taken.

viii. Have all sites which scored well in the site assessment process for housing been allocated for this purpose?

1.19 No and this is particularly the case in Mirfield, in particular in respect of the land adjacent to parcel MF12 and our clients land to the west of Crossley Lane as indicated earlier in this statement.

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?

1.20 Nexus Planning has no specific comments to make at this stage in relation to this question.

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?

1.21 Nexus Planning do not consider that the approach taken in respect of the designation of Safeguarded Land is in compliance with the tests of soundness set out in Paragraph 182 of the Framework.

1.22 The Council accept (and we agree) that exceptional circumstances exist to release land from the Green Belt in order to meet full and objectively assessed needs for housing. Paragraph 85 of the Framework provides guidance to local planning authorities when defining green belt boundaries and also considers the role that safeguarded land should play in this process.

1.23 As has always been the case, safeguarded land is defined as lying between the urban area and the Green Belt and is identified as such to ensure that longer term development needs can be met well beyond the plan period, avoiding the need for a further review of the Green Belt.

1.24 The intention to identify areas of safeguarded land within the urban area taking these factors into account is therefore fundamentally flawed and cannot be considered to be justified and in line with national policy and guidance.

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g) What evidence is there to demonstrate that safeguarded sites which have been assessed as unsuitable or undeliverable for housing development over the Plan period will be capable of delivery for this use in the longer term?

1.25 Nexus Planning has no specific comments to make at this stage in relation to this question.