

# Kirklees Local Plan Examination Hearing Statement

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**Our ref** NLP/ATu  
**Date** September 2017

**Subject: Matter 8: Hearing Statement on behalf of M62 Developments Limited – Approach to site allocations and Green Belt release**

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## **1.0 Introduction**

- 1.1 This Hearing Statement has been prepared by Lichfields on behalf of M62 Developments Limited and responds to the questions set by the Inspector in relation to Matter 8.
- 1.2 M62 Developments Limited is the landowner of site H523: Land at White Lee Road, Batley and has previously promoted it through the planning system jointly with Jones Homes (Yorkshire) Limited. This Hearing Statement should therefore be read in conjunction with the representations submitted during the Local Plan Consultation (2016) in relation to Land at White Lee Road, Batley (representor ID: 968476).

## **2.0 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?**

**Question (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?**

- 2.1 From a review of the Council's evidence base, it is apparent that a robust and comprehensive assessment of development capacity within existing urban areas and other areas outside the current Green Belt has not been undertaken prior to the consideration of Green Belt sites for allocation.
- 2.2 It is acknowledged that Green Belt release will be necessary to meet housing requirements in Kirklees over the plan period. However, the Housing White Paper<sup>1</sup> states that Green Belt boundaries should only be amended in exceptional circumstances when local authorities can demonstrate that they have fully examined all other reasonable options to meet their identified housing requirements. This is not the case in Kirklees and numerous sustainable sites within main urban areas have been bypassed in favour of Green Belt release. A clear example of this is Land at White Lee Road, Batley (site H523). This site is available, suitable and achievable, it is deliverable in accordance with the National Planning Policy Framework and represents a sustainable residential opportunity within an established residential area. This site occupies a highly sustainable location, has good proximity and access to town centres (Batley and Heckmondwike) and the M62 corridor and could be developed within the early part of the plan period. This site, which is not constrained by Green Belt designation, represents a potential

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<sup>1</sup> Fixing our Broken Housing Market, DCLG, 2017

source of supply that should be considered before any amendment of Green Belt boundaries elsewhere in the authority.

**Question (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?**

- 2.3 Table A4 of the Housing Supply Topic Paper (EX30) states that 9,706 dwellings will be provided on settlement extensions which extend into the Green Belt, or on sites which are detached from existing settlements and are located wholly within the Green Belt.
- 2.4 Despite the apparent lack of a detailed assessment of urban capacity in the main settlements, given the scale of the housing requirement across Kirklees over the plan period, the likely shortfall in delivery from strategic sites (see our Matter 4 Hearing Statement) and the presence of Green Belt land around all settlements in the District, it is agreed that Green Belt release is necessary in this instance to ensure that housing needs are met. However, in line with the Housing White Paper, all other sustainable options, including urban greenspace, need to be exhausted before Green Belt release is progressed. This is not the case in this instance.

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

- 2.5 M62 Developments Limited has no comment to make in relation to Question 8(c).

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

- 2.6 M62 Developments Limited has no comment to make in relation to Question 8(d) (i). to (vii).

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

- 2.7 Not all sites that scored well in the Council's site assessment process for housing have subsequently been put forward for allocation for this purpose and numerous sustainable sites within main urban areas have been bypassed in favour of Green Belt release. Site H523: Land at White Lee Road, Batley is an example of such a site.
- 2.8 This site forms part of SHLAA (LE17) site 991 (Land to the East of Asquith Fields) which is assessed as a 'green' site in relation to availability and an amber site in relation to suitability and achievability and is identified as a potential 0-5 year housing site. The SHLAA suggests that access to this site may need improving and that there would be a cost associated with this requirement. M62 Developments Limited can confirm that a suitable access can be provided to the site and that its residential development is viable.
- 2.9 The Kirklees Rejected Site Options Report (July 2017) (LE4.1) confirms that site H523: Land at White Lee Road, Batley has only been rejected as a housing allocation on the basis that it forms part of a larger urban greenspace option.
- 2.10 Representations have already been submitted to the emerging Local Plan objecting to the proposed allocation of Land at White Lee Road, Batley as urban greenspace and proposing that the site is instead allocated for housing development. This is on the basis that the site is of limited value and quality as 'natural and semi-natural greenspace' and is surplus to requirements because, amongst other things:

- It serves no function or purpose that is sufficient to warrant such an allocation;
- Its allocation for residential development would not result in any quantitative or qualitative deficiency in ‘natural and semi-natural greenspace’ or reduced access to it;
- The purpose, quality and value of the wider urban greenspace allocation would not be prejudiced; and
- The site is surplus to requirements as ‘natural and semi-natural greenspace’

2.11 These objections will be set out in further detail at Stages 3 and 4 of the Examination in Public in line with the Inspector’s Hearing Programme.

2.12 As is set out above, site H523, which is not constrained by Green Belt designation, represents a potential source of supply that should be considered before any amendment of Green Belt boundaries elsewhere in the authority.

**Question (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?**

2.13 M62 Developments Limited has no comment to make in relation to question 8(e).

**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?**

2.14 M62 Developments Limited has no comment to make in relation to question 8(f).

**Question (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?**

2.15 M62 Developments Limited has no comment to make in relation to question 8(g).

### **Summary**

2.16 On the basis of the above, M62 Developments Limited considers that the proposed Plan is not positively prepared, effective or justified and does not fully address national planning policy guidance. The Plan is therefore unsound.

### **Proposed Change**

2.17 To overcome the objection and address soundness matters, the Plan should:

- Undertake a robust and comprehensive assessment of development capacity within existing urban areas and other areas outside the current Green Belt. This should fully examine all other options before Green Belt release is considered in accordance with national planning policy and the Housing White Paper.
- Allocate site H523, Land off White Lee Road, Batley for housing development.