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Your ref: H591
Our ref: SC/1026304

11 April 2016

Dear Sirs,

KIRKLEES LOCAL PLAN: LAND TO THE WEST OF CLIFFE MOUNT, FERRAND LANE, GOMERSAL (H591)

We are writing in respect to the consultation on the Draft Local Plan which was carried out between November 2015 and February 2016. The purpose of this letter is to address the objections raised against our client's site H591 'Land to the West of Cliffe Mount, Ferrand Lane, Gomersal'.

There are currently 430 objections lodged against the site on the Council's limehouse system. However the majority of these objections are in the form of a pro-forma letter and therefore carry limited weight. It is also noted that a number of letters have been submitted without a name or address. We would politely ask that these are removed as anonymous objections are not normally accepted because of the lack of transparency and accountability.

The objections are all based on a number of similar themes. The main themes can be broadly summarised as:

1. The Consultation Response from Spen Valley Civic Society and Historic England;
2. Compliance with Green Belt Policy;
3. The Impact on the Biodiversity of the Site;
4. The Impact on Highway Safety; and
5. The Potential Alternative Sites within the Locality.

Each of these issues will be dealt with in turn.

1) The Consultation Response from Heritage England

A number of objectors state that Heritage England and Spen Valley Civic Society have objected to the site. However there is no record of Spen Valley Civic Society submitting any comments on Site H591. In regards to the consultation response from Historic England, it is apparent that their concerns are more related to the selection process rather than the potential allocation of the site itself.

Historic England (HE) requests that an assessment is made of what contribution the site makes to those elements which contribute to the character or appearance of the Conservation Area and what effect the loss of the site and its subsequent development might have upon the designated area.

In response to HE's comments, our client has commissioned an independent Heritage Impact Assessment. The Impact Assessment has used HE's recommended methodology and has addressed their comments in full. The Assessment carried out a detailed appraisal of the area to identify the significance and essential characteristics of the Conservation Area and its setting, and evaluated the impact that the proposed development would have on the Conservation Area.

The report concluded that the proposed development is physically and visually remote from the majority of the Conservation Area and even where the two areas are in close proximity the impact would be negligible. It goes on to state that the development of the proposed site for housing would have no detrimental impact on the conservation area, or on any of the Listed Buildings within the area.

2) Compliance with Green Belt Policy

The pro-forma objection states that the proposed development would reduce the gap between Gomersal Village and Cleakheaton.

The Green Belt function of the site was considered as part of the Council's Strategic Green Belt Review. The review concluded that the site does not fulfil any of the five purposes of the Green Belt, including preventing the merging of settlements, and concluded that Ferrand Lane would provide a strong defensible boundary.

In response to the objector's specific concern, the proposal would not reduce the strategic gap between Gomersal and Cleakheaton. There is an extensive area of built development to the west of the site, which is closer to Cleakheaton than the proposed allocation. As a result, the development of the site would not extend the built form of the settlement to the west towards Cleakheaton or reduce the strategic gap between the two settlements in any sense.

3) Biodiversity

A number of objections state that the site supports a wide variety of wildlife and therefore its loss to development would harm biodiversity. The objectors have not provided any evidence to support their supposition that the allocation of the site would cause any harm to biodiversity. Nevertheless, our client has commissioned a preliminary Ecological Appraisal, which concluded that the site has a low conservation value. A copy of the report is attached.

4) The Impact on Highway Safety

A number of objection letters question the capacity of Cliffe Lane to support the proposed development. The objectors have not provided any evidence to support their view that there are capacity issues on Cliffe Lane and that the modest addition of another 100 dwellings would cause any highway issues. However an initial Transport Appraisal was submitted in support of the allocation of Site H591, which demonstrates that the site is fully deliverable from a transport standpoint and the proposed development is unlikely to result in a material impact on the operation of the local highway network.

5) The Potential Alternative Sites within the Locality

The representations state that a number of sites should potentially be allocated in favour of Site H591. However it is evident from the Council's evidence base that these sites have been discounted because they have significant deliverability issues. For thoroughness, we have assessed the individual sites mentioned by the objectors below:

- 1) **The Highgrove Beds site (SHLAA Reference G0333)** – Planning permission was granted for residential development on the site in 2013 and therefore it has already been counted towards meeting the housing supply for the Liversedge and Gomersal Ward. The site is still currently in active employment use and there is no information to support the view that the site is likely to become available for development over the plan period. As a result, it is considered that the site cannot be considered deliverable in accordance with paragraph 47 of the Framework. Furthermore, the site only has a modest capacity for 45 dwellings and therefore would not alone be able to meet the housing needs of Gomersal as suggested by some of the objectors.
- 2) **The Former Maccess Office Site** has planning permission for 36 apartments which was granted in January 2016. However the site is currently covered by built development and has been vacant for a number of years. There is also likely to be significant levels of contamination. Therefore, there are potentially deliverability issues in particular whether the site is financially viable to develop in current market conditions. Nevertheless, the proposed development would not be sufficient to meet the housing needs of the settlement over the plan period, especially given that it is coming forward solely for apartments.
- 3) **The Whiteleys Mill site** is located within the adjoining Cleakheaton ward and therefore it is not suitable to meet the housing needs of Gomersal. The site is allocated within the draft Local Plan as a priority employment area (Reference B&S17) where land will be safeguarded for employment purposes. The employment allocation is considered entirely suitable and reflects the need to deliver an appropriate local balance between competing uses for land, particularly housing and employment.
- 4) **Site H663, the Spen Trading Estate** was correctly discounted within the Strategic Housing Land Availability Assessment (SHLAA). The Trading Estate was discounted because of the uncertainty surrounding its ownership and availability as well as the level of contamination present on the site. The site is currently in industrial use and is also likely to be subject to a significant level of contamination. Furthermore the site is located within the Cleakheaton ward and therefore it is not suitable to meet the housing needs of Gomersal.
- 5) **Site H151 Birkby Plastics, Headlands Road, Liversedge.** The SHLAA identifies that the site is likely to be heavily contaminated from its current use and therefore there are significant issues in regards its deliverability. The site is also surrounded by similar industrial uses which makes it unsuitable for residential development. The site is also in active use and therefore should be retained in employment use to safeguard the economy of the local area.
- 6) **Site H171 Land to the north of, Highmoor Lane, Hartshead Moorside.** The SHLAA identifies that the site is within a weak market area and therefore its overall deliverability over the plan period is questionable. Furthermore the site is located within the Cleakheaton ward and therefore it is not suitable to meet the housing needs of Gomersal.
- 7) **Site H640 Land Adjacent, Walroyd Road, Cleckheaton** – The site was discounted as being suitable for residential development because of its severely constrained locality. The site is

surrounded by existing residential development and employment uses and as a result the amenity of any future residents would be severely constrained. Equally, the site is located within the Cleakheaton ward and therefore it is not suitable to meet the housing needs of Gomersal

Conclusion

The sites put forward by the objectors as potential housing allocations cannot be considered 'deliverable' or 'developable' in accordance with paragraph 47 of the Framework, and in a number of cases, it is preferable for them to be retained in employment use from a land use perspective.

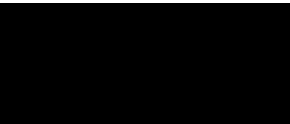
As demonstrated within the Council's evidence base and through our client's representations, Site H591 'Land to the West of Cliffe Mount, Ferrand Lane, Gomersal' is

- Fully deliverable in accordance with paragraph 47 of the Framework,
- Is not covered by any significant environmental or ecological constraints;
- Does not contribute to any of the five purposes of the Green Belt;
- Would not harm the character, appearance or special interest of the Conservation Area or any other heritage asset; and
- Would not harm any other notable interests.

As a result, it is considered that Site H591 should continue to be identified as a housing allocation to meet the housing needs of the Liversedge and Gomersal Ward within the emerging Kirklees Local Plan. The site represents the most sustainable option for allocation in the settlement.

If you have any queries or require any further information in relation to any of these matters, please do not hesitate to contact me.

Yours sincerely



Stephen Courcier MRTPI
Senior Planner



Attached:

- Heritage Impact Assessment by Lindsay Cowle B Arch Dip Cons (Dist) RIBA IHBC CAABC
- Preliminary Ecological Appraisal by Smeeden Foreman

Cc.

Richard Morton of KCS Development Ltd