

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

GROWTH AND REGENERATION SCRUTINY PANEL

Monday 26th February 2024

Present: Councillor Shabir Pandor (Chair)
Councillor Zarina Amin
Councillor Susan Lee-Richards
Councillor Harry McCarthy
Councillor John Taylor
Councillor Manisha Roma Kaushik

Co-optees Chris Friend

In attendance: Cllr Graham Turner, Portfolio Holder for Finance and
Regeneration
Edward Highfield, Service Director, Skills and
Regeneration
Simon Taylor, Head of Town Centre Programmes
David Wildman, Strategic Partnership Lead, Town
Centres Development
Johanna Scrutton, Planning Policy and Strategy Group
Leader
Andrea Lane, Team Leader, Planning Policy and Strategy
David Shepherd, Strategic Director, Growth and
Regeneration

Observers: Cllr Elizabeth Smaje, Chair of Overview & Scrutiny
Management Committee

Apologies: Jonathan Milner (Co-Optee)

- 1 Membership of the Panel**
Apologies were received from Jonathan Milner.
- 2 Minutes of the Previous Meeting**
That the minutes of the meeting held on the 15 January 2024 be approved as a correct record.
- 3 Declaration of Interests**
No interests were declared.
- 4 Admission of the Public**
All agenda items were considered in public session.

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5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No public questions were asked.

7 Local Centres - Marsden

Cllr Graham Turner, Portfolio Holder for Finance and Regeneration, introduced the item, informing the Panel that the update will outline why Marsden is being worked on. The unlocking of some money from DLUHC (Department for Levelling up, Housing and Communities) levelling up fund, has given an opportunity to build on that work because Marsden has huge potential growth in economic terms.

David Wildman, Strategic Partnership Lead, took the Panel through a presentation explaining that the economic potential of Marsden is not being realised at the moment. He advised that it is a great successful village, however it has got a constrained commercial offer. There is a lot of out commuting, there are issues caused by local traffic and parking, and there are a great deal of unused properties and mills in the village that is impacting on the quality of place.

Funding has been secured through DLUHC for the regeneration and redevelopment of New Mills which is in the centre of the village, that came through the levelling up fund round two (LUF2). Alongside that, there is also the investment that is happening in the TransPennine Route (TRU) upgrade project to Marsden. Those two investment together, with an active community that has been realised through the recent place standard engagement, present an opportunity to do something positive in Marsden.

The Panel was informed that the masterplan will provide a structured approach, a framework to unlock the development and bring forward future opportunities for growth. In June 2023, a report was taken to Cabinet that delegated authority to progress with a masterplan. A further report will be going back to Cabinet in March 2024, to seek endorsement for a partnership led approach.

The masterplan will set out a longer term vision for Marsden and identify priority projects, this is both from a commercial, and a transport master planning point of view that will help the council and partners pursue future funding opportunities. It will build on local engagement and there has already been positive engagement to date, and that is where the proposed Community Partnership comes in to help embed a community and place led approach that can shape the masterplan.

The Council remains the accountable body in developing the masterplan, and the partnership will help to shape the vision, provide local insight, oversee community engagement and support the Council as an advisory body.

The Panel was shown an overview of Marsden, which highlighted key locations in the village, including local sports facilities, the train station, canal and New Mills.

With regard to the community led approach, the Panel was informed that the aim is to form a partnership made up of ten local invited representatives, with no more than

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nine or ten members including one representative from each of the following: - Marsden Community Trust, Marsden Community Association, Kirklees Council, Ward Councillor, local businesses, local landowner and/or developer, youth based/sports group, community group/organisation and local schools. Following attendance at this scrutiny meeting and the Cabinet meeting in March, work will be undertaken with the community to identify individuals to represent in this partnership.

The Panel was informed that the scope of the masterplan will reflect on lessons learned from previous local centres masterplan development work, and the community partnership approach will help to ensure that local issues are understood.

The Council being accountable, will ensure gateways and milestones are worked through and that the Council and the partnership are comfortable with the progress being made. Engagement and consultation will be important throughout, and the Council has recently completed the place standard work and there were a series of engagement which will result in a place standard action plan. The aim is to build on what has gone before, and trying to align it with the engagement that will be undertaken on the Trans Pennine route upgrade and also with the consultation that the private team will undertake on the mill in due course.

The Panel was informed that with regard to the New Mills development, £5.6m funding was secured from DLUHC to support the redevelopment of the site. There is a total project value of approximately £17.5m and it will be used for refurbishing the existing mill, creating commercial space, new office space and potential residential. It's will focus on the lack of employment as there is a demand for employment space in the village. Whilst the funding is allocated to the Council as the accountable body, the work is private sector led by a Development Team.

New Mills progress to date includes:

- Regular liaison between the Council and the Development Team
- During December 23 , the Development Team undertook engagement and site visits with Historic England, community representatives, and the Council's Planning and Heritage officers
- In Dec 23 the Development Team submitted a pre-app submission to Historic England (and are awaiting feedback). Council has engaged with team at Historic England.
- Development Team plan to submit a pre-app application to Council as Planning Authority in February 2024 – Council proposing a multi-disciplinary workshop to follow the pre-app submission to discuss options and next steps.
- Council has engaged with the Levelling Up Places Service – once pre-app is submitted the Council and DT will seek input from a Place Advisor.
- Council engaging with DLUHC and helping to strengthen working relationship

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Next steps/Timescales

Feb 2024

- Briefings with Ward Councillors and MP
- New Mills Development team pre-app submission to Planning Authority

March 2024

- Cabinet approval sought to progress with Partnership & Masterplan
- Place Standard Action Plan agreed

March – April 2024

- Community Partnership established to support Masterplan

March - May 2024

- Procurement of external support for Masterplan

March – June 2024

- New Mills planning app development inc. engagement & consultation*
- TRU engagement*

Summer 2024

- New Mills planning app submitted*

June – Dec 2024

- Development of Masterplan and Delivery Plan

*Subject to emerging programmes & ongoing discussions

In response to the information presented, the Panel made comments and asked questions including some of the following:

- In terms of transport, at what point will they come in and look at the infrastructure and will it be someone external or will the Council be using its own resources for that?
- It seems like a fascinating project, however, there didn't seem to be any mention of actual parking being increased for the new development, because parking at the moment in Marsden can be difficult and it can get very congested.
- A specific request would be that, if planning impose any conditions as part of the development that these are enforced before the developer gets sign off. Previously, there was a condition put on by planning that access be made across the canal to the chemist, which was relocating, however this has never been done.
- Thanks to the officers for the work that they have done on this because this has been an impressively quick turnaround. As previously mentioned parking is one of the biggest issues and it is hoped that this can be dealt with as part of the planning application

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- With regard to the pre-application submission, will there be an opportunity to have sight of that and feed it into planning because one of the few levers is going to be through the planning process?
- With reference to the information presented, why Marsden, because the issues caused by traffic, parking and unused property which impact on the quality of place, is the same argument that could be said for a number of other areas in the district?
- With regard to the membership of the Community Partnership Board, it was mentioned that the aim is to follow a similar approach taken with town boards, however, town boards includes the MP, therefore why is the MP as the elected representative for the Marsden area, not included in the Community Partnership Board membership?

RESOLVED:

- a) That David Wildman, Simon Taylor and Cllr Graham Turner be thanked for providing an update on the Local Centres, Marsden.
- b) The Panel recommends that the local MP for the Marsden area be included in the membership of the Community Partnership Board, and that this is reflected in the report that will be going to Cabinet.

8 Kirklees Local Plan Update

Cllr Graham Turner, Portfolio Holder for Finance and Regeneration introduced the item, advising the Panel that this is likely to be the first of many updates as the Local Plan is rolled out. Progress is being made, however, as the Panel will appreciate, these things take time, and there is short capacity within the Planning Department, however reasonable progress is being made and things are moving forward.

Johanna Scrutton, Planning Policy and Strategy Group Leader, provided the Panel with an update on the Local Plan Review, advising that the review was undertaken in the summer 2023, in order to get it through the process before the end of the five year period, which for Kirklees was February 2023. A report outlining the process to be taken was presented to the Scrutiny Panel in September 2023.

The Panel was reminded that the assessment was based on the Planning Advisory Service Review template which looked at three main topics covering 14 questions, regarding the delivery of the spatial strategy, whether there were any Council priorities that had impacted on the plan, and whether the plan policies themselves were still compliant with local plan guidance.

The review outcome indicated that the plan was out of date in several areas including, the lack of five year land supply, the Council not meeting its housing delivery targets, and the potential for employment delivery. There were known sites that were coming forward, however they had yet to enter the planning process in terms of the Council's priorities. While the Local Plan was found to be sound in terms of sustainability, the Council's climate action plan was developed after the

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plan was adopted, therefore, the review provided an opportunity to relook at plan policies to assist towards net zero.

In terms of the planning policies, service users were spoken to, monitoring for development management in applications and appeals were looked at, and most of the policies were still found to be working. It is also important to stress that the whole of the plan is not out of date, the Local Plan National Planning Policy Guidance and the supplementary planning documents will continue to be the main tools that will be use in determining planning decisions.

The Planning Officers Society were invited to give an independent view on whether it should be a partial or a full review. In their opinion, because of the interrelationship between the strategy, the planning policies, the cost and transparency to communities, it was determined that it would be better to do a full review.

The Panel was informed that in order to address the situation that the Council did not have a five year land supply, an interim housing position statement was produced, and that was presented to scrutiny in November 2023 and taken to Cabinet in December 2023. Work has also been undertaken on a revised Local Plan timetable, which is not just the timetable for the local plan, but a whole range of other planning policy documents and the Statement of Community involvement has also been updated. These went out to consultation from November to December. The Statement of Community Involvement was updated on the basis of comments and feedback and the aim is that both those documents will go to Cabinet in March 2024.

The Panel was provided with a summary of the main elements of the plan that is currently being worked on, and advised that an early engagement exercise will be undertaken, inviting community comments on the vision objectives and the contents of the plan.

The Panel was referred to section 2.7 of the appended report which outlined the evidence and advised that:

- the National Planning Policy Framework (NPPF) requires the Local Plan to be underpinned by relevant, up-to-date and proportionate evidence and which considers relevant market signals and is relevant to the plan making area
- there is evidence from stakeholders and consultation

The range of evidence will be used to inform not only whether the Council's policies could be developed further, it will help inform the climate change policies, and also it will help shape and inform the spatial strategy.

The Panel was informed that with regard to the sites, there has been a call for sites which has been open since 2020, which is ongoing and will be promoted again as part of the early engagement. Sites are coming through for that process which will need to be assessed once the housing and employment needs and requirements are established. There is an ongoing brownfield land register, and work is being

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undertaken internally with different services to look at identifying priorities and what the needs are, and how to accommodate those.

There is a great deal coming through in planning guidance with the revised planning policy framework, and there are more changes proposed and as it progresses there will be further opportunity for Scrutiny.

In response to the information presented, the Panel made comments and asked questions including some of the following:

- Can you outline how this work is going to align with the environment strategy work, because the environment strategy has quite a bit about housing and brownfield first approach, and people being within a certain walking distance of green spaces. Therefore, can you outline how the Local Plan work, and the Environment Strategy are going to fit together?
- Whilst reading this report, it is clear that it is a significant project, however it is difficult to see how things comes together. Is there any way of producing graphics that show all the different threads, how they come together and what the key points are to help to get a handle on this and see how it flows through?
- Many of the houses that are coming forward are either in flood plains or affected by inadequate drainage. How good and up to date is the strategic flood risk assessment and even when not in flood zones, is an account taken for the displacement of water from areas surrounding the development, and what measures are put in place for that?
- With regard to flooding and the requirement on an individual development to put in place attenuation tanks based on an assessment of the likelihood of flooding, is there anything that can be done through this process, to update council policies to give more strength to the planners when they are looking at these developments, that they put greater emphasis on the amount of surface water that they are able to capture through these tanks?
- Currently, in planning policies there does not seem to be anything that adequately picks up on the issue of cumulative impact for example on matters such as flooding and transportation.
- One of the issues that does not appear to have been mentioned and raises questions about whether there is something that can be done through planning policies to strengthen, and tackle the fact that retailers shrinking and to encourage town centre living or convert some of the retail space into other usage. It would be advantageous to build something into policies and visioning with regard to that.
- In terms of the early engagement, what will be the role of Councillors in that, as it is not clear from the report if Councillors are treated as one of the stakeholders.
- How do you define housing need, for example in Dewsbury? Is it the people who live in Dewsbury, or is it the whole of Kirklees. It is not about the numbers; it is

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the type of houses, and therefore there needs to be place-based housing policies to identify the types of housing that need to be built in different parts of the district as they are going to be very different.

- Kirklees is a very diverse area with different communities, and the current plan does not seem to reflect this, and appears to be a more broad-brush approach. There is a piece of work to be done around how do we square that and how to get the right types of houses built in the right areas that reflect the demand in those areas? It is important that Council policy better aligns with what the actual demand and the housing need is in a particular locality.
- How much discretion does the Council have, in terms of the types and numbers of housing, and how demand is met?
- What comes first, the Local Plan or the transport needs assessment for different places and how do they fit together? Many areas are now suffering from a lot of infrastructure not being there to support what is being built or has been built. Has consideration been given to how to improve the connection between infrastructure and local plan, if there is no plan for our infrastructure, how do all of these developments that are going to come forward and have already come forward feed into that infrastructure need that already exists?

RESOLVED:

That

- a) Johanna Scrutton, Andrea Lane, Edward Highfield, David Shepherd and Cllr Graham Turner be thanked for providing an update on the Local Plan.
- b) officers undertake a task to create a flow diagram of the main stages of the Local Plan process and what is required at those stages to aid understanding of the plan requirements/outcomes.

9 Work Programme and Forward Plan

RESOLVED:

That the panel work programme and Forward Plan of Key Decisions be noted.