

Name of meeting: **Cabinet and Council**

Date: **12 October 2016**

Title of report: **Publication and Submission of the Local Plan**

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Is it in the <a href="#">Council's Forward Plan</a> ?	Yes
Is it eligible for "call in" by <a href="#">Scrutiny</a> ?	Yes
Date signed off by <u>Director</u> & name	Jacqui Gedman - 3.10.16
Is it also signed off by the Assistant Director - Financial Management, Risk, IT & Performance?	Debbie Hogg - 30.09.16
Is it signed off by the Assistant Director - Legal, Governance and Monitoring	Julie Muscroft - 29.09.16
Cabinet member <a href="#">portfolio</a>	Councillor David Sheard - Strategy and Strategic Resources, New Council & Regional Issues Councillor Shabir Pandor - Strategy and Strategic Resources, New Council & Regional Issues Councillor Peter McBride - Economy, Skills, Transportation & Planning

Electoral [wards](#) affected: **All**

Ward councillors consulted: **All**

Public or private: **Public**

## 1. Purpose of report

The purpose of this report is to request that Members approve the Local Plan for the purposes of submission to the Secretary of State for an independent examination in public in accordance with the Council's approved Local Development Scheme 2016, following public consultation on whether the Local Plan meets legal and 'soundness' tests.

## **2. Key points**

### **a. Local Plan Progress to Date**

Members will recall that a full Council decision was made on 23<sup>rd</sup> October 2013 to withdraw the former LDF Core Strategy. Cabinet subsequently agreed on 28<sup>th</sup> January 2014 to proceed to develop a full Local Plan, including site allocations.

Following the withdrawal of the Kirklees Core Strategy from its examination in public in late 2013 the Council has been working on a Local Plan document comprising:

- a spatial vision,
- land use objectives,
- strategic polices,
- development management policies, and
- a full suite of site allocations and land designations.

The plan period will run to 2031.

The statutory provisions for the preparation of a Local Plan are set out in the Planning and Compulsory Purchase Act and the Town and Country (Local Planning) (England) Regulations 2012. National Planning Practice Guidance (NPPG) sets out the main stages of plan making for development plans and in relation to the flowchart in Appendix 1, the Council has now reached the 'Publication and Submission' stage.

In early 2014, the Council started 'early engagement' with stakeholders on the Local Plan options, supplementing and revising the evidence base (particularly in relation to housing and jobs), carrying out a full Green Belt review and engaging in the statutory "duty to co-operate" discussions and meetings with adjacent authorities and other bodies which are key to strategic and cross-boundary matters.

In November 2015 the Council consulted on the 'Draft Local Plan' for an initial 6 week period, which was subsequently extended for a further period and closed on 1<sup>st</sup> February 2016. The Council received a significant response from a wide range of stakeholders and a summary of the consultation is set out later in this report. Before the Local Plan is submitted to the Secretary of State the Council will need to prepare a 'Statement of Consultation' which will include this information and which will also summarise the comments which will be received in relation to legal and soundness tests. This is required by regulations.

Following the consultation the Local Plan has now been revised. Revisions have taken into account comments received; updates to the Council's evidence base; and a range of new site proposals put to the Council.

Officers consider that robust and up to date evidence to support the Local Plan is now in place. This includes:

- key evidence on housing requirements, housing mix and affordability;
- the need and market demand for land for jobs to meet the Economic Strategy;
- accommodation needs for travellers;
- need for land for mineral extraction and waste management;
- green belt;
- land for open space, sports and leisure; and
- capacity for new retail and leisure.

The government requires all local councils to develop a long-term plan which sets out how and where land can be developed, over a 15 year period, in order to meet the growing needs of local people and businesses. Without a plan, and particularly without a five-year land supply, we are at risk of development happening in Kirklees in an un-coordinated way making it difficult for us to plan ahead and ensure that new homes and employment areas are created alongside essential infrastructure.

The Publication Draft Local Plan is subject to a Sustainability Appraisal (including a health impact assessment) and a Habitat Regulations Assessment. These reports will be presented alongside the Publication Draft Local Plan during the consultation period.

#### **b. Consultation on the Draft Local Plan**

The Council consulted on the following documents from November 2015 onwards in accordance with the protocols agreed by Cabinet and as required by planning legislation and the Statement of Community Involvement:

- Draft Local Plan – Strategy and Policies
- Draft Local Plan – Allocations and Designations
- Draft Local Plan – Rejected Options Report
- Draft Local Plan – Green Belt Review and Outcomes
- Draft Local Plan – Sustainability Appraisal

In total the Council received responses from 5884 groups/individuals, raising 17750 comments. A broad response breakdown of these comments to each consultation document is set out below:

<b>Event Name</b>	<b>Support</b>	<b>Conditional Support</b>	<b>Object</b>	<b>No Comment</b>	<b>Total</b>
DLP Allocations and Designations (Draft accepted options)	579	495	9628	30	10732
DLP Rejected Site Options	4546	4	416	5	4971
DLP Strategies and Policies	345	455	877	153	1830
Green Belt Review	34		108	5	147
Sustainability Appraisal	2	5	55	8	70
<b>Total</b>	<b>5506</b>	<b>959</b>	<b>11084</b>	<b>201</b>	<b>17750</b>

In addition to individual comments the Council also received 8 petitions which were recorded against relevant policies and proposals as follows:

<b>Petition Group</b>	<b>Petition Holder</b>	<b>Number of signatures</b>	<b>Site Reference(s)</b>
The Netherton & South Crosland Action Group	Alan Knight	1624	H102, H660, H94 (Object)
Save Gomersal Green Belt	Rachael Elliott	69	H591 (Object)
Little Wood, Batley	Margaret Darton (first name on the list)	408	H1701 (Object)
Grange Moor	Karen Hooley (first name on the list)	49	H36, H270 (Object)
Raikes Lane	Hilary Wainwright & Alec Jackson	204	H761 (Object)
Scholes	Michael Reader	853	H8, H38, SL300 (Object)
Liversedge FC	Bob Gawthorpe	750	H226 (Support)
Save Mirfield	Cheryl Tyler	715	H2089, SL2163 (Object)

As well as the above 273, new site options were received by the Council. These site options have been assessed in the same way as site options were considered in the Draft Local Plan to understand whether they should replace or amend site options in the Draft Local Plan. The new site options are not just for housing sites but also options were received for employment, urban greenspace, local greenspace, minerals, mixed use development, green belt alterations, safeguarded land, and transport schemes.

A full summary of the comments received, together with which parts of the consultation documents they relate to and the Council's response to the comments are attached as background papers to this report.

### **c. Summary of the Local Plan Strategy, Vision and Objectives**

Full versions of the Publication Draft Local Plan – Strategy and Policies document, the Publication Draft Local Plan – Allocations and Designations document and Policies Maps are attached as background papers.

The draft Local Plan development strategy, vision and objectives (see Draft Local Plan - Strategies and policies) are based on the following key principles:

- the main strategic drivers are the Kirklees Economic Strategy and Joint Health and Wellbeing Strategy
- where appraisal of current settlements indicates that there is a greater level of services/facilities, these are given preference when distributing growth options
- to help understand the place shaping characteristics of different parts of the district the plan splits the place shaping statements into four sub-areas which are Huddersfield, Dewsbury/Mirfield, Batley and Spen and Kirklees Rural. It is important to note that the distribution of jobs and homes in the plan is guided by these place shaping principles but there are not distinct jobs and homes targets set for these sub-areas, settlements or wards within them
- the role and function of the Green Belt, topography, settlement appraisal, level of infrastructure, and local needs are given high priority when choosing site allocations and considering new development in place shaping terms
- where needs for urban extension locations for housing are identified they will aim to:
  - maximise the chance of new infrastructure being provided (including new schools and roads as part of site development);
  - offer improved deliverability, quality layouts, good design, green infrastructure and higher building specifications
  - affect a smaller number of localities; and
  - reduce the need for smaller green belt release sites
- to meet basic housing needs in each sub-area
- to meet the need for strategic employment locations along the M62 corridor
- to meet the need of local employment needs where demand indicates need and place shaping constraints allow
- that before significant development can take place, proper consideration of infrastructure opportunities and constraints will be reflected. Land allocations will then be based on the premise that infrastructure needs to be delivered

- the plan will have a regeneration focus on Huddersfield and Dewsbury town centres as indicated by the Kirklees Economic Strategy
- brownfield 'first' but not brownfield only – this is because there is insufficient supply of deliverable brownfield sites to meet the housing numbers and provide land for strategic employment sites
- a 'sequential' approach to allocations and development – i.e. land within urban areas considered first (unless essential for urban/local greenspace or other over-riding constraints); edge of settlement sites; avoidance of any significant detached green belt sites (exceptions being major developed sites in the green belt and strategic employment locations)
- focus on mixed use sites in the plan where land use mix can be more flexible, viable and allow for more sustainable development and place shaping
- full retail hierarchy set out with a strategic framework for town centres
- the importance of open spaces within urban areas where these meet identified local needs and where their retention is justified
- planning for new development in locations and ways which reduce greenhouse gas emissions
- take into account the economic and other benefits of the best and most versatile agricultural land and where significant development of agricultural land is demonstrated to be necessary, seek to use areas of poorer quality land in preference to that of a higher quality

### **Meeting Kirklees' Needs and Requirements**

The Local Plan confirms that Kirklees will meet all its objectively assessed needs without reliance on adjoining authorities for housing, employment land accommodation for travellers and provision for mineral extraction. With regard to planning for waste, the Council's ambition is to be as self-sufficient as possible.

The Council's latest evidence suggests that Kirklees has a largely self-contained housing market area and will need to plan for approximately 31,140 new dwellings over the plan period (1730 new dwellings per annum). The Council will assume a windfall allowance; take into account committed housing figures, and losses/demolitions when determining how much land is required from new housing allocations. This results in the need for approximately 21,324 new dwellings from allocated land. Draft allocations have been identified to meet these needs.

The Council also needs to identify new land to safeguard in accordance with national planning policy to ensure the permanence of the new green belt boundary for the longer term. Although national planning policy does not specify how much safeguarded land is required, local plans which look for approximately 10% of the total land identified for housing have been judged to be sound at other local authorities, examinations in public.

Previously agreed Leeds City Region (LCR) position statements have helped confirm that Kirklees is part of a much wider functional economic market area (extending to the whole of the LCR and into parts of Greater Manchester). Using outputs from the economic modelling based upon new evidence regarding the interpretation of its Economic Strategy, officers have concluded that there is an employment land requirement for approximately 175 hectares of new employment land to achieve a 75% employment rate over the plan period. Prime new employment land is focussed largely along the M62 corridor. This is in line with the LCR Strategic Economic Plan (SEP) and allocations included in the draft Local Plan indicate a strong correlation with SEP schemes/objectives. Existing employment land will be safeguarded where justified and draft allocations made to meet the identified needs.

The Council has worked on a gypsy and traveller accommodation assessment with Calderdale Council and intends to meet any identified needs within Kirklees. There is an identified need for 12 permanent traveller pitches, a small transit site and a small extension to an existing travelling show person site.

In terms of minerals, allocations will be made to ensure Kirklees continues to contribute to its West Yorkshire obligations. Existing waste facilities will be safeguarded to deal with existing and future waste requirements and at least one strategic waste facility is identified for future expansion.

Other designations will be shown in the Local Plan which includes:

- mineral safeguarding areas,
- mineral extraction sites,
- mineral preferred areas;
- mineral areas of search;
- waste management sites;
- wildlife habitat network;
- historic/ecological/geological designations;
- core cycling/pedestrian routes;
- priority employment areas;
- additions/removals from green belt;
- town centre insets/retail policy areas/shopping frontages; and
- transport proposals.

#### **d. Summary of the Local Plan Policies**

The plan includes new planning policies relating to implementing the strategy, vision and objectives and which will be applied to planning applications received through the Development Management process. Policies in the plan include delivering growth and sustainable development, place shaping, economy, homes, retailing and town centres, transport, design, climate change, natural environment, historic environment, minerals, waste, health and supporting communities, green belt and open space.

## e. The Local Plan Evidence Base

In order to meet the Government's soundness tests as set out in national planning policy the Local Plan needs to be underpinned by an up-to-date, robust and credible evidence base. The National Planning Policy Framework sets out the main pieces of evidence which should be in place for housing, business, infrastructure, minerals, defence/national security/counter-terrorism and resilience, environment, historic environment, health and well-being, public safety from major accidents, viability and delivery and the duty to co-operate.

The Local Plan evidence base was published on the Council's website during the Draft Local Plan consultation and has been available since that time. Some of this evidence has now been updated and some additional evidence gathered. The Local Plan evidence base will be made available on the council's website for the publication stage so that this information can be taken into account during the publication consultation and during the Examination in Public.

It is officer's view that the Publication Draft Local is underpinned by an appropriate and proportionate evidence base for producing a sound Local Plan.

Some of the key evidence documents are listed below. However, this is not a comprehensive list of the whole Local Plan evidence.

- *Plan preparation methodology and supporting technical papers setting out local evidence on housing, employment, environmental designations, infrastructure planning, transport model outputs, urban greenspace and local greenspace, renewable and low carbon energy, retail and town centres, settlement appraisal, minerals and waste*
- *Strategic Housing Market Assessment and evidence on housing land supply*
- *Private Rented Market in Kirklees*
- *Kirklees Empty Homes Strategy*
- *Gypsy and Traveller and Travelling Showperson Accommodation Assessment*
- *Kirklees Economic Strategy*
- *Kirklees Market Strength Assessment*
- *Kirklees Leisure Study*
- *Kirklees Retail Capacity Study*
- *Kirklees Infrastructure Delivery Plan*
- *Strategic Flood Risk Assessment*
- *Landscape Character Assessment*
- *Sustainability Appraisal*
- *Habitat Regulation Assessment*
- *Castle Hill Setting Study*
- *Waste Need Assessment*
- *Kirklees Joint Health and Well Being Strategy*
- *Air Quality Study*
- *Open Space Study*
- *Playing Pitch Strategy*
- *Built Facilities Strategy*



- *Viability Study*

## **f. Duty to Co-operate Process**

The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. The duty to cooperate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.

The Council has been working with adjoining local authorities and other key bodies on strategic and cross-boundary matters. This has included developing shared evidence bases (e.g. strategic flood risk assessment with Calderdale and Wakefield; South Pennines Landscape Study; Joint Gypsy and Traveller Accommodation Needs Assessment) and involving adjoining authorities and other bodies in the setting of assumptions and methodology on transport modelling, school place planning, strategic housing market assessment and viability testing.

Overall, this work has established that there are no fundamental strategic/cross-boundary issues which have not been explored and discussed to date. Issues raised by adjoining authorities relate to the role and function of the West Yorkshire green belt, traffic generation, local school capacities and attendance patterns, joint delivery of transport improvements and planning effectively across boundaries for the economy. Cases were also identified where there will be a cumulative impact with proposals in neighbouring authorities and those within Kirklees. However, in all cases, options for mitigation are being explored and evidence being shared.

Duty to co-operate activity will continue in parallel with the publication Plan consultation and evidence will continue to be gathered with all the statutory duty to co-operate bodies so that a full statement of evidence can be submitted alongside the Local Plan to the Secretary of State. In some cases this may include the preparation of Statements of Common Ground and Memorandums of Understanding.

## **3. Implications for the council**

### **a. Risks**

The absence of an approved Local Plan would have significant implications for development management processes and long term impacts on jobs, homes, inwards investment and prosperity in the district due to development happening in Kirklees in an uncoordinated way, making it difficult to ensure that new homes and employment areas are created alongside public infrastructure needs. In addition, the Housing and Planning Act 2016 increases the government's powers to direct an individual authority to prepare or revise their local plan, to submit it to independent examination, and to publish any recommendations from that examination and to consider whether they should be adopted. In practical

terms this means the Planning Inspectorate would produce the Plan on behalf of the council. Intervention is likely to be prioritised against those councils in areas of high housing pressure who have made the least progress on a plan.

#### **b. Benefit**

The government requires all local councils to develop a long-term plan which sets out how and where land can be developed over the next 15 years, in order to meet the growing needs of local people and businesses. Having an up to date plan will assist in determining planning applications in accordance with the national planning policy framework, help meeting housing and job needs and assist in increasing inward investment into the district.

#### **c. Costs**

A total of £215,000 has been set aside in the existing budget for consultation, the publication and examination in public stages of the plan.

#### **d. Equalities**

A stage 2 Equality Impact Assessment has been undertaken for the Local Plan which is attached. The Equality Act 2010 requires local authorities to have a public duty to have due regard to eliminating unlawful discrimination, promoting equality of opportunity and promoting good relations between different groups and the Equality Impact Assessment helps to ensure that the council are able to do this.

### **4. Consultees and their opinions**

Comments from a wide range of statutory and non-statutory consultees have been taken into account in preparing the Publication Draft Local Plan. A summary of the comments received and the Council's response to these comments are included as background papers.

As part of the technical evidence base underpinning the policies and proposals set out in the Publication Draft Local Plan, a wide range of internal and external consultees have provided technical advice. This advice has been considered, taken into account, and has informed decisions for accepted and rejected policies and proposals.

As part of the statutory regulations laid out for preparing development plan documents and, in accordance with the Council's Statement of Community Involvement and other Council consultation protocols, the Council now needs to consult all interested parties on the Publication Draft Local Plan before submission to the Secretary of State.

Briefing sessions have taken place with all ward councillors since the Local Plan began to be prepared. Copies of the Local Plan policies were circulated to all ward councillors for comment prior to its public consultation last year and copies of the Publication Draft Local Plan policies and proposals have been provided ahead of this meeting. Details of the proposed consultation arrangements have been discussed with Cabinet member portfolio holders and a pre-scrutiny meeting held.

## **5. Next steps**

### **a. Consultation on the Publication Draft Local Plan**

The publication stage plan is the document which the local authority considers ready for examination. However, the Publication Draft Local Plan must be published for representations to the Local Planning Authority before it can be submitted to the Planning Inspectorate for examination. This provides a formal opportunity for the local community and other interests to consider the Local Plan, which the Local Planning Authority would like to adopt.

The specific publication requirements are set out at Regulations 17,19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation on the Publication Draft Local Plan will be focussed on whether the plan meets legal and soundness tests.

The legal tests are as follows:

- compliance with the Local Development Scheme;
- the process of community involvement for the plan should be in general accordance with the Statement of Community Involvement;
- the plan should comply with the Town and Country Planning (Local Planning) (England) Regulations 2012;
- whether a Sustainability Appraisal has been carried out and whether the Habitat Regulations have been complied with; and,
- whether the Duty to Co-operate has been complied with

The soundness tests are as follows:

- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and.
- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

It is officer's opinion that these tests have been met and that the plan is ready for examination. However it is necessary for the Council to review comments which are received regarding these tests before formally submitting the plan to the Secretary of State in order to avoid risk of significant challenge occurring at the examination.

During the consultation on the Draft Local Plan some new site options were submitted to the Council. All these new site options have been assessed and will be presented for public comment as part of the publication stage of the Local Plan.

Subject to approval, the Council will consult on the Publication Draft Local Plan and its supporting documents. The consultation will be carried out in accordance with the proposals set out in the consultation schedule attached as Appendix 2 to this report.

#### **b. Submission of the Local Plan to the Secretary of State**

Having received any representations on the publication version of the plan, the Council should submit the Local Plan and any proposed changes it considers appropriate, along with supporting documents to the Planning Inspectorate for examination on behalf of the Secretary of State. A Statement of Representations Procedure will be published alongside the submission version of the Local Plan.

Before the Council submits the plan it must review the representations received regarding legal and soundness matters and satisfy itself that the Local Plan is ready for independent examination. It is therefore requested that the decision to formally submit the Local Plan to the Secretary of State is delegated to the Director of Place in consultation with the Leader and Deputy Leader. The Local Development Scheme confirms that the plan is proposed to be submitted in March 2017.

The submitted documents should include those that were made available at the publication stage (updated as necessary), including details of who was consulted when preparing the Local Plan and how the main issues raised have been addressed. Comments made on the Draft Local Plan will also be provided to the Secretary of State.

#### **c. The Examination in Public**

The Local Plan will be examined by an independent Inspector from the Planning Inspectorate (PINS) whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The Examination in Public is conducted by the Inspector and they are responsible for the timing of the examination and its main stages. The Council will appoint a Programme Officer to liaise between the Council, other interested parties and the Inspector and to run the day to day programme.

#### **d. Final Adoption of the Local Plan**

If the plan is found to be 'sound' following its Examination in Public, the Council will then need to make a final decision to adopt the plan. Until this stage, i.e. adoption of the Local Plan, the existing Unitary Development Plan will remain the statutory development plan for Kirklees. The decision to 'adopt' the plan after the Examination in Public requires a full Council meeting decision to be made at a later date. The council's Local Development Scheme suggests this is likely to be in early 2018.

## **6. Officer recommendations and reasons**

### **Recommendation 1 (this is a Cabinet decision only)**

Officers recommend that Cabinet Members:

- advise Council that Cabinet supports the Local Plan for publication and submission; and
- approve the attached schedule setting out the proposed consultation arrangements for the Publication Draft Local Plan for public consultation; and
- delegate authority to the Director of Place, in consultation with the Leader and Deputy Leader of the Council, to put in place any minor amendments to the consultation arrangements set out in the schedule attached to this report as necessary.

Reason: to ensure that the publication stage consultation is carried out in accordance with the Council's approved Statement of Community Involvement and to comply with planning legislation for preparing a development plan.

### **Recommendation 2 (this is a Council decision only)**

Officers recommend that Council:

- approve publication of the Local Plan to invite formal representations relating to the legal and soundness tests, and thereafter submit the Local Plan to the Secretary of State for an independent examination in public in accordance with the approved Local Development Scheme
- approve delegated authority to the Director of Place to submit the Local Plan to the Secretary of State once the period for representations has expired.

This is subject to:

- completion of a Habitat Regulation Assessment and Sustainability Appraisal, and
- authorising the Director of Place, in consultation with the Leader and Deputy Leader of the Council, to make minor amendments as may be necessary, prior to formal publication for representation and/or prior to submission of the Local Plan to the Secretary of State

Reason: to ensure that the Local Plan is prepared in accordance with the timeline set out in the Council's Local Development Scheme and to comply with planning legislation for preparing a development plan.

## 7. Cabinet portfolio holder recommendation

Portfolio holders have been briefed on the content of the Publication Draft Local Plan, the purposes of submitting the plan to the Secretary of State for Examination in Public and on the consultation arrangements attached to this report. The Portfolio Holders support and agree with the officer recommendations set out in this report.

## 8. Contact officer and relevant papers

Richard Hollinson - Policy Group Leader, Planning Services  
[richard.hollinson@kirklees.gov.uk](mailto:richard.hollinson@kirklees.gov.uk)  
(01484) 221000

## 9. Assistant Director responsible

Paul Kemp - Assistant Director - Place  
[paul.kemp@kirklees.gov.uk](mailto:paul.kemp@kirklees.gov.uk)  
(01484) 221000

## 10. Background Papers

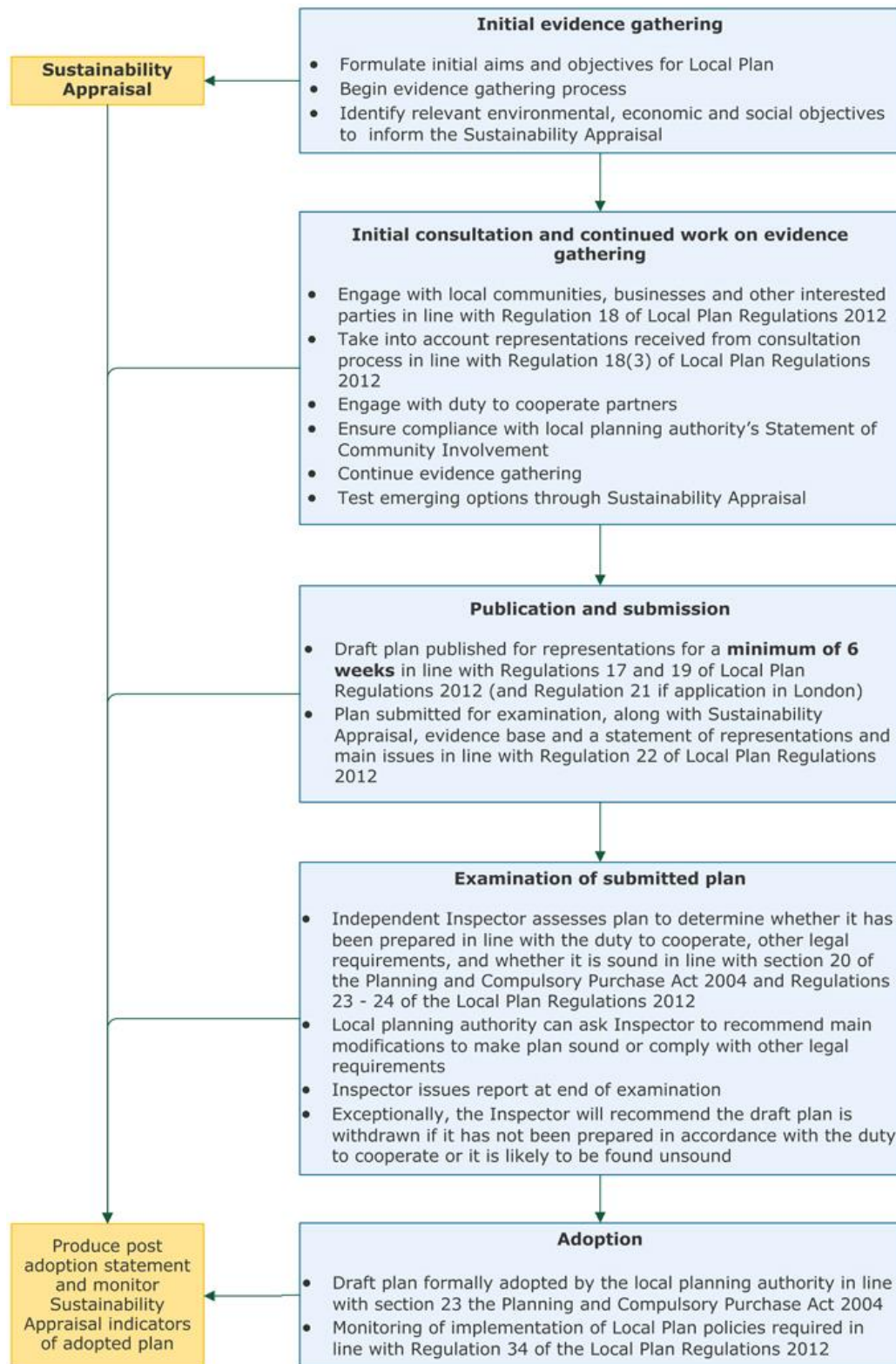
### [Background Papers](#)

- [Local Development Scheme 2016](#)
- [Statement of Community Involvement](#)
- Publication Draft Local Plan – Strategy and Policies
- Publication Draft Local Plan – Allocations and Designations
- Publication Draft Local Plan – Policies Map 1
- Publication Draft Local Plan – Policies Map 2
- Publication Draft Local Plan – Policies Map 3
- Publication Draft Local Plan – Policies Map 4
- Publication Draft Local Plan – Policies Map 5
- Publication Draft Local Plan – Policies Map 6
- Publication Draft Local Plan – Policies Map 7
- Town Centre Maps
- Draft Local Plan – Strategy and Policies – Summary of Comments
- Draft Local Plan – Allocations and Designations – Summary of Comments
- Draft Local Plan – Rejected Options - Summary of Comments
- Draft Local Plan - Green Belt Review and Outcomes – Summary of Comments
- Draft Local Plan - Sustainability Appraisal and Habitat Regulations Assessment – Summary of Comments

**PLEASE NOTE - HARD COPIES OF THE BACKGROUND PAPERS ARE AVAILABLE FOR COUNCILLORS TO VIEW AT THE CABINET OFFICE - OR GOVERNANCE AND DEMOCRATIC SERVICES - CIVIC CENTRE III.**

**PLEASE NOTE - HARD COPIES OF THE BACKGROUND PAPERS ARE AVAILABLE FOR MEMBERS OF THE PUBLIC TO VIEW AT HUDDERSFIELD CENTRAL LIBRARY AND RECEPTION - DEWSBURY TOWN HALL.**

Appendix 1 (Source: National Planning Practice Guidance, DCLG)



## APPENDIX 2

### Local Plan Consultation Methodology

#### Outline

Following the consultation on site options in November 2015, the revised Local Plan will go out for public consultation on its soundness for 6 weeks in November 2016:

- Monday 7 November to Monday 19 December

This is consistent with statutory guidelines and recognised good practice.

Over 17,000 representations were received during the last round of consultation, which we believe is indicative of a high degree of engagement from local residents, businesses and stakeholders, prompted no doubt, by the publication of specific site details. We expect high engagement to continue for those who contributed to the last round of consultation, and this is made easier by the fact we have retained contact details for many of these people. Generally, the issue of soundness is slightly more technical for previously disengaged groups and the general public to grasp, but consistent with previous consultation exercises, this consultation methodology proposes a blend of channels which can be accessed by individuals, appropriate to their level of interest in, and understanding of, the issues.

#### Submitting and collating views

The main comment tool will be the availability of a standard form listing the grounds for challenging soundness through the *Objective* consultation system. A standard form will help guide objectors to set out their grounds for challenging the soundness of the plan, rather than encouraging respondents to repeat general comments about sites which have been considered previously. All information in the public domain will refer people to the Local Plan pages of the council's website, which will in turn, link through to Objective.

For people who do not wish to complete representations on-line, there will be the opportunity to download a writable PDF version of the standard form which can be completed and emailed to [local.development@kirklees.gov.uk](mailto:local.development@kirklees.gov.uk).



We will produce a summary information leaflet which sets what has happened to date, and what remains of the process prior to adoption, referencing the on-line Local Plan documents published previously, but this will not be a summary of the Local Plan proposals in itself. The summary leaflet will also explain that this round of consultation is about the soundness of the Local Plan, and how to do that.

The summary leaflet will be widely distributed through the same channels as the previous summary leaflet. A full copy of the revised Local Plan and accompanying maps will be made available at the Deposit Locations in Huddersfield and Dewsbury.

ACTIVITY	AUDIENCE	DETAIL	RESPONSIBLE	NOTES
<p><b>REVISED PLAN PUBLISHED</b>  <b>Mon 7 Nov</b></p> <ul style="list-style-type: none"> <li>• on-line</li> <li>• full copy made available in locations specified in Statement of Community Involvement: Dewsbury Service Centre and Civic Centre 3 Huddersfield</li> </ul>	<p>residents  businesses  developers  land-owners</p>	<p>The revised Local Plan will be of interest to groups and individuals who are already engaged in the Local Plan process, and those who engaged in the last round of consultation</p> <p>A full copy of the revised draft Local Plan will be available at:</p> <ul style="list-style-type: none"> <li>• Civic Centre 3, Huddersfield</li> <li>• Dewsbury Service Centre</li> </ul> <p>Together with the plan, will be:</p> <ul style="list-style-type: none"> <li>• a summary of the main changes to policy and strategy, greenspace and the greenbelt</li> <li>• a list of new and revised site options which have been included since the last draft plan was published</li> <li>• a list of all changes</li> </ul>	<p>RH to draft plan</p> <p>AS to distribute to SCI locations</p> <p>AMP/JS to distribute to any additional locations</p> <p>Comms to manage upload to webpages</p>	<p>This is consistent with previous consultations and in line with the Statement of Community Involvement.</p>

	<p>elected members</p>	<p>Party Business Managers will each receive 4 boxed copies of the revised draft Local Plan, together with a full set of accompanying maps</p> <p>All members will receive a detailed summary which will include:</p> <ul style="list-style-type: none"> <li>• significant changes affecting policy, strategy, green space and greenbelt</li> <li>• new sites added</li> <li>• existing sites which have been significantly revised so that we are treating them as a new site</li> <li>• any changes to controversial sites (including rejections)</li> </ul> <p>Each member will receive a map of their ward area (Business Managers will have 4 complete sets of maps to share within the party)</p> <p>Full copies of the revised Local Plan can be made available to individual members on request</p>	<p>Governance to distribute to members</p>	<p>It is costly to produce 75 printed copies of the full Local Plan, so where possible we would like Party Groups to share 4 copies amongst themselves.</p> <p>However each member will be provided with a comprehensive summary of all significant changes to the Local Plan together with an updated map of their ward area, so that they can assess the impact of any changes within their ward.</p> <p>We recognise some members will still prefer to have their own full copy of the Local Plan, and will make copies available on request.</p> <p>Packs will be available to collect at 9 November Council Meeting</p>
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<p><b>SUMMARY LEAFLET PUBLISHED</b> <b>Mon 7 Nov</b></p>	<p>All</p> <p>Explanation of:</p> <ul style="list-style-type: none"> <li>- Local Plan process to date and how to access the revised Local Plan on-line</li> <li>- summary of main changes to Local Plan</li> <li>- explanation of technical grounds to challenge Local Plan at this stage</li> <li>- how to access standard form</li> </ul>	<p>12 page summary of the main changes to the Local Plan as a result of last consultation</p> <p>(10,000 copies printed)</p> <p>Made available:</p> <ul style="list-style-type: none"> <li>• in SCI locations (Dewsbury &amp; Huddersfield)</li> <li>• Huddersfield, Dewsbury and Cleckheaton Town Halls</li> <li>• at all Kirklees Library and Information Centres across the district (26 locations)</li> <li>• to all elected members</li> </ul>	<p>AMP to draft, print &amp; distribute</p>	<p>Include production of point of sale stands</p>
<p><b>LETTERS TO LOCAL PLAN DATABASE</b> <b>w/c Mon 7 Nov</b></p>	<p>Engaged residents, businesses, landowners, developers and special-interest groups</p>	<p>We will write to all those who have previously asked to join our Local Plan database, to be kept informed of any developments in relation to the Local Plan.</p> <p>We will write to all those who made representations during the last round of consultation, where we have address or contact details for them.</p> <p>This comprises around 5000 email addresses; and a further 5,000 postal addresses – 10,000 contacts in total.</p> <p>Letter will direct recipient to look at the revised Local Plan online; to highlight the standard form to challenge the revised plan; and to submit their comments through <i>Objective</i> where possible.</p>	<p>JS to draft letters AS to distribute</p>	

<p><b>PRESSS</b>  <b>from w/c 4 October</b>  <b>&amp; as appropriate thereafter</b></p>	<p>All</p>	<p>Main press feature to be timed around publication of papers for Full Council on 12 October.</p> <p>Interview with senior politician and Asst Director</p> <p>Subject – main changes and process of this consultation</p> <p>Further press release when the consultation period begins, with further releases to follow as appropriate until the consultation period ends.</p>	<p>AI</p>	<p>To note that press interest is likely to start early with the publication of the Cabinet Papers</p>
<p><b>ON-LINE CAMPAIGN</b>  <b>w/c Mon 7 Nov</b></p>	<p>All</p>	<p>Homepage campaign for 2 weeks from w/c 9 Nov</p> <p>Draft Local Plan published on Local Plan web pages</p> <p>Summary leaflet also published on Local Plan web pages</p> <p>Produce Videoscribe to explain main changes and process &amp; how to comment – to be used in conjunction with on-line campaign and SM integration</p> <p>Local Plan pages to be mobile/tablet optimised to have the appearance of an APP</p> <p>Links through from information documents to the <i>Objective</i> consultation system</p>	<p>AMP  AI  NS</p>	

		<p>Homepage campaign will be supported by Facebook and other SM activity throughout the consultation period</p> <p>Intranet campaign for 2 weeks from w/c 7 Nov</p>		
<p><b>FOCUS GROUPS</b> dates tbc within consultation period</p>	<p>Young people People aged 65+ Disabled people Faith groups Businesses BME</p>	<p>No additional focus group activity is proposed; however we will meet with groups who specifically requested a follow-up meeting during those original discussions in November 2015</p>		
<p><b>PUBLIC DROP-IN SESSION</b> full day event in Dewsbury – Tuesday 22 November full day event in Huddersfield – Tuesday 29 November</p>	<p>Members of the public</p>	<p>Staff will be on hand to explain the plan and answer questions to help members of the public to comment on-line using mobile IT stations.</p> <p>Sessions will include:</p> <ul style="list-style-type: none"> <li>• explanatory video</li> <li>• revised Local Plan available</li> <li>• summary leaflets available</li> <li>• mobile workstations for submitting comments</li> </ul>	<p>AMP JS</p>	

<p><b>DISTRICT COMMITTEES</b>  <b>Within Consultation period or period leading up to consultation</b></p>	<p>Elected members and members of the public</p>	<p>1) joint briefing of all chairs of district committees tbc in October to cover:</p> <ul style="list-style-type: none"> <li>• the scope of this consultation</li> <li>• where to find information</li> <li>• how to register views</li> <li>• next steps</li> </ul> <p>2) Information will be provided to elected members to enable them to host their own session on the Local Plan, including:</p> <ul style="list-style-type: none"> <li>• summary leaflets</li> <li>• comprehensive summary of changes</li> <li>• applicable ward map</li> <li>• blank comments forms</li> </ul>	<p>RH SM</p>	<p>Members wanting to hold their own sessions will be able to borrow full copy of the plans from Group Business Managers if they wish)</p>
<p><b>SCRUTINY</b>  <b>Share this Consultation Methodology with Chair of Scrutiny</b></p>	<p>Scrutiny Committee</p>	<p>A private briefing with the chair of Scrutiny will be undertaken to share this methodology in advance of Cabinet</p>	<p>AMP &amp; RH</p>	
<p><b>KIRKLEES TOGETHER (on-line &amp; print)</b>  <b>*Print to be distributed towards the start of consultation period</b>  <b>*Online story in kirkleestgether.co.uk for the duration of the consultation</b></p>	<p>Kirklees residents</p>	<p>Kirklees Together will carry a short signpost to the website to encourage people to view and comment</p> <p>Kirklees Together (digital) will also hold an article about the Local Plan in-keeping with the overall editorial style, signposting people to the Local Plan pages of the website to read the draft Local Plan and to make their comments.</p>	<p>AMP AI</p>	

# EQUALITY IMPACT ASSESSMENT FRONT COVER

## Service Details

## Ref No.

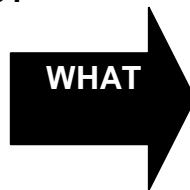
(to be allocated by the equality and diversity team)

<b>Directorate:</b>	<b>Service:</b>
<b>Place</b>	Investment and Regeneration Service
<b>Lead Officer:</b>	<b>Service Area/Team:</b>
Richard Hollinson	Planning Policy
<b>Officers responsible for Assessment:</b>	<b>Date:</b>
Richard Hollinson	22/9/2016

## About the proposal

### What are you planning to do?

- Change/Reduce public
- Remove
- Introduce or charge Practice/Profile
- Review



- Service provision to the
- Policy
- Employment

### Assessed level of Impact

- High
- Medium
- Low

### Budget Affected

- Capital
- Revenue

### How has this issue come about?

- Budget Proposal
  - Service Plan
  - Loss/reduction in funding Legislation.  
(inc. end of funding period)
  - New funding/Grant Aid
  - Legal Duty
  - Other (please state) A change in Planning
- 

**Proposal detail** (give a brief outline of what this is about – no max words)

The Publication Draft Local Plan will become the main planning policy document for the district over the plan period until 2031, in summary it will contain the following:

- a vision and strategic objectives for the development of Kirklees up to 2031;
- a spatial strategy setting out how development will be accommodated across the district reflecting the distinctiveness of different parts of the district;
- objectively assessed development needs particularly for housing and employment – specifying the number of new homes and jobs to be provided during the plan period;
- clear policies to guide decisions on planning applications;
- site allocations showing land to be developed for housing, employment, retail, minerals and waste and other uses, identified on a policies map;
- designations showing land to be protected from development and land subject to other policies in the plan;
- infrastructure provision – to support the delivery of the proposed development;
- detail on how the policies will be delivered and implemented; and
- a monitoring framework – setting out the performance measures that will show how successfully the plan’s objectives and proposals are being delivered over time.

### Who is the proposal likely to impact?

Age  Marriage & Civil Partnership  Religion & Belief

Disability  Pregnancy & Maternity  Sex

Gender Reassignment  Race  Sexual

Orientation

X Other (please state) It will impact all members of the society who either live, work, visit or do business within the district, and in particular those members who are directly involved the development industry.

The PDLP affects all members of society who are directly or indirectly involved in the planning system. This can be local residents, businesses, or those that work in or visit the district. It will provide benefits to some members of society such as assisting in increasing access to affordable housing, improving transport infrastructure, and access to sustainable modes of transport, ecological and open space protection and enhancement.

### Which ward area(s) is this likely to affect?

Have any of the following been completed?	Y	N
Stage 1 Screening Tool	X	<input type="checkbox"/>
Stage 2 Legal Compliance	X	<input type="checkbox"/>
Stage 3 Customer focus assessment	<input type="checkbox"/>	X

Is the proposal likely to have an adverse impact on compliance with the Public Sector Equality Duty? Y

N



- |                                                            |                          |   |
|------------------------------------------------------------|--------------------------|---|
| Ending Unlawful Discrimination, harassment & Victimisation | <input type="checkbox"/> | X |
| Promoting Equality of opportunity                          | <input type="checkbox"/> | X |
| Foster Good Relations                                      | <input type="checkbox"/> | X |

**List any supporting documents**

There is an extensive document library for the Publication Draft Local available to view at [www.kirklees.gov.uk/localplan](http://www.kirklees.gov.uk/localplan)

**Authorisation**

Sign off by lead officer (name)	Signature	Date
<b>Simon Taylor - Head of Development Management</b>		29/09/16
Sign off by Assistant Director (name)		Date
Proposed Review Date		

**Further Authorisation**

Authorising Body	Signature	Date



## EQUALITY IMPACT ASSESMENT STAGE 2 – ENSURING LEGAL COMPLIANCE

In what way does your current service delivery help to:	How might your proposal affect your capacity to:	How will you mitigate any adverse effects? <small>(You will need to review how effective these measures have been)</small>
<b>End Unlawful Discrimination?</b>	<b>End Unlawful Discrimination?</b>	
<p>The Planning Service operates within the Council’s requirements not to discriminate through the planning application and planning policy making process.</p> <p>The Publication Draft Local Plan has been formulated in accordance with Policies and guidance in the National Planning Policy Framework, National Planning Policy Guidance and all relevant planning legislation. These national documents have all been subject to their own EIA.</p>	<p>The establishment of the Publication Draft Local Plan has involved an initial early engagement to gain views from the public, and then two subsequent periods of public consultation on the Local Plan. The consultations adhere to the Council’s Statement of Community Involvement (SCI) and consultation guidelines.</p> <p>The Publication Draft Local Plan will focus new development in areas of the district which have been assessed by officers/technical consultees to be capable of accommodating new development balancing all material planning considerations, and taking account of consultations by statutory bodies and members of the public. The Publication Draft Local Plan will also protect other areas of the district such as the Green Belt or open space, and will be used to assess planning application for all other types of development considering issues such as design, amenity, highway safety and ecology, and infrastructure needs.</p> <p>New development may be unequal across the district in terms of amount however this</p>	<p>A consultation methodology was prepared in accordance with the council’s Statement of Community Involvement), the council’s Involving Communities Framework, and the planning regulations. The SCI was subject to an EqIA and public consultation. Both the SCI and the Involving Communities framework provide an open and transparent framework for consultation to ensure equality for all to make representations and shape planning policy documents including the Local Plan.</p> <p>Officer have reviewed and made appropriate changes to the local plan following public consultation, including amending sites and policies.</p> <p>Officers will review representations made in the consultation of the Publication Draft Local Plan and if there are any issues raised at this stage that raise EIA issues these will be fully taken into account. Members of the public will also be able to attend the examination in public on the plan and request to put their view forward during these sessions.</p>

	would not be against specific equality groups.	The Local Plan will be continually monitored throughout it is implementation, via the Annual Monitoring Report and monitoring indicates set out in the Publication Draft Local Plan.
<b>Promote Equality of Opportunity?</b>	<b>Promote Equality of Opportunity?</b>	
When the Planning Policy team undertakes public consultation, it does so in adherence to the Statement of Community Involvement (SCI), and other relevant Council requirements including the council's Involving Communities Framework. The SCI is available on the council's website at: <a href="http://www.kirklees.gov.uk/business/regeneration/localplan/communityinvolvement.aspx">http://www.kirklees.gov.uk/business/regeneration/localplan/communityinvolvement.aspx</a>	The SCI will be adhered to alongside other relevant Council policies to ensure equality of opportunity is met. The Publication Draft Local Plan provides Planning Policies which will be used by the Council when assessing planning applications to ensure that community and economic needs of the district are met, and ensure that areas of the district which are of important community or local value are protected or enhanced. The Publication Draft Local Plan will also ensure the delivery of affordable housing across the district brought about from new housing developments, and will ensure that a wider range of other issues are assessed such as ecological, highway safety, design, amenity etc.	The SCI reduces any potential discrimination by ensuring an open and transparent process. The levels of development set out in the Publication Draft Local Plan have been set based on a detailed evidence base, and predicated on population growth, housing and employment needs, and considering the levels of growth set out in the Kirklees Economic Strategy and the Joint Health and Wellbeing Strategy.
<b>Foster Good Relations Between People</b>	<b>Foster Good Relations Between People</b>	
The Planning Service operates within the	The Publication Draft Local Plan has been	Officer advice on planning proposals, the

<p>Council's requirements not to discriminate through the planning application and planning policy making process.</p>	<p>written with the input of local residents, and all sections of society through opportunities to comment on the early engagement consultation, the call for sites process, and subsequent periods of formal consultation. The Publication Draft Local Plan will help to strategically manage new development across the district, enhance areas of the district both in terms of their appearance and function, but also in terms of their economic prosperity, and also ensure that new developments have an acceptable impact on local residents. Local residents will have the opportunity to comment on planning proposals in light of the Policies set out in the Publication Draft Local Plan, to aid in ensuring that new developments accord with planning policies, and residents get chance to have their say at every stage in the planning process..</p>	<p>opportunity to make representations on planning proposals and the planning committee process will foster good relations with people.</p>
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Think about what you are planning to change; and what impact that will have upon 'your' compliance with the Public Sector Equality Duty (refer to [guidance sheet](#) complete with examples where necessary)



**ONLY IF** You are confident that there is little if any negative affect on your public sector equality duty and/or you have all the necessary evidence to support your proposal.

- Save this sheet for your own records
- Complete and save a front sheet
- Send this, a front sheet and your screening tool if you have completed one to [equalityanddiversity@kirklees.gov.uk](mailto:equalityanddiversity@kirklees.gov.uk)



• **IF** the proposal is likely to be high or medium/high impact on equality groups,  
**AND**

- You do not have any supporting evidence needed for your proposal (such as consultation)
- Your proposal is likely to have a negative effect on your ability to comply with the Public Sector Equality Duty. Proceed to stage 3 Customer focus assessment.