

Woodhouse Garden Suburb, Brighouse LVIA

Appendix 7.2 Planning Policy context

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Prepared for:





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1. Planning policy context

National Planning Policy

1.1. The National Planning Policy Framework (February 2019) promotes a presumption in favour of sustainable development for both plan-making and decision-taking (Paragraph 11).

1.2. Sections of most relevance are:

- Section 12, Achieving Well-Designed Places (paragraphs 124 and 127)
- Section 15, Conserving and Enhancing the Natural Environment (paragraph 170)

National Planning Practice Guidance

1.3. The National Planning Practice Guidance (NPPG) (DCLG, 2014) (Ref. 15-3) provides a web-based resource in support of the NPPF.

1.4. NPPG: Design – Section 1: The Importance of Good Design, states that: *“As a core planning principle, planmakers and decision takers should always seek to secure high quality design”*. Section 3 focuses on the qualities that define well designed places and spaces, stating that: *“A well designed space has a distinctive character”*. It lists the physical aspects that contribute to distinctiveness, including the local pattern of street blocks, building forms, details, materials, style and vernacular. It further adds that: *“Distinctiveness is not solely about the built environment”* – it also reflects an area’s function, history, culture and its potential need for change.

National Design Guide

1.5. The Ministry of Housing, Communities and Local Government published the National Design Guide in October 2019, which *“illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice.”* It encompasses all current best practice thinking in urban design.

Local Planning Policy

1.6. The Replacement Calderdale Unitary Development Plan (RCUDP) is the latest adopted statutory development for the borough. The plan was adopted on 25th of August 2006 and amended August 2009.

1.7. Calderdale council is currently preparing a new local plan, the Calderdale Local Plan Publications Draft 2018. This new local plan will supersede the RCUDP when it is adopted.

1.8. Until this new local plan is adopted all planning decisions are based on the RCUDP and the NPPF.

2. Replacement Calderdale Unitary Development Plan

- 2.1. The RCUDP is divided into the two parts. Part I sets out the Strategic Policy Framework and principal policies that are applicable across the district. Part II sets out the detailed policies and proposals for that form the basis for determining planning applications.
- 2.2. The following policies are relevant to this development.

Part I

- 2.3. POLICY GP1: ENCOURAGING SUSTAINABLE DEVELOPMENT

To promote sustainable development by making Calderdale a place where people want to live, work and visit through:

- I. The improvement of employment opportunities, mixed use development, traffic reduction measures and better public transport links;*
- II. The effective protection and enhancement of the environment;*
- III. The conservation and efficient use of resources; and IV. The promotion of development which recognises the needs of everyone including safety and security issues.*

- 2.4. POLICY GBE1: THE CONTRIBUTION OF DESIGN TO THE QUALITY OF THE BUILT ENVIRONMENT

All new development will be required to achieve high standards of design that makes a positive contribution to the quality of the local environment. In particular development should:

Promote sustainable forms of development and embrace the objectives of sustainable design;

- II. Promote community safety including crime prevention measures;*
- III. Create or retain a sense of local identity;*
- IV. Create roads, footpaths and public spaces that are attractive and safe, and put sustainable forms of transport and in particular walking, cycling and public transport, before other motor vehicles;*
- V. Promote accessibility by constructing buildings that all sectors of the community can easily reach and enter;*
- VI. Protect and enhance the District's architectural and historic heritage, landscape*

and amenity, and contribute to its special character; and

VII. Not harm the character or quality of the wider environment and improve local biodiversity.

2.5. POLICY GNE2: PROTECTION OF THE ENVIRONMENT

Development should protect, conserve and enhance the character, quality and diversity of the natural, historic and cultural environment (whether in urban or outlying areas) within the district in order to improve the quality of life for all and to maintain the natural heritage of the district for use by future generations and for its own sake.

Part II

2.6. POLICY BE 1 GENERAL DESIGN CRITERIA

Development proposals should make a positive contribution to the quality of the existing environment or, at the very least, maintain that quality by means of high standards of design. Where feasible development should:

- i. Respect or enhance the established character and appearance of existing buildings and the surroundings in terms of layout, scale, height, density, form, massing, siting, design, materials, boundary treatment and landscaping;*
- ii. retain, enhance or create any natural and built features, landmarks or views that contribute to the amenity of the area;*
- iii. be visually attractive and create or retain a sense of local identity;*
- iv. not intrude on key views or vistas;*
- v. not significantly affect the privacy, daylighting and amenity of residents and other occupants;*
- vi. incorporate landscaping and existing trees that contribute significantly to the amenity and nature conservation value of the local environment as an integral part of the development site's design and where appropriate incorporate locally native plants and create wildlife habitats;*
- vii. be energy efficient in terms of building design and orientation; and viii. include consideration of the needs of security and crime prevention.*

2.7. POLICY BE 3 LANDSCAPING

Development proposals will be required, where appropriate, to be accompanied by landscaping schemes that include good quality hard and soft landscaping. They should be

designed as an integral part of the development proposal and should contribute to the character and amenity of the area and, where possible, enhance local biodiversity. The scheme should be implemented in full within an agreed timescale and include details of:

- i. the retention of existing trees, hedgerows, walls, fences, paving, and other site features which contribute to the character and amenity of the area;*
- ii. appropriate soft landscaping (including tree and plant species, location, sizes and numbers) which respect the landscape characteristics of the site, its setting, and its potential effect on adjacent land uses; and*
- iii. appropriate hard landscaping (including details of street furniture where appropriate) which respect the landscape characteristics of the site and its setting.*

2.8. POLICY NE 17 BIODIVERSITY ENHANCEMENT

Development will be required where appropriate to enhance biodiversity. Conditions or planning obligations will be attached to:

- i. protect, maintain and enhance biodiversity;*
- ii. protect, restore and manage features of ecological importance and important species and their habitats; and*
- iii. create new wildlife habitats, especially where they will link Wildlife Corridors or isolated habitats or create buffer zones.*

2.9. POLICY NE 19 PROTECTION OF ANCIENT WOODLAND

Development proposals which will result in the loss of or damage to Ancient Woodland sites and their associated flora and fauna will not be permitted.

2.10. POLICY NE 20 TREE PRESERVATION ORDERS

The Council will make Tree Preservation Orders to protect individual trees, groups of trees or woodlands that make an important contribution to local amenity or local landscape character and which are under threat. A development proposal that would result in the removal or damage, or would threaten the future survival of one or more trees covered by an Order will not be permitted unless either:

- i. the removal of one or more tree would be in the interests of good arboricultural practice; or*
- ii. the developer has demonstrated that the benefits of the development including any replacement planting will outweigh the harm caused by the removal of the tree or trees.*

2.11. POLICY NE 21 TREES AND DEVELOPMENT SITES

Where trees are located on or adjacent to development sites, development proposals will be permitted provided that:

- i. a tree survey is submitted in appropriate circumstances and in all cases where the removal of trees or hedgerows is proposed;*
- ii. trees are retained which are identified as worthy of retention;*
- iii. retained trees are protected during construction work by planning condition or planning obligation;*
- iv. replacement tree planting, if required, is undertaken and controlled by planning condition or planning obligation;*
- v. an appropriate layout of development is achieved which prevents the development being subjected to an unacceptable degree of shade cast by trees which are to be retained; and*
- vi. distances between proposed excavations for development and existing trees, and between foundations and new planting, are sufficient to ensure the continued health of the trees.*

2.12. POLICY NE 22 PROTECTION OF HEDGEROWS

The Council will support and implement measures to achieve the protection, conservation and enhancement of hedgerows and the adoption of sensitive management practices based on sound ecological principles by all landowners.

A development proposal that would result in the removal, or would threaten the future survival, of a hedgerow will only be permitted where the developer has demonstrated that the benefits of the development including any replacement planting or the creation of an alternative wildlife habitat will outweigh the harm caused by the removal of the hedgerow.

3. Calderdale Local Plan Publications Draft 2018

- 3.1. Although not yet adopted the Calderdale Local Plan Publications Draft 2018 is out for consultation and due to be formally adopted this year.
- 3.2. The following policies set out in this document are pertinent to the development proposals.
- 3.3. POLICY SD2 SUSTAINABLE DEVELOPMENT

All new development within Calderdale is expected to make a positive contribution to sustainable development by:

- *Supporting the identified local needs of Calderdale's communities;*
- *Addressing climate change including adaptation and mitigation;*
- *Achieving development in accessible locations, and which can be accessed safely by a number of different travel modes;*
- *Protecting and enhancing local, national and internationally important biodiversity and geo-diversity sites;*
- *Ensuring development reflects the local and historic character of the area;*
- *Requiring new development to be built using sustainable construction methods;*
- *Reducing the levels of waste arising from development;*
- *Ensuring development supports the health and well being of the local community.*

- 3.4. POLICY IM7 MASTERPLANNING OF HOUSING SITES

Master-planning is required for all strategic housing sites with a capacity for 500 or more dwellings. In relation to allocated housing sites below this threshold, the Council will expect the Design and Access Statement to include evidence that the criteria set out under the bullet points in this policy have been taken into account in preparing the application.

The production of a master plans for strategic housing sites should involve the all relevant stakeholders, including the Council, infrastructure providers, landowners, developers, the local community, service providers and other interested parties. Master-plans should be developed in consultation with the Council prior to the submission of a planning application.

Master-plans should achieve the following (proportionate to the scale of development):

- *an indicative development layout and phasing and implementation plan;*
- *high standards of design that respect the character of the landscape, heritage, adjacent and nearby settlements and built development, reflecting the urban to rural transition with appropriate boundary treatment;*

- *make effective use of the site through the application of appropriate densities in terms of scale, height and massing, and its relationship to adjoining buildings and landscape;*
- *create a strong sense of place, ensuring the proposed development makes a positive contribution to local character and distinctiveness;*
- *plan for integrated development, providing for a mix of housing that addresses the range of local housing needs, and encourages community cohesion;*
- *reduce the need for car use and encourage sustainable modes of travel, including provision for public transport, cycle routes, footpaths and bridleways, including the roll-out of 20mph zones across the Borough;*
- *a network of permeable and interconnected streets and public spaces which also contributes to the security of the site through appropriate design;*
- *measures to mitigate the traffic impacts of the proposed development on the strategic and local road networks;*
- *An assessment of the impact of the development on existing and planned infrastructure, and identification of new infrastructure requirements resulting from the development.*
- *Measures to ensure timely delivery of new and improved infrastructure.*
- *appropriate employment provision and community facilities to serve the new development (including local shops, community halls, schools and health facilities);*
- *accessible open space to meet identified local needs and/or increase accessibility to existing open spaces;*
- *a green infrastructure strategy, providing an integrated network of green spaces and space for water and associated habitat and biodiversity;*
- *facilitate opportunities for local/community led food production either through the provision of dedicated spaces such as allotments, growing space within dwelling curtilages or food based communal landscaping;*
- *appropriate measures to mitigate flood risk and ensure that the development is resilient to the potential impacts of climate change;*
- *assessment of the potential for energy efficient design including renewable energy schemes; and*
- *demonstration of a good understanding and respect for the natural environment, its heritage assets and their setting both within the site and in the wider locality, whether designated or not, and include details of how the natural environment and heritage assets will be conserved and enhanced.*

A management plan should be produced as part of the master-planning process to demonstrate how infrastructure and community assets will be maintained and managed following completion of development.

In relation to the two Garden suburb sites identified in the Local Plan, the Council will expect master-plans to demonstrate how the design will achieve enhanced public access to high quality open space.

The Council will expect subsequent planning and reserved matters applications affecting

smaller parcels of land within strategic sites to accord with the principles established through the master-planning.

In cases where the balance of consideration indicates that the above criteria have not been satisfactorily addressed the application will be refused.

3.5. POLICY BT1 HIGH QUALITY, INCLUSIVE DESIGN

New developments will ensure high quality, inclusive design and demonstrate a holistic approach to design quality. Applicants will demonstrate consideration of the aesthetics, function and sustainability of proposals over the lifetime of the development:

1. Aesthetics – the design style proposed in new developments should respect or enhance the character and appearance of existing buildings and surroundings, taking account of its local context and distinctiveness, in particular any heritage assets. Contemporary, innovative design will be encouraged where it can be demonstrated that this will not harm local distinctiveness or the significance of any designated heritage assets in its vicinity, including, where relevant, their setting. Aesthetics includes a range of factors including height, massing, scale, form, siting and materials.

2. Function – proposals will demonstrate consideration of issues around access and ease of movement within and through the development by all sectors of the community and by all modes of transport; the general layout of the scheme within the context of its surrounding; health implications including the modification of the obesogenic environment and safety issues such as land stability, pollution, mining legacy and flooding.

Development proposals should be fit for purpose, resilient and flexible in terms of responding to a range of future demands. A mix of uses will be encouraged where possible providing the use does not lead to an unacceptable loss of amenity. New homes should be well laid out internally and should provide suitable levels of space appropriate to the type of home.

3. Sustainability

(a) All new residential development (including conversions and extensions) will be expected to incorporate sustainable design and construction principles throughout the development process in line with the Government's objective of setting energy standards through the Building Regulations function. In addition, residential development proposals will be encouraged to:

i. consider the principles associated with Passive Solar Design in the design and layout of development, and to facilitate the provision of "2050-ready" homes;

ii. Incorporate the use of recycled and energy efficient materials;

iii. Maximise the reuse of existing resources and materials to minimise waste and the loss of embodied energy associated with the production of building materials and products; and

iv. Incorporate the use of locally sourced building materials.

(b) All new non-residential development in excess of 1000sqm will be expected to meet at least BREEAM level 'very good' with immediate effect, with an aspiration for higher BREEAM standards, subject to review over the plan period to ensure the target remains relevant.

5. Developments that are likely to have a significant landscape or townscape impact in terms of design, public interest or impact on a locality, will be subject to Design Review; this should be undertaken as early as possible in the application process in order to ensure that proposals are not sufficiently advanced to implement any potential design changes.

3.6. POLICY BT3 LANDSCAPING

Development proposals will be required, where appropriate, to be accompanied by landscaping schemes that include good quality hard and soft landscaping. The landscaping aspects of a development proposal will be required to form an integral part of the design and should consider providing opportunities for possible areas for local food production, including the potential for the use of fruiting trees and shrubs.

Landscaping schemes should ensure that new development integrates appropriately into its surroundings, contributes to the character of the area, and enhances local biodiversity if practicable.

The scheme should be implemented in full within an agreed timescale and include details of:-

i. the retention of existing trees, hedgerows, priority habitats, walls, fences, paving, and other site features which contribute to the character and amenity of the area;

ii. the incorporation of appropriate soft and hard landscaping which enhances the landscape character, amenity, appearance and safety of the site and its setting for all sectors of the community;

iii. the introduction of boundary treatments, wherever appropriate that minimise the visual intrusion of the development on neighbouring uses or the wider landscape;

iv. maximising the potential for increasing net biodiversity gains on site through the

creation of wildlife habitats; and

v. the provision for adequate maintenance and long term management of the landscaping scheme.

In the case of major proposals, consideration should be given to advanced landscaping works being carried out before building or enabling works commence.

3.7. POLICY GN4 LANDSCAPE CHARACTER

New development should be designed in a way that is sensitive to its landscape setting, retaining and enhancing the distinctive qualities of the landscape area in which it would be situated. For each Landscape Character Area, planning permission will only be granted if the proposed development would:

- Make adequate provision as far as is practicable for the retention of features and habitats of significant landscape, historic, geological and wildlife importance;*
- Where possible, enhance the character and qualities of the landscape area through appropriate design and management;*
- Reflect and enhance local distinctiveness and diversity; and*
- Provide appropriate landscape mitigation proportionate in scale and design, and/or suitable off-site enhancements.*

The Policies Map identifies the Special Landscape Area in Calderdale. Within this area, development which would adversely affect landscape quality will not be permitted. Special attention should be paid to conserving and enhancing the visual quality and minimising the environmental impact of development in the area through detailed consideration of the siting, materials and design of the new development.

3.8. POLICY GN5 TREES

i. Development proposals will be positively considered provided:

a. there is no unacceptable loss of, or damage to, existing trees or woodlands during or as a result of development, any loss should be fully justified by a tree survey;

b. trees not to be retained as a result of the development are replaced within a well-designed landscape scheme; and

c. existing trees worthy of retention are sympathetically incorporated into the overall design of the scheme including all necessary measures taken to ensure their continued protection and survival during construction.

ii. Development proposals that seek to remove trees that are subject to 'Protection',

without justification, will not be permitted;

iii. Development proposals which will result in the loss of or damage to aged or veteran trees and their associated flora and fauna will not be permitted;

iv. Development proposals which will result in the loss of or damage to Ancient Woodland sites and their associated flora and fauna will not be permitted.

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