

**Calderdale Local Plan**  
**Stage 2 of the Examination**  
**INSPECTOR'S PRE-HEARING QUESTIONS**  
**27 May 2020**

Inspector – Ms Katie Child BSc. (Hons) MA MRTPI  
Programme Officer – Miny Schofield, Local Plan Programme Officer, Town Hall,  
Crossley Street, Halifax HX1 1UJ  
tel. 07799 724690 Email: miny.schofield@calderdale.gov.uk

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This document sets out questions on the Calderdale Local Plan Publication Draft (2018). These relate to Stage 2 of the Hearings, which are provisionally scheduled to commence in mid-September 2020. The questions are accompanied by an updated Examination Guidance Note.

**Written statements**

In order to ensure the hearing events are focused, representors are invited to respond to the questions in this document. **Written statements should be submitted to the Programme Officer by Monday 3<sup>rd</sup> August 2020 (5pm)**, via the above email address (or postal address if you do not have internet access). Late responses and further documents received after 3<sup>rd</sup> August will not be accepted.

You may choose to respond to all or some of the questions. Alternatively, you may wish to rely on your original representations to the Plan.

The document also includes some questions on the Council's proposed further changes to the Plan, as set out in the 'Housing Requirement Update and Potential Supply' consultation paper (January 2020) (CC39). Please note, questions on these proposed changes are primarily aimed at the Council. Respondents have already submitted comments on these matters during the recent consultation event.

**Stage 2 Hearing events**

The Stage 2 hearing events are provisionally scheduled to take place in mid-late September/early October 2020. Due to the current Covid-19 restrictions, the exact timing and format has yet to be decided. At present it is unclear if usual face to face hearings will be able to take place, and the Council and the Inspector are looking at options for holding hearings via other methods, including video conferencing and teleconferencing.

If you are interested in speaking at the hearing sessions, please inform the Programme Officer via email/writing by **Monday 20<sup>th</sup> July 2020**. You should indicate:

1. Which matter/question number you may wish to speak on; and
2. Whether you have any fundamental problems with potentially participating using video conferencing (such as MS teams or Zoom) or dialling in via phone.

Please note that the Inspector will take account of all written responses received, and involvement in the hearing events are not essential. The events will be open for everyone to observe (either live or in an online format).

### **Further information**

Please check the Council's examination website for regular updates regarding the timing and format of the Stage 2 hearings.

Further information on the examination process is set out in the updated **Examination Guidance Note** (May 2020) (v2). This document, and other supporting evidence can be viewed on the Council's Local Plan webpage at <https://www.calderdale.gov.uk/v2/residents/environment-planning-and-building/planning/planning-policy/local-plan>.

Please note that the Council has published a number of new documents on the website, including the recent consultation paper (CC39) and an updated Housing Technical Paper (March 2020) (CC40).

If you have any questions about this document or the Stage 2 events, please contact the Programme Officer.

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## **Matter 7 – Housing need (update<sup>1</sup>)**

***Issue - Is the Council's proposed revised housing requirement of 14,950 dwellings between 2018 and 2033 (997 per year)<sup>2</sup> justified and consistent with national policy?***

### **[Policies SD3 and SD4]**

#### **Questions**

- a) What engagement has taken place with neighbouring Councils and other key organisations on the Council's proposed change to the housing requirement, in relation to the Duty to Cooperate?
- b) Is the housing requirement adequately aligned with the employment strategy in the Plan? Is the mix of 'policy-on' employment forecast and baseline employment forecast an appropriate approach to determining the housing requirement, which takes account of uncertainties associated with economic modelling?
- c) If uncertainties in economic forecasting are accepted and delivery of the 'policy-on' economic scenario is questioned, why is the Council proposing to retain the economic strategy in the submitted Plan?
- d) Where will the necessary workers come from to achieve the 'policy-on' employment forecast?
- e) To what extent does the Council's proposed balance between housing and employment growth take account of productivity aspirations in the Council's Inclusive Economic Strategy and the West Yorkshire Combined Authority's emerging Local Industrial Strategy (LIS)?
- f) What progress has been made in the production of the LIS? How does the emerging LIS fit with the Combined Authority's Strategic Economic Plan?
- g) What is the jobs growth forecast (total jobs growth and jobs per annum) associated with the Council's proposed revised housing requirement of 997 dwellings per annum (dpa)?
- h) How much employment land would be needed to support the Council's proposed housing requirement of 997 dpa? (the figure of 73 hectares in the Plan is based on the 'policy-on' employment forecast).
- i) What alternative options were considered by the Council, in relation to providing a better alignment between housing and employment growth? What are the reasons for selecting the preferred option and rejecting other approaches, and is this clearly set out in the Council's evidence base?

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<sup>1</sup> This issue was discussed at the Stage 1 hearings. Following receipt of the Inspector's post-hearings letter (INS07) the Council published further consultation in January 2020 on a revised housing requirement (as set out in the consultation paper 'Housing requirement Update and Potential Supply' (CC39)).

<sup>2</sup> See document CC39, as set out above.

- j) Are the proposed changes to the housing requirement based on a sound process of Sustainability Appraisal (SA)<sup>3</sup>? Have the relative merits of the options been assessed for each SA objective? What are the Council's overall SA conclusions/summary relating to each of the four options? Why has this been omitted from the SA?
- k) Have the proposals in the consultation paper (CC39) been subject to an appropriate process of Habitat Regulation Assessment (HRA)? When are the implications relating to air quality due to be assessed, as referred to in paragraph 1.2 in the Council's HRA 2019 (CC36)?
- l) Is the Council's proposal to 'step' the housing requirement (as set out on page 19 in the Council's updated Housing Technical Paper, March 2020 (CC40)) justified and soundly based?
- m) Does the proposed housing requirement figure of 997 dpa also represent the Council's views on objectively assessed need/actual housing need over this period? (e.g. are the requirement and need the same?).
- n) Is the Council still basing its approach to estimating need on the government's standard methodology (with an economic uplift applied to determine the housing requirement) or is it now seeking to rely on evidence in the Strategic Housing Market Assessment (2018) as updated by the recent Turley report<sup>4</sup>?

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<sup>3</sup> As set out in the Council's 'Sustainability Appraisal Update – Additional Housing Supply' December 2019 (CC33).

<sup>4</sup> 'Modelling the economic implications of the proposed housing requirement' (August 2019) produced for Calderdale Council by Turley.

## **Matter 8 – Growth delivery, infrastructure and viability**

### ***Issue – Does the Plan set out a robust and viable framework for the delivery of growth and infrastructure?***

#### **[Policies IM1 – IM6]**

#### **Questions**

##### Growth delivery

- a) What effect will the growth proposed in the Plan and the Council's recent consultation paper<sup>5</sup> have on air quality? Where are these effects demonstrated in the Council's evidence base?
- b) How is the Council proposing to mitigate the effects of growth and meet national/EU air quality targets? Are there any particular implications linked to the proposed spatial distribution of growth in the Plan<sup>6</sup>?
- c) What effect would the proposed levels of growth have on carbon emissions? Is the Council's proposed carbon reduction target of 60%, as set out in the Council's Draft Working List of Modifications (April 2020), robustly based and capable of being met? Is a main modification to the supporting text to Policy CC1, to refer to the target, necessary for reasons of soundness<sup>7</sup>?
- d) Does Policy EN2 in the Plan set out an effective framework for managing air pollution from development proposals?
- e) Does the Council's Infrastructure Delivery Plan (IDP) (2019)<sup>8</sup> provide a clear assessment of infrastructure needed to support growth? What are the estimated timings and costs for non-transport infrastructure? What are the funding gaps for all schemes? What is the total cost of infrastructure and the overall funding gap?
- f) What work has been undertaken to assess transport and infrastructure needs based on the higher levels of housing growth and specific sites proposed by the Council in the consultation paper published in January 2020<sup>9</sup>?
- g) Does the Council's transport modelling work demonstrate that overall levels of growth in the Plan can be supported, in terms of highways and public transport? Have impacts on the strategic and local highways network been fully assessed, and

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<sup>5</sup> Including the Council's proposed higher housing requirement of 14,950 dwellings over the Plan period, as set out in the consultation paper dated January 2020.

<sup>6</sup> Details of the spatial distribution of growth are set out in the Council's responses to the Inspector's Pre-Hearing Notes 1 and 3. The response to Note 1 (CC01) relates to growth proposed in the submitted Plan, and the response to Note 3 (see 'Documents from the Council' section in the examination library) relates to the additional level of housing growth proposed by the Council in January 2020 (in document CC39).

<sup>7</sup> Other questions on climate change are set out under Matter 24 below.

<sup>8</sup> The IDP is due to be updated prior to the Stage 2 hearings.

<sup>9</sup> 'Housing Requirement Update and Potential Supply' consultation paper (January 2020) (CC39).

does the work take account of growth likely to take place in other nearby local authorities? Have the proposed housing rates and additional sites, as set out in the Council's consultation paper January 2020<sup>10</sup>, been assessed as part of this work?

- h) What mitigation and demand management measures are being sought by Highways England in relation to the Strategic Road Network (the M62 motorway) within Calderdale? Are these adequately reflected in the Plan, including Appendix 1 where relevant? Are there any outstanding objections from Highways England?
- i) Are the strategic transport interventions listed in Policy IM1 in the Plan justified by the Council's evidence base and capable of delivery? In particular:
  - i. What is the definition of 'strategic transport interventions'?
  - ii. What is the status of the 'potential interventions'?
  - iii. Which of the interventions are necessary to deliver the Plan, in terms of overall growth, and/or specific site allocations?
  - iv. What funding is confirmed and what other sources will be sought? Are there any implications for the delivery/phasing of overall growth or specific sites? Is this issue adequately addressed within the Plan?
  - v. Are the Council's proposed modifications to the list of strategic interventions, as set out in the Council's Working Draft List of Modifications (April 2020) necessary for reasons of soundness?
- j) What local transport interventions will be necessary to facilitate overall growth in the Plan and the development of specific sites? Are these clearly identified in the Council's evidence base and picked up in Appendix 1 of the Plan where relevant?

#### Policy IM4

- a) Does Policy IM4 seek to encourage or require mechanisms to achieve sustainable travel?
- b) Is the provision of electric vehicle charging points in all new homes justified?

#### Policy IM5

- a) How does the public transport accessibility section in Policy IM5 accord with the Plan's spatial strategy to focus development in urban areas and restrict it in the Green Belt and countryside? Are the public transport accessibility standards supported by evidence and sufficiently flexible?
- b) Does Policy IM5 provide sufficient clarity regarding when Travel Plans, Travel Assessments and Travel Statements will be sought? What is a 'significant amount of movement'? How will the Council determine whether to seek a Travel Plan, as opposed to a Travel Assessment or a Travel Statement?
- c) Are the car and bicycle parking standards in Annex 1 of the Plan supported by robust evidence of local needs?

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<sup>10</sup> 'Housing Requirement Update and Potential Supply' consultation paper (January 2020) (CC39).

## Policy IM6

- a) Are criteria i to vi in Policy IM6 intended to provide a strategic framework or operate as a development management policy? Would the Council's proposed changes to Policy IM6, as set out in the Draft Working List of Potential Modifications (April 2020), support this approach?
- b) What is the definition of 'larger sites' in the last paragraph in Policy IM6 (relating to broadband provision)?

## Policy IM7

- a) Is the threshold of 500 units for producing masterplans, as set out in Policy IM7, justified? Does it capture all housing allocations (including those with heritage issues) which could benefit from masterplans?
- b) For housing allocation sites of less than 500 units, is the requirement to 'take account' of the bullet points in Policy IM7 reasonable and proportionate? How would this be applied?
- c) Should masterplans also be sought in relation to large employment and mixed use schemes?

## Viability

- a) Does the Plan provide sufficient guidance on the role of planning obligations and CIL in delivering infrastructure needed to support growth?
- b) Is the Council's assessment of the Plan's viability robust? (as set out in the Local Plan and Preferred Sites for Allocation Viability Assessment 2018 and the Addendum Report 2019). In particular:
  - i. Does it take account of the full range of expected requirements on new development arising from policies in the Plan, including those in Policy IM4?
  - ii. Does the work show the cumulative effects of all of the policies on development viability? What are the key conclusions in respect of sites and typologies (both residential and commercial)?
  - iii. Where land allocations are shown as not being viable, what are the implications of this?
  - iv. Overall, does the work demonstrate that the Local Plan is deliverable?
- c) What viability work has been undertaken in respect of the additional housing requirement and allocations proposed by the Council in the consultation paper in January 2020?

## **Matter 9 - Spatial development strategy**

***Issue - Does the spatial development strategy in the Plan present a positive framework which is consistent with national policy and will contribute to the achievement of sustainable development?***

**[Section 6.2, Map 6.1, key diagram, Policies HS1, GB1-GB2, EN2]**

### **Questions**

- a) Paragraph 6.43 in the Plan indicates that the spatial strategy is based on a bottom-up approach. What strategic implications have been taken into account? How has site suitability been balanced against settlement sustainability and other strategic issues? What weight has been accorded to the settlement hierarchy (Table 2.1)?
- b) What other spatial strategies were considered, and why were they discounted?
- c) Are the settlement groupings in the Settlement Hierarchy (Table 2.1) soundly based? What evidence documents explain/support the strategy?
- d) To what extent is the actual distribution of growth<sup>11</sup>, in line with the hierarchy?
- e) Is the primary focus of growth on Brighouse/south-east Calderdale justified and deliverable? Will this approach support the regeneration of Halifax & other areas?
- f) Is the distribution of housing growth to smaller settlements (tier 4 and tier 5) justified and sustainable?
- g) Is the proposed spatial distribution focusing on a number of large allocations (Garden Suburbs), rather than pepper-potting, justified and sustainable?
- h) Would the accessibility criteria in paragraph 16.3 prevent development taking place in tier 4 and 5 settlements? How does the approach in Policy HS1 fit with restrictive policies relating to the Green Belt (Policy GB1) & the Todmorden area (Policy GB2)?
- i) There are slight differences between Green Belt policy in the National Planning Policy Framework (NPPF) 2012 & 2019. Should these changes be reflected in Policy GB1?
- j) How is the Council planning to positively enhance the beneficial use of the Green Belt, in line with paragraph 81 in the NPPF?
- k) What types of uses would be captured under the second bullet point in Policy GB2? Is affordable housing a type of appropriate development?
- l) Should the spatial strategy and distribution of growth be included in an overarching policy in the Plan?

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<sup>11</sup> As set out in the Council's responses to the Inspector's Pre-Hearing Notes 1 and 3. The response to PHN1 is based on figures in the submitted Plan (see Appendix 11.1 in CC01) and PHN3 on the proposed higher requirement in CC39 (see 'Documents from the Council' in the examination library).

## **Matter 10 – Other housing needs**

***Issue – Does the Plan set out positively prepared policies to meet affordable housing needs and the housing needs of other groups<sup>12</sup>, which are justified, effective and consistent with national policy?***

**[Policies HS2 – HS8, Policy IM7]**

### **Questions**

#### Affordable housing

- a) What is the breakdown of affordable housing need over the Plan period by affordable housing type?
- b) Is the site size threshold of 11+ units for seeking affordable housing, as set out in Policy HS6, justified? Did the Council consider pursuing a threshold of 10+ units?
- c) Are the affordable housing percentages in Table 16.6 in the Plan supported by viability evidence? What percentages have been achieved in recent years?
- d) Is the approach to rural exception housing in Policy HS6 robust and effective? Why is the policy restricted to a limited number of villages in the western area? Is the selection of villages supported by robust evidence and justified?

#### Travellers

- a) Does paragraph 16.61 in the submitted Plan, coupled with proposed paragraph 16.61a and revisions to 16.62 in the Council's Working Draft List of Potential Modifications (April 2020), provide sufficient clarification on current identified needs for permanent and transit pitches for gypsies and travellers and plots for travelling showpeople? Does it clearly explain how the forthcoming Development Plan Document (DPD) will seek to address these needs?
- b) What is the latest timescale for reviewing the Gypsy and Traveller Accommodation Assessment and producing the DPD?
- c) In the forthcoming DPD, how does the Council intend to address the accommodation needs of gypsies and travellers who no longer meet the Government's planning definition in 'Planning policy for traveller sites' (PPTS) (2015)?
- d) Given current identified needs, should the Plan contain a criteria-based policy to guide future land allocations, in line with paragraph 11 in PPTS?
- e) Is the 'need' aspect of criterion i in Policy HS8 justified and consistent with paragraph 11 in the PPTS?
- f) Are the Council's proposed changes to criterion viii in Policy HS8 (as set out in the Working Draft List of Modifications, April 2020) fair and would it facilitate the traditional and nomadic life of travellers?

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<sup>12</sup> Please note this section includes a number of questions on Policy HS8 relating to gypsies and travellers and travelling showpeople. This is in addition to those posed at the Stage 1 hearings under Matter 6.

## Other housing needs

- a) Is Policy HS2 consistent with national policy?
- b) Is the threshold of 10+ units for providing a mix of housing types and tenures justified, as set out in Policy HS3? What is the reason for setting a different threshold (30+ units) for requiring the submission of a supporting statement?
- c) Is the requirement for all residential development to meet requirement M4(2) and be adaptable and accessible, as set out in Policy HS4, justified by the evidence on the proportion of people in Calderdale who will be 65+ years or have a moderate/serious disability in the future<sup>13</sup>? Does the viability work show sufficient headroom for all types and sizes of schemes?
- d) To what extent will the Plan help to ensure the housing needs of older people are met? What other non-planning measures will be needed to support delivery?
- e) Appendix 2 in the Council's updated Housing Technical Paper (March 2020) (CC40) indicates that the Council has insufficient evidence to support a policy for wheelchair user dwellings. What evidence has been collated and what does it show?

## **Matter 11 – Retailing and town centres**

***Issue – Does the Plan set out a positively prepared strategy and policies for retailing and town centres which is justified, effective and consistent with national policy?***

### **[Policies RT1 – RT7]**

#### **Questions**

- a) Should the future convenience and comparison retail floorspace needs in the Council's Retail Study (2016) be identified in the Plan?
- b) To what extent will retail floorspace requirements be met by completions since 2016, existing commitments and vacant floorspace? What residual figure is required?
- c) Is there capacity on sites in defined centres or edge of centre to accommodate any residual needs over the Plan period? Does the Plan identify these opportunities?
- d) Does the Plan provide a suitable framework for the development of Halifax Town Centre over the Plan period? Is there a need for further Supplementary Planning Guidance? What is the purpose/status of the 'Halifax Town Centre Delivery Plan'?

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<sup>13</sup> As identified in Appendix 2 of the Council's updated Housing Technical Paper (March 2020) (CC40).

- e) To what extent is the retail hierarchy in Policy RT1 consistent with the spatial strategy and distribution of housing and employment growth in the Plan?
- f) Have the boundaries of the Local Centres and Neighbourhood Centres been defined? Should these be included on the Policies Map?
- g) Is the presumption against further retail development outside of existing centres, as set out in Policy RT1, justified and consistent with paragraph 23 in the NPPF?
- h) For Neighbourhood Centres, does the Primary Shopping Area equate to the full extent of the defined centre boundary?
- i) Is the use of the Primary Shopping Area as the basis for the sequential test for retail A1 uses, as set out in the Council's Working Draft List of Modifications (April 2020), consistent with paragraph 24 in the NPPF 2012?
- j) Paragraph 24 in the NPPF states that impact assessments should be sought for retail, leisure and office development. Does the amended approach to impact assessments in Policy RT3 (as proposed in the Working Draft List of Main Modifications), accord with this?
- k) Are the locally set impact assessment thresholds in Policy RT3 justified and supported by evidence? Is the default NPPF threshold of 2,500 square metres for Halifax town centre supported by the health check indicators?
- l) What does the last paragraph of Policy RT4 mean? What is 'an important service'? Where in the Plan are the general principles relating to 'Community, Health and Educational Facilities'? Is the approach intended to apply to 'shops' only, or retail uses A1-A5?
- m) Are 'town centre facilities', as referred to in the last paragraph of Policy RT5, the same as main town centre uses? How do the two criteria in this paragraph fit with the last two bullet criteria in Policy RT6?
- n) Should Policy RT6 be modified to allow the loss of cultural and leisure facilities if it can be demonstrated that the facility is no longer required by the community? Should this be in addition to demonstrating non-viability, as proposed by the Council in the Working Draft List of Modifications (April 2020), or as a separate test? Is Policy RT6 consistent with paragraph 74 in the NPPF?

## **Matter 12 – Site assessment process and the Green Belt**

***Issue - Is the Plan's approach to assessing site allocation options (housing, employment and mixed use) and releasing land from the Green Belt soundly based and consistent with national policy? Do the allocation policies generally provide a clear and effective framework for growth<sup>14</sup>?***

**[Policies SD5, SD6 and SD7, Appendix 1 of Plan]**

### **Questions**

#### Site assessment

- a) How were the 14 potential option sites for Sustainable Urban Extensions (SUEs) (Garden Suburbs)<sup>15</sup> identified and selected? What site size threshold was applied?
- b) How were other potential site options for allocations identified as part of the preparation of the submitted Plan?
- c) Is the Council's site suitability assessment process (stage 2), as set out in the Site Allocations Assessment Methodology Statement (SAAMS) (2018) (EV51.1), soundly based and supported by clear evidence? In particular:
  - i. The Plan proposes that a number of villages should be removed from the Green Belt and 'inset' in the Plan. Were sites on the edge of these villages, and within 500 metres of the proposed Urban Area, sieved at stage 2a?
  - ii. Were red ratings relating to the historic environment and environmental health also treated as showstoppers, leading to sites being filtered?
  - iii. Is the filtering of Green Belt sites in the Hipperholme exclusion zone justified? What is the scope for further capacity at the junction, and how does this relate to amount of nearby development anticipated on sites within the urban area? How were the boundaries of the exclusion zone determined<sup>16</sup>?
- d) To what extent are the indicative capacities on the allocation sites based on a site-specific assessment of location, constraints and the character of the site and surrounding area, rather than application of the density multipliers listed in stage 3 of the assessment process in the SAAMS?
- e) Which sites have been allocated although site availability is not known (as referred to in paragraph 5.89 in the SAAMS)?

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<sup>14</sup> Please note, this aspect is dealt with in a general sense. Detailed questions about the suitability and deliverability of specific sites are set out under Matters 13-21.

<sup>15</sup> As set out in the Council's document 'Justification for South-East Calderdale Garden Suburbs' (July 2018) and the Council's Response to Pre-Hearing Note 2 (response 2.5).

<sup>16</sup> As set out in the map on page 21 of the Council's Site Allocations Assessment Methodology Statement (SAAMS) (2018) (EV51.1).

- f) Which of the proposed allocations in the Plan have been identified as having viability issues<sup>17</sup>? Is the inclusion of these sites soundly based?
- g) Is the Council's final process of refining the site options (stage 6 in the SAAMS) soundly based and supported by clear evidence? In particular:
- i. The tables in the Council's 'Additional Information on Stage 6 of the Site Assessment Process' (April 2020) outline why Green Belt sites at stage 6 were subsequently assessed as not suitable or deliverable, and were therefore not taken forward as allocations. In this context it appears that a 'ranking' of Green Belt options did not take place? In effect, were all of the suitable and deliverable Green Belt options proposed as allocations?
  - ii. What distance criteria or other factors were used at stage 6 to judge whether Green Belt site options were sustainable in terms of their location?
  - iii. Development of some Green Belt sites were judged to represent 'an illogical encroachment into the Green Belt'. What does this mean? Does it relate to landscape character or the Green Belt purpose of preventing encroachment? If the latter, is this supported in the Green Belt assessment of site options?
  - iv. The tables referred to in i) indicate that Green Belt site options in Brighouse were rejected on the basis that large releases are already proposed at the Garden Suburbs. As such, why are sites LP1033 and LP1095 included?
  - v. How were sites in the Todmorden area outside the urban area treated, in terms of the sequential priority list? Were suitable/deliverable options on the edge of Todmorden selected for allocation before Green Belt sites?
  - vi. How did decisions on Green Belt release take account of the need to give priority to previously developed sites, as set out in the NPPF?
- h) How were the results of the Sustainability Appraisal factored into decisions on filtering and site selection? Where is this evidenced?
- i) Is the assessment and filtering of the SUE options soundly based?
- j) Was the process of site assessment carried out as part of the Council's recent consultation on proposed additional allocation sites<sup>18</sup>, robust and fit for purpose? In particular:
- i. How was the list of potential sites (considered and rejected) identified<sup>19</sup>? Is the shortlist justified? Does it incorporate all of the sites identified in the Initial Draft Plan but omitted from the submitted Plan?
  - ii. Were the potential sites assessed against the same suitability, availability and deliverability criteria as the methodology in the SAAMS?
  - iii. How was availability assessed at stage 4? Why were potential site options rejected on the basis of having 'no developer on board', as set out in CC37?
  - iv. Did the assessment process at stage 6 involve ranking sites, or were all suitable, available and deliverable potential sites allocated?

<sup>17</sup> Having regard to the Council's Local Plan and Preferred Sites for Allocation Viability Assessment reports (2017, 2018 and 2019) (EV60, EV61 and EV61.2) and other site-specific viability evidence.

<sup>18</sup> 'Housing Requirement Update and Potential Supply' (January 2020) (CC39).

<sup>19</sup> As set out in the Council's document 'Potential Sites – Considered and Rejected' 2019 (CC37).

- v. How were strategic locational factors taken into account at stage 6?
- vi. Are the reasons for rejecting each of the site options clearly explained? Which of the factors listed in Table 1 in document CC37 are key?
- vii. Were potential site options subject to an appropriate process of Sustainability Appraisal and Habitats Regulation Assessment?

### Green Belt

- a) Is the methodology applied in the Green Belt Review (2017) soundly based? Is purpose 4 (historic environment) justified? Is the framework for assessing harm, based on meeting 0-2 or 3-5 Green Belt purposes, a reasonable measure?
- b) Has a comprehensive assessment of capacity in Urban Areas been undertaken? Have all potential options on non-Green Belt land in the countryside been assessed?
- c) Have all opportunities to maximise capacity on non-Green Belt sites been taken, including increasing densities?
- d) Are exceptional circumstances demonstrated to justify the principle of releasing land from the Green Belt for housing, employment and mixed-use development? How has the existence of non-Green Belt land around Todmorden been dealt with?
- e) The Plan proposes that a number of villages currently washed over by the Green Belt should be released from the Green Belt and identified as inset villages<sup>20</sup>. Are exceptional circumstances demonstrated to justify this release? Does the evidence show that the remaining washed over-settlements have an open character which makes an important contribution to the openness of the Green Belt?
- f) Are the other (non-allocation site) changes to Green Belt boundaries, as set out in the Council's Schedule of Minor Changes to Green Belt Paper (2020), justified? Have exceptional circumstances been broadly demonstrated?
- g) Did the Council consider whether to designate safeguarded land in the Plan? Should it be identified?
- h) Are the areas of open space outside built-up areas, as identified on the Policies Map, included within the Green Belt?

### Allocation policies – general<sup>21</sup>

- a) Are employment sites in Policy SD5 allocated for a flexible mix of B1/B2/B8 uses (as set out in the first section), or specific 'appropriate B uses' (as listed in the tables)?
- b) How were the indicative B use floorspace figures and the estimated number of dwellings derived for mixed-use allocations, as set out in Policy SD6?
- c) Which of the proposed housing, employment and mixed-use allocations were allocated in a previous Plan, and when?

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<sup>20</sup> As listed on page 15/16 in the Council's Technical Paper on Green Belt release (EV09).

<sup>21</sup> Detailed questions about the suitability of specific sites are set out under Matters 13-21.

- d) Does Appendix 1 in the Plan and the proposed Addendum (as set out in the Council's recent consultation paper<sup>22</sup>), provide an appropriate framework for the conservation and enhancement of the historic environment?
- i. Should Heritage Impact Assessments (HIAs) be listed in the 'reports required' section where relevant?
  - ii. Does the requirement to 'consider' recommendations in the HIA provide suitable protection? Is the proposed alternative wording, as set out in the Statement of Common Ground between the Council and Historic England (March 2020) (CC41) (see examples on pages 3-33) appropriate?
  - iii. Are there any outstanding concerns from Historic England relating to the proposed additional allocations?
- e) Has the sequential test, and exception test where necessary been correctly applied in the assessment of flood risk on potential development sites? Is this adequately evidenced for all sites<sup>23</sup>, including those proposed by the Council in January 2020?
- f) Have all of the proposed site allocations been subject to further flood risk screening in light of recent flood events in Calderdale in February 2020<sup>24</sup>?
- g) What is the Council's response to the general points raised by the Environment Agency in their letter dated 24<sup>th</sup> February 2020, regarding site-specific flood risk requirements in Appendix 1 to the Plan?
- h) Is the requirement in Appendix 1 to provide 'green and blue infrastructure including SUDs and green roofs' on a number of site allocations justified and deliverable?
- i) Does Appendix 1 and the Addendum provide suitable provision for the protection and enhancement of Public Rights of Way that cross or adjoin allocation sites?
- j) Where sites adjoin or contain areas of wildlife value, does Appendix 1 and the Addendum identify this and make appropriate provision for protection and enhancement measures? Should Preliminary Ecological Appraisals be sought, along with any necessary protected species surveys? Are the buffer zones and exclusion areas sufficient? What aspects could be covered by Policy GN3, rather than repeated for each allocation? [also see questions on Policy GN3 in Matter 27]
- k) Where sites are located in proximity to the South Pennines Special Protection Area, does Appendix 1 and the Addendum correctly identify this and provide appropriate details of constraints and requirements? What distance threshold should be applied, and requirements/considerations specified? What mitigation measures may be necessary in relation to recreational pressures? Which allocation sites does this relate to, and what modifications to the Plan are necessary?

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<sup>22</sup> 'Housing Requirement Update and Potential Supply' consultation paper (January 2020) (CC39).

<sup>23</sup> Having regard to objections raised by the Environment Agency in representations dated 1<sup>st</sup> October 2018 (on the submission Plan) and 24<sup>th</sup> February 2020 (on the Council's consultation paper CC39).

<sup>24</sup> As proposed by the Environment Agency - letter dated 24<sup>th</sup> February 2020.

## **Matter 13 – Employment allocations and policies**

***Issue - Are the proposed employment allocations justified, effective, deliverable and in line with national policy? Are other employment policies in the Plan soundly based?***

**[Policies SD5, SD6 and Appendix 1, Policies EE1 and EE2]**

### **Questions**

Strategic employment allocation (LP1232) - Land at Wakefield Road/Clifton Common, Clifton

- a) When was the site i) originally designated for employment uses in a development plan and released from the Green Belt, and ii) identified as an Enterprise Zone?
- b) Did the Green Belt Review in 2016/17 consider the suitability of the current Green Belt boundary in the vicinity of the proposed allocation?
- c) How does the site fit with local and regional economic strategy? What status and benefits does designation as an Enterprise Zone bring?
- d) How were the site boundaries determined? Are the proposed density and floorspace capacity assumptions justified?
- e) What size of units is the site capable of accommodating, taking account of topography, market requirements and other factors?
- f) What role does the site play in separating the settlements of Brighouse and Clifton, and supporting the separate identity and setting of Clifton village?
- g) What effect would the proposal have on the character and appearance of the area and the setting of Clifton?
- h) What transport and highways work has been undertaken relating to the scheme? Does the evidence show that the site can be safely accessed, and that impacts on the Strategic Highways Network can be mitigated? Are there any outstanding concerns from Highways England?
- i) Is development of this site critical to unlocking the provision of a new strategic road to the east of Brighouse, linking the A644 and A641? If so, should this be specified in Appendix 1 to the Plan?
- j) What work has been undertaken to identify route options, delivery mechanisms and potential funding streams for the strategic road link? If site LP1232 does not come forward as anticipated, what measures would be taken to secure delivery of the road?

- k) Is the proposal viable and deliverable? In particular:
- i) Is the economic need for this scale, form and type of employment allocation demonstrated and evidenced?
  - ii) What viability testing has been undertaken in support of the scheme?
  - iii) What are the anticipated timescales for delivery? Are there phasing implications arising from impacts on the Strategic Road Network and funding availability, or linked to delivery of the nearby Garden Suburb allocation?
  - iv) Why has the site not come forward for development since it was allocated in the UDP? What circumstances have changed to indicate that there is a reasonable prospect of delivery within the new Plan period?

Other employment allocations

**LP0032 – Land to the rear of Crosslee PLC, Brighouse Road, Hipperholme**  
**LP0332 - Brow Mills Industrial Estate, Brighouse Road, Hipperholme**  
**LP0585 – Land west of Anchor Place, Brighouse**  
**LP1618 – Land west of Huddersfield Road, Brighouse**  
**LP0009 – Land to the south of premises on Lowfields Way, Elland**  
**LP0021 – Land at Ainley Top, Brighouse Road, Ainley Top**  
**LP0025 – Land to the south of Dewsbury Road, Elland**  
**LP0059 – Land to the west of Medical Centre, Stainland Road, West Vale**  
**LP0355 – Ainleys Industrial Estate, Ainley Bottom, Elland**  
**LP0960 – Land off South Lane, Elland**  
**LP1223 – Lowfields, Lacy Way, Elland**  
**LP1443 – Land between Wistons Lane and Jubilee Way, Elland**  
**LP0105 – Land at Listers Road, Shibden**  
**LP0409 – Land off Bob Lane/Hubert Street, Highroad Well, Halifax**  
**LP0472 – Land off Lilly Lane, Halifax**  
**LP0805 – Holmfield railway line, Holdsworth Road, Holmfield**  
**LP0976 – Clarence Mill, Pellon Lane, Halifax**  
**LP1018 – West of Holmfield Industrial Estate, Riley Lane, Holmfield**  
**LP1133 – Land off Sedburgh Road, Halifax**  
**LP1134 – Shaw Lodge Mill Complex, Shaw Lane, Halifax**  
**LP1203 – Star Garage, Wakefield Road, Copley, Halifax**  
**LP1217 – Holmfield Industrial Estate, Holmfield**  
**LP1218 – Land south-east of Holmfield Industrial Estate, Holmfield**  
**LP1219 – North of Holmfield Industrial Estate, Holmfield**  
**LP1231 – Shay Lane, Ovenden, Halifax**  
**LP1433 – Land off Old Lane, Halifax**  
**LP1622 – Top Land, Cragg Vale, Mytholmroyd**  
**LP1640 – Zodian House, Station Road, Sowerby Bridge**  
**LP1220 – Adjacent Lloyds, Wakefield Road, Copley**

**LP0032 – Land to the rear of Crosslee PLC, Brighouse Road, Hipperholme**

- a) Is the site available for employment use?

**LP0585 – Land west of Anchor Place, Brighouse**

- a) How would the site be accessed? Are mitigation measures necessary?

### **LP1618 – Land west of Huddersfield Road, Brighouse**

- a) What effect would the proposal have on the significance of Toothill Court? If development takes place within the area of 'high sensitivity' (as identified in the Heritage Impact Assessment) what mitigation measures assist?
- b) Would development on this site have any implications for future upgrades/junction provision on the adjoining M62 motorway?
- c) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?
- d) If the site is released from the Green Belt, is the Council satisfied that the remaining Green Belt boundary between the site and housing allocation LP1451 would be robust? Or are consequential changes needed to the Green Belt in this locality?

### **LP0009 – Land to the south of premises on Lowfields Way, Elland**

- a) Does the indicative developable area take account of the need to provide a buffer zone adjoining the river bank and to avoid development close to the power lines?

### **LP0021 – Land at Ainley Top, Brighouse Road, Ainley Top**

- a) Would the proposed modification<sup>25</sup> to keep the southern part of the site free from built development provide appropriate heritage mitigation and protect views of the site from Castle Hill? How would this affect developable area and capacity? Would a link road be necessary within the southern section?
- b) What effect would the proposal have on the character and appearance of the local landscape, taking account of the prominent hilltop setting of the site? What is the historical and archaeological value of the mound within the site (the archaeological area) and its contribution to local landscape setting?
- c) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP0025 – Land to the south of Dewsbury Road, Elland**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP0355 – Ainleys Industrial Estate, Ainley Bottom, Elland**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

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<sup>25</sup> As set out in the Statement of Common Ground between Historic England and the Council (March 2020).

### **LP0960 – Land off South Lane, Elland**

- a) Should Appendix 1 to the Plan refer to the adjoining Habitat Network, as sought by the Yorkshire Wildlife Trust?

### **LP0105 – Land at Listers Road, Shibden**

- a) Should Appendix 1 refer to the nearby Local Geological Site as a constraint and identify appropriate mitigation measures?
- b) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP1018 – West of Holmfield Industrial Estate, Riley Lane, Holmfield**

- a) Is the proposed modification<sup>26</sup> to keep the southern part of the site free from built development necessary? What is the revised developable area and floorspace?
- b) What is the significance of the trackway and adjoining stone walls which run along the eastern boundary of the site?

### **LP1134 – Shaw Lodge Mill complex, Shaw Lane, Halifax**

- a) Is the proposed modification<sup>27</sup> to keep the area of high sensitivity free from built development necessary for reasons of soundness? What are the implications for the indicative developable area and estimated floorspace?

### **LP1203 – Star Garage, Wakefield Road, Copley, Halifax**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP1622 – Top Land, Cragg Vale, Mytholmroyd**

- a) Why is the site also identified for mixed uses, as set out in the Council's consultation paper January 2020<sup>28</sup>? Which designation does the Council wish to proceed with? Is the landowner supportive of the Council's proposals? Is there evidence of demand for live-work units in the local area?
- b) If mixed-use is now proposed, how would the residential properties be accessed?
- c) What effect would development have on landscape character & setting of the village, taking account of the site's topography and location in an Area of Special Landscape?
- d) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

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<sup>26</sup> Statement of Common Ground between the Council and Historic England (March 2020).

<sup>27</sup> Statement of Common Ground between the Council and Historic England (March 2020).

<sup>28</sup> 'Housing Requirement Update and Potential Supply' (Jan. 2020) (CC39).

## **Matter 14 - Mixed-use allocations**

***Issue - Are the proposed mixed-use allocations justified, effective, developable/deliverable and in line with national policy?***

### **Sites in the submitted Local Plan**

**LP0579 – 126-128 Bradford Road, Brighouse**  
**LP0771 – Firth’s Carpets, 432 Bradford Road, Bailiff Bridge, Brighouse**  
**LP0509 – Land and buildings opposite B&M, Dewsbury Road, Elland**  
**LP1088 – West Vale Works, Stainland Road, West Vale, Greetland**  
**LP1123 – Kinnaird Close, Elland**  
**LP0264 – Car Park between Well Lane/King Street, Halifax**  
**LP0289 – Land off Kings Cross Street, Halifax**  
**LP0370 – Land off Armitage Road, Kings Cross, Halifax**  
**LP0749 – Stoney Royd Mill, Albion Mills, Bailey Hall Road, Halifax**  
**LP1170 – Mulcture Hall Road, Halifax**  
**LP1287 – Northgate House/Central Library, Northgate, Halifax**  
**LP1292 – Cow Green Car Park, Halifax**  
**LP1431 – Former Mayfield Garage, Queens Road, Kings Cross, Halifax**  
**LP1632 – Horton Street, Halifax**  
**LP0922 – Former Hebden Bridge Fire Station**

### **Additional sites proposed by the Council (in consultation paper CC39)**

**LP0573 – Land adjacent Mill Royd Street, Brighouse**  
**LP1622 – Top Land, Cragg Vale, Mytholmroyd (see Matter 13 for questions)**  
**LP0327 – Land off Halifax Road, Todmorden**

### **Sites in the submitted Local Plan**

**LP0771 – Firth’s Carpets, 432 Bradford Road, Bailiff Bridge, Brighouse**

- a) Is the site now proposed as a housing allocation, based on the recent planning application (referred to in the Housing Technical Paper March 2020 (CC40))?

**LP0509 – Land and buildings opposite B&M, Dewsbury Road, Elland**

- a) Is an alternative mix of uses now proposed, based on the recent planning application (referred to in the Housing Technical Paper March 2020)?

**LP0264 – Car Park between Well Lane/King Street, Halifax**

- a) What is the reason for the proposed increase in estimated dwellings, from 10 to 30 (in the Housing Technical Paper March 2020)? Are other uses still proposed?

**LP0289 – Land off King Cross Street, Halifax**

- a) What is the reason for the proposed increase in estimated dwellings, from 10 to 32 (in the Housing Technical Paper March 2020)? Are other uses still proposed?

b) Is all of the site confirmed as being available for development?

**LP1170 – Mulcture Hall Road, Halifax**

a) What is the reason for the proposed increase in estimated dwellings, from 42 to 121 (in the Housing Technical Paper March 2020)? Are other uses still proposed?

b) Should the 'site specific considerations' box refer to an ecology-related buffer zone adjoining Hebble Brook?

**LP1292 – Cow Green Car Park, Halifax**

a) What is the reason for the proposed decrease in estimated dwellings, from 141 to 90 (see Housing Technical Paper March 2020)? Is the same mix of uses proposed?

**LP1632 – Horton Street, Halifax**

a) What is the reason for the proposed increase in estimated dwellings, from 47 to 126 (in the Housing Technical Paper March 2020)? Are other uses still proposed?

**LP0922 – Former Hebden Bridge Fire Station, Hebden Bridge**

a) Would the loss of the current use have any implications for parking availability in the local area?

**Additional sites proposed by the Council<sup>29</sup>**

**LP0573 – Land adjacent Mill Royd Street, Brighouse**

a) Would the loss of the current use have any implications for parking availability in the local area?

b) Should Appendix 1 also refer to the need for hydraulic modelling and the submission of emergency and egress plans (as proposed by the Environment Agency in their letter dated 24<sup>th</sup> February 2020)?

**LP0327 – Land off Halifax Road, Todmorden**

a) Is the proposal justified and consistent with paragraph 74 in the NPPF? What recreational and townscape/heritage value does the site have, and where is this evidenced?

b) Should Appendix 1 also require the submission of emergency and egress plans (as proposed by the Environment Agency in their letter dated 24<sup>th</sup> February 2020)?

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<sup>29</sup> Council's consultation paper 'Housing Requirement Update and Potential Supply' January 2020 (CC39).

## **Matter 15 – Garden Suburbs**

***Issue - Are the proposed Garden Suburb housing allocations justified, effective, developable/deliverable and in line with national policy?***

### **[Policy SD7, Appendix 1]**

*[This section focuses on the suitability, availability and achievability of the two proposed Garden Suburbs. Issues relating to the spatial distribution of growth and the general site selection process are covered in Matters 9 and 12 respectively]*

### **Questions**

#### **Woodhouse Garden Suburb, Brighouse (LP1451)**

- a) What are the key access and transport infrastructure requirements/costs associated with the proposal? What is the latest position regarding funding and delivery? Is development of later phases dependent on provision of junction 24a on the M62?
- b) Is the proposed main access into the site from the A641 deliverable? Has necessary third party land been secured? What secondary accesses are proposed?
- c) What are the other key infrastructure requirements associated with the scheme?
- d) Does Appendix 1 of the Plan provide sufficient clarity regarding infrastructure and access requirements?
- e) Is the retention of Firth Lane, including the trees, hedgerows and stone walls, feasible, as set out in the Council's Heritage Impact Assessment (EV28)?
- f) Why does the indicative developable area not show the proposed buffer zones adjoining the river and Bradley Wood? Does this affect the developable area and indicative site capacity?
- g) Why has a strip of land adjoining the A641 been excluded from the site?
- h) What technical work has been carried out to date?
- i) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?
- j) The housing trajectory in the Housing Technical Paper (March 2020) (CC40) indicates delivery of 140 units per year from 2024/25 up to the end of the Plan period. Are the estimated lead-in times and build out rates reasonable and justified?

*[The Council is requested to provide a detailed delivery programme which sets out phasing information and timings of key stages, including preparatory work, marketing/appointment of housebuilders/developers, EIA work if necessary, Section 106 work, other legal/contract work, planning application preparation, planning application determination, discharge of conditions, site preparation, commencement of development. Anticipated timings of key infrastructure delivery should be provided as part of this programme.]*

### Thornhills Lane Garden Suburb, Brighouse (LP1463)

- a) Is access via the south corner of the site feasible, taking account of existing buildings and earthworks? Has any necessary third party land been secured?
- b) What feasibility/costings work has been undertaken in relation to the bridge/viaduct providing access via the north-west? Has necessary third party land been secured?
- c) How would the proposed strategic link road through the site (between the A644 and A641) be facilitated and funded? What work has been undertaken to determine the optimum route through site LP1463? (also see questions on LP1232 in Matter 13).
- d) What are the other transport infrastructure requirements/costs, and how would these be delivered? Is development dependent on new junction 24a on the M62? What measures would be necessary to enable sustainable travel to/from the site?
- e) What are the other key infrastructure requirements? Should the Plan include specific reference to the on-site schools, local centre and other aspects?
- f) What effect would the proposal have on the identity, character and landscape setting of Clifton Village and Thornhill hamlet? What mitigation measures may be necessary to protect character and reduce harm. Should these be specified in Appendix 1?
- g) Are measures to secure the repair of Woolrow, as identified in the Heritage Impact Assessment<sup>30</sup> (HIA), deliverable and necessary to off-set harm to the historic asset?
- h) Should the 'area of high sensitivity', as identified in the HIA, be listed as a 'site specific consideration' in Appendix 1 to the Plan and built development excluded?
- i) Have effects on ecology been adequately assessed? Based on the latest evidence, is the exclusion of the Wildlife Habitat Network from the developable area justified?
- j) Is the indicative development area and site capacity justified, having regard to environmental and other constraints and the provision of necessary infrastructure?
- k) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? How would the existing gap between Brighouse and Clifton, and Brighouse and Thornhills be affected? Are there exceptional circumstances that justify altering the Green Belt? If so, what are they?
- l) The housing trajectory in the Housing Technical Paper (March 2020) (CC40) indicates delivery of 222 units per year from 2024/25 up to the end of the Plan period. Is the estimated lead-in time and build out rate reasonable and justified?

*[the Council is requested to provide a detailed delivery programme which sets out phasing information and timings of key stages, including preparatory work, marketing/appointment of housebuilders/developers, EIA work if necessary, Section 106 work, other legal/contract work, planning application preparation, planning application determination, discharge of conditions, site preparation, commencement of development. Anticipated timings of key infrastructure delivery should be provided as part of this programme.]*

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<sup>30</sup> As disputed in the Statement of Common Ground between the Council and Historic England (CC41).

## **Matter 16 – Brighouse housing allocations**

***Issue - Are the proposed Brighouse housing allocations justified, effective, developable/deliverable and in line with national policy?***

**LP0174 – End of Wilton Street, Brighouse**  
**LP0338 – Land adjacent to Whinney Hill Park, Whinney Hill, Brighouse**  
**LP0548 – Land at junction of Granny Hall Lane and Blackburn Road, Brighouse**  
**LP0565 – Land at Bowling Alley/Scholey Avenue, Rastrick**  
**LP0568 – Land south of Clough Lane, Rastrick**  
**LP0571 – Site to the rear of 9A Birds Royd Lane, Brighouse**  
**LP0846 – The Bramble Inn, Field Lane, Rastrick**  
**LP0945 – Pond Quarry, Lightcliffe Road, Brighouse**  
**LP1000 – Land off Woodhouse Lane, Rastrick**  
**LP1032 – Southages Quarry, Ogden Lane, Rastrick**  
**LP1033 – Land off Toothill Bank, Rastrick**  
**LP1053 – Squire Hill Quarry, Brighouse**  
**LP1054 – Land off Brookfoot Lane, Brighouse**  
**LP1060 – Land at Shirley Grove, Lightcliffe, Brighouse**  
**LP1077 – Southedge Quarry, Brighouse Road, Hipperholme**  
**LP1078 – Land between Dewsbury Road and New Hey Road, Rastrick**  
**LP1093 – Former Hill Crest Quarry, Halifax Road, Hove Edge**  
**LP1095 – Halifax Road, Hove Edge**  
**LP1116 – Brighouse Road, Hipperholme**  
**LP1322 – George Street, Rastrick**  
**LP1469 – Land at Stoney Hill, Lillands Lane, Brighouse**  
**LP1648 – Land north of Crosslee, Brighouse Road , Hipperholme**

### **LP0174 – End of Wilton Street, Brighouse**

a) How would the site be accessed?

### **LP0548 - Granny Hall Lane, Brighouse**

a) Is the proposal justified and consistent with paragraph 74 in the NPPF? What recreational, landscape/amenity and biodiversity value does the facility have, and where is this evidenced?

b) Is there a covenant on this site which prevents its loss as open space?

c) What is the reason for the proposed decrease in the estimated number of dwellings on the site, from 19 to 16 (as set out in the Council's updated Housing Technical Paper March 2020 (CC40))?

### **LP0565 - Bowling Green Alley, Rastrick**

a) How would the site be accessed? What land is in third party control?

### **LP1000 – Land off Woodhouse Lane, Rastrick**

- a) What is the significance of the 'build line' marked on the map in the Council's Heritage Impact Assessment and what mitigation measures may be necessary within the 'area of high significance' adjoining Numbers 2 and 4 Woodhouse Lane?
- b) In the context of the covenant referred to in Appendix 1 in the Plan, is the site capable of being developed for housing?

### **LP1033 - Toothill Bank, Rastrick**

- a) Does the latest ecology evidence demonstrate that the middle section of the site is capable of being developed?
- b) Which part of the site was previously in use as a playing field, and how many hectares did this amount to?
- c) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP1053 - Squire Hill Quarry, Brighthouse**

### **LP1054 - Land off Brookfoot Lane, Brighthouse**

- a) What is the nature of the relationship between LP1053 and LP154? Is joint access required, and where would this be taken from? Should this be specified in Appendix 1 for reasons of effectiveness? Has necessary third party land been secured?

### **LP1060 – Land at Shirley Grove, Lightcliffe**

- a) Is the proposal justified and consistent with paragraph 74 in the NPPF? What recreational, landscape/amenity and biodiversity value does the open space have, and where is this evidenced?

### **LP1078 – Land between Dewsbury Road and New Hey Road, Rastrick**

- a) The Council's Site Allocations Assessment Methodology Statement (Appendix 13) indicates that the proposed housing allocation originally covered a larger area. The Council is requested to i) confirm the extent of this area and indicative capacity; ii) point me towards or provide a summary of site assessment evidence relating to the extended area; and iii) clarify the reasons for the reduction.
- b) What amendments are needed to the text in Appendix 1 to reflect the latest planning application, as referred to in the updated Housing Technical Paper March 2020?

- c) Does the proposed scheme involve retention of the playing pitch or enhancement or other facilities in the area? If the latter, what facilities are these?

**LP1093 – Former Hillcrest Quarry, Halifax Road, Hove Edge, Brighouse**

**LP1095 – Halifax Road, Hove Edge, Brighouse**

- a) What is the relationship between LP1093 and LP1095? Is joint access required? Should this be specified in Appendix 1 for reasons of effectiveness?
- a) What effect would the proposed boundary change and allocation of site LP1095 have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

**LP1116 – Brighouse Road, Hipperholme**

**LP1648 - North of Crosslee, Brighouse Road, Hipperholme**

- a) What is the relationship between LP1116 and LP1648? Is joint access required and could this be facilitated across the intervening area of woodland? Should joint access be specified in Appendix 1 to the Plan for reasons of effectiveness?
- b) Is the exclusion of the woodland from the developable area of LP1116 supported by the latest site-specific evidence on ecology?

**LP1469 – Land at Stoney Hill, Lillands Lane, Brighouse**

- a) How would the site be accessed?
- b) Would the proposal involve the loss of open space? If so, is the proposal justified and consistent with paragraph 74 in the NPPF? What recreational, landscape/amenity and biodiversity value does the open space have, and where is this evidenced?

## **Matter 17 – Elland housing allocations**

***Issue - Are the proposed Elland housing allocations justified, effective, developable/deliverable and in line with national policy?***

### **Sites in the submitted Local Plan**

**LP0037 – Long Heys Farm, Long Heys, Greetland**  
**LP0065 – Land north-west of Nab End Lane, West Vale**  
**LP0075 – Land at Laithe Croft Farm, Bowling Green Road, Stainland**  
**LP0146 – Land to the west of West View, Church Lane, Stainland**  
**LP0964 – Land off Rochdale Road, West Vale**  
**LP0978 – Land off Lower Edge Road/Shaw Lane, Elland**  
**LP1030 – Land adjoining South Parade, adjacent Maple Fold, Elland**  
**LP1283 – Glenholme, Green Lane, Greetland**  
**LP1407 – Land off Scar Bottom Lane, Greetland**  
**LP1657 – Land at Whitwell Green Lane, Elland**

### **Additional sites proposed by the Council (in consultation paper CC39)**

**LP0026 – The Gate Farm, Saddleworth Road, Greetland**  
**LP0177 – Land adjacent Ellistones Place, Saddleworth Road, Greetland**  
**LP0952 – Land at New Gate Farm, Saddleworth Road, Greetland**  
**LP1567 – Land adjacent to Exley Lane, North of Elland**  
**LP1616 – Land at Ainley Top, south-west of junction of A643/New Hey Road**  
**LP1625 – Land to the west of Silverdale Terrace, Greetland**

### **Sites in the submitted Local Plan**

#### **LP0037 – Long Heys Farm, Long Heys, Greetland**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

#### **LP0075 – Land at Laithe Croft Farm, Bowling Green Road, Stainland**

- a) Is the proposed deletion of the allocation, as set out in the Statement of Common Ground between the Council and Historic England (March 2020) (CC41), necessary for reasons of soundness?

#### **LP0146 – Land to the west of West View, Church Lane, Stainland**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP0978 – Land off Lower Edge Road/Shaw Lane, Elland**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP1030 – Land adjoining South Parade, adjacent Maple Fold, Elland**

- a) How would the site be accessed? Which reference in the 'site specific considerations' is correct? Has third party land been secured?
- b) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP1407 – Land off Scar Bottom Lane, Greetland**

- a) What effect would development have on the character and appearance of the area, the setting of the village, and on the significance of nearby heritage assets? Would an indicative density of 36 dwellings per hectare enable appropriate mitigation measures to be secured?
- b) Has third party land been secured for access?
- c) Does Scar Bottom Lane have sufficient width to allow necessary improvements identified in Appendix 1 in the Plan? Would the removal of stone walls and the use of third party land be necessary?
- d) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP1657 – Land at Whitwell Green Lane, Elland**

- a) Has third party land been secured for access?
- b) What is the reason for the proposed decrease in the estimated number of dwellings on the site, from 34 to 30 (as set out in the updated Housing Technical Paper March 2020)?

### **Additional sites proposed by the Council**<sup>31</sup>

**PLEASE NOTE: questions in this section are primarily aimed at the Council. Respondents have already submitted comments during the recent consultation event.**

#### **LP0026 – The Gate Farm, Saddleworth Road, Greetland**

#### **LP0177 – Land adjacent Ellistones Place, Saddleworth Road, Greetland**

#### **LP0952 – Land at New Gate, Saddleworth Road, Greetland**

#### **LP1625 – Land to the west of Silverdale Terrace, Greetland**

- a) Is there evidence to show that the cumulative impacts of proposed development on the local highways network are capable of being mitigated?
- b) What work has been undertaken to assess the impact of development to the south of Saddleworth Road on landscape character and the setting of Greetland?
- c) Is the level of development proposed in Greetland appropriate for the size of the village, and capable of being supported by necessary infrastructure? How many school places would be required, and what capacity exists in local schools?

#### **LP0026 – The Gate Farm, Saddleworth Road, Greetland**

- a) What heritage assessment work has been undertaken? What mitigation measures may be necessary to protect the setting of historic buildings and key views from Saddleworth Road?
- b) What effect would development have on the character and appearance of the area and the setting of the village? How would the Council ensure that development on this site, in conjunction with the western part of LP0952, provides an attractive new gateway into Greetland village?
- c) What measures would be required in order to bring the lower part of Scar Bottom Lane up to adoptable standards?
- d) Would the provision of access into the site require the removal of mature trees and stone walls?
- e) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

#### **LP0177 - Land adjacent Ellistones Place, Saddleworth Road, Greetland**

- a) Would housing development on LP0177 allow sufficient scope for any necessary future expansion of the adjoining primary school?

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<sup>31</sup> Consultation paper 'Housing Requirement Update and Potential Supply' January 2020 (CC39).

- b) How would the eastern section of site LP0177 be accessed? Would an access road need to be secured across the non-developable area of 'high sensitivity' as identified in the Heritage Impact Assessment and the Plan? What is the view of Historic England on this point?
- c) Should Appendix 1 to the Plan include specific refer to other key mitigation measures identified in the Heritage Impact Assessment? (for example, the need to restrict building density and heights and retain key views from Saddleworth Road in the area of 'medium sensitivity', and to retain existing tree belts within the site)
- d) Is the non-developable area appropriately defined? Why does the Masterplan produced by Barratts include land within this area? Does this have any implications for the estimated site capacity?
- e) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

#### **LP0952 – Land at New Gate, Saddleworth Road, Greetland**

- a) The masterplan submitted by the site developer shows an estimated site capacity of 290 dwellings on 9.43 hectares. What is the Council's position on this?
- b) Is the requirement to provide SuDS in the form of wet woodland justified?
- c) Is the requirement to provide a strong and defensible boundary between the site and the Green Belt necessary, given the existence of Gates Head Lane? What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

#### **LP1567 – Land adjacent to Exley Lane, Elland**

- a) Does Appendix 1 provide sufficient guidance relating to the retention of existing buildings at Elland Park and facilitation of key views of Elland Conservation Area, as outlined in the Council's Heritage Impact Assessment?
- b) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? What effect would the proposal have the gap between i) Elland and Halifax, and ii) Elland and Exley? Are there exceptional circumstances that justify altering the Green Belt?

#### **LP1616 – Land at Ainley Top**

- a) Should Appendix 1 specify that the eastern part of the site, identified as an 'area of high sensitivity' in the Council's Heritage Impact Assessment, remains undeveloped?
- b) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

## **Matter 18 – Halifax housing allocations**

***Issue - Are the proposed Halifax housing allocations justified, effective, developable/deliverable and in line with national policy?***

### **Sites in the submitted Local Plan**

- LP0046 – Goosegate Farm, Heathy Lane, Holmfield, Halifax**
- LP0103 – Land at Horley Green Road, Claremount, Halifax**
- LP0164 – Site of High Level Works, Pellon Lane, Pellon, Halifax**
- LP0234 – Swinton, Hays Lane, Mixenden**
- LP0238 – Land rear of former St. Bernadette’s church, Clough Lane, Mixenden**
- LP0242 – Land opposite 109-119 Mixenden Road, Mixenden**
- LP0261 – Land at Turner Avenue South, Ovenden**
- LP0353 – Land to the rear of 109 Fairfax Crescent, Southowram**
- LP0397 – Land adjacent to Daisy Bank, Savile Park, Halifax**
- LP0400 – Land off Birdcage Lane, Savile Park, Halifax**
- LP0407 – Spring Hall Mills, Mile Cross Road, Halifax**
- LP0452 – Land at Ovenden Green, Ovenden, Halifax**
- LP0454 – Land of Wheatley Road, Lee Mount, Halifax**
- LP0478 – Hartwell Ford garage, Skircoat Road**
- LP0523 – Land at Furness Avenue,. Illingworth**
- LP0531 – Land off Whitehill Road, Keighley Road, Illingworth**
- LP0683 – Land at Bank Top/Common Lane, Halifax**
- LP0814 – Land at Richmond Street, Stannary Place, Halifax**
- LP0815 – Works Depot, Stannary Place, Halifax**
- LP0950 – Beacon Lodge Quarry, Long Lane, Halifax**
- LP0968 – Land at West End Golf Club, Paddock Lane, Halifax**
- LP0990 – Land off Denfield Lane. Wheatley**
- LP1004 – Land off Burnley Road, Warley**
- LP1009 – Site of demolished school, Clough Lane, Mixenden**
- LP1019 – Land adjacent to White House Farm, Riley Lane, Holmfield**
- LP1137 – Horley Green Works, Horley Green Road, Claremount, Halifax**
- LP1180 – Old Lane Dyeworks, Old Lane, Halifax**
- LP1194 – Barn Cottage, 5 Lower Exley, Siddal, Halifax**
- LP1196 – Land off Park Lane, Siddal, Halifax**
- LP1197 – Park Lane, Siddal, Halifax**
- LP1215 – Land adjacent Boothtown Road, Boothtown, Halifax**
- LP1216 – Land off Mill Lane and Old Lane, Boothtown, Halifax**
- LP1229 – Near Royd, Ovenden, Halifax**
- LP1368 – Furness Drive/Turner Avenue South, Illingworth**
- LP1379 – Heathmoor Park Road/Field Head Lane, Illingworth**
- LP1425 – Land south of Phoebe Lane, Siddal, Halifax**
- LP1429 – Former St. Catherine’s High School, Holdsworth Road, Holmfield**
- LP1481 – Former St. Catherine’s High School, Holdsworth Road, Holmfield**
- LP1486 – Land off Hambledon Drive, Mixenden**
- LP1487 – Land off Balkram Road, Mixenden**
- LP1488 – Land off Hambleton Crescent, Mixenden**
- LP1489 – Land south of Hambleton Crescent, Mixenden**
- LP1547 – and at Abbey Park, Illingworth**
- LP1603 – Land rear of 115 Claremount Road, Halifax**
- LP1609 – Land at Titan Works, Claremount Road, Halifax**

**Additional sites proposed by the Council (consultation paper CC39)**

**LP0983 – Land at Maltings Road, Wheatley, Halifax**

**LP1128 – Land off Park Lane, Siddal, Halifax**

**LP1409 – Wood Lane, off Ovenden Wood Road, Wheatley, Halifax**

**LP1590 – Land adjacent to the Wells, Stock Lane, Highroad Well, Halifax**

**Sites in the submitted Local Plan**

**LP0046 – Goosegate Farm, Heathy Lane, Holmfield**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

**LP0103 – Land at Horley Green Road, Claremount, Halifax**

- a) Is the proposal justified and consistent with paragraph 74 in the NPPF? What recreational, landscape/amenity and biodiversity value does the open space have, and where is this evidenced?
- b) What is the reason for the proposed reduction in the indicative site capacity from 56 to 25 dwellings, as set out in the Housing Technical Paper (March 2020) (CC40)?

**LP0261 – Land at Turner Avenue South, Ovenden, Halifax**

**LP0523 – Land at Furness Avenue, Illingworth, Halifax**

**LP1368 – Furness Drove/Turner Avenue South, Illingworth, Halifax**

- a) Is housing development on these sites justified and consistent with paragraph 74 in the NPPF? What recreational, landscape/amenity and biodiversity value do the areas of open space and the sport facility have, and where is this evidenced? Where is re-provision of facilities planned, and is the Council intending to take a coordinated approach linked to the three allocations?
- b) What is the reason for the proposed reduction in the indicative site capacity of LP0261 from 91 to 77 dwellings, as set out in the Housing Technical Paper (March 2020) (CC40)?
- c) What is the reason for the proposed increase in the indicative site capacity of LP0523 from 103 to 158 dwellings, as set out in the updated Housing Technical Paper (March 2020)?
- d) What is the reason for the proposed decrease in the indicative site capacity of LP1368 from 9 to 6 dwellings, as set out in the updated Housing Technical Paper (March 2020)?

### **LP0353 – Land to the rear of 109 Fairfax Crescent, Southowram**

- a) Is the proposal justified and consistent with paragraph 74 in the NPPF? What recreational, landscape/amenity and biodiversity value does the open space have, and where is this evidenced?

### **LP0397 - Daisy Bank, Savile Park, Halifax**

- a) How would the site be accessed? Is the track via Savile Park Gardens in control of the landowner?
- b) The Statement of Common Ground between the Council and Historic England (March 2020) (CC41) indicates that the area of 'high sensitivity' identified in the Heritage Impact Assessment (EV28) should be removed from the developable area. What are the implications for the developable area and site capacity?

### **LP0452 - Ovenden Green, Ovenden, Halifax**

- a) Is the proposal justified and consistent with paragraph 74 in the NPPF? What recreational, landscape/amenity and biodiversity value does the open space have, and where is this evidenced? Should its loss be mitigated?

### **LP0454 – Land off Wheatley Road, Lee Mount, Halifax**

- a) What is the reason for the proposed reduction in the indicative site capacity from 20 to 14 dwellings, as set out in the updated Housing Technical Paper (March 2020)?

### **LP0531 - Whitehill Road, Illingworth, Halifax**

- a) Are further measures necessary to mitigate impacts on junction 26 of the M62 and the Strategic Road Network?
- b) Where is proposed location of the 'buffer/screening between the site and adjacent farm', as referred to in Appendix 1 in the Plan?
- c) What work has been undertaken to assess the impact of the proposal on the character of the locality and views across the site towards the historic core of the village and St. Mary's church? Is the church a listed building?
- d) What is the reason for the proposed reduction in the indicative site capacity from 130 to 122 dwellings, as set out in the Housing Technical Paper (March 2020)?
- e) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP0683 – Land at Bank Top/Common Lane, Halifax**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

**LP0814 – Land at Richmond Street, Stannary Place, Halifax**

- a) Does the proposed increase in site capacity, up from 45 to 52 dwellings in the Housing Technical Paper (March 2020), reflect the outline planning permission?

**LP0815 – Works Depot, Stannary Place, Halifax**

- a) Is the play area included within the developable area? If so, will re-provision be made within the scheme?
- b) Does the proposed reduction in site capacity, down from 73 to 62 dwellings in the Housing Technical Paper (March 2020), reflect the outline planning permission?

**LP0950 – Beacon Lodge Quarry, Long Lane, Halifax**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

**LP0968 – Land at West End Golf Club, Paddock Lane, Highroad Well, Halifax**

- a) Is the proposal justified and consistent with paragraph 74 in the NPPF? What recreational, landscape/amenity and biodiversity value does the site have, and where is this evidenced?
- b) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

**LP0990 – Land off Denfield Lane, Wheatley, Halifax**

- a) What recreational value does the site have? Should provision be made for footpaths to be retained within the site?
- b) Where will vehicular access be taken from, and can this be demonstrated?
- c) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

**LP1009 – Site of demolished school, Clough Lane/Brow Bottom Lane, Mixenden, Halifax**

- a) Is the proposal justified and consistent with paragraph 74 in the NPPF? What recreational/open space value does the site have, and where is this evidenced? Should proposals relating to enhancement or provision of open space elsewhere be specified in the policy?
- b) What is the reason for the proposed reduction in the indicative site capacity from 55 to 38 dwellings, as set out in the Housing Technical Paper (March 2020)?

### **LP1019 – Land adjacent to White House Farm, Riley Lane, Holmfield**

- a) What is the reason for the proposed reduction in the indicative site capacity from 41 to 27 dwellings, as set out in the Housing Technical Paper (March 2020)? Is this linked to the proposed removal of the south-eastern tree-belt from the developable area, as identified in the Statement of Common Ground between the Council and Historic England (March 2020) (CC41)?
- b) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP1137 - Horley Green Works, Claremount, Halifax**

- a) The Council is requested to confirm the indicative developable area of the site (this is missing from the inset map).
- b) Does the proposed increase in site capacity, up from 27 to 31 dwellings in the Housing Technical Paper (March 2020), reflect the recent planning application?
- c) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP1180 - Old Lane Dykeworks, Old Lane**

- a) The Council has proposed that areas identified as 'high sensitivity' in the Heritage Impact Assessment (EV28) should be removed from the developable area<sup>32</sup>. What are the implications for the developable area and site capacity?

### **LP1196 – Land off Park Lane, Siddal, Halifax**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP1197 – Park Lane, Siddal, Halifax**

- a) Is the proposal justified and consistent with paragraph 74 in the NPPF? What recreational/open space value does the site have, and where is this evidenced?

### **LP1215 – Land adjacent Boothtown Road, Boothtown, Halifax**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

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<sup>32</sup> As set out in the Statement of Common Ground with Historic England (March 2020) (CC41).

### **LP1216 – Land off Mill Lane and Old Lane, Boothtown, Halifax**

- a) What is the reason for the proposed reduction in the indicative site capacity 197 from 197 to 94 dwellings, as set out in the Housing Technical Paper (March 2020)? Which part of the site is now no longer anticipated to come forward for development?
- b) How would the remaining site be accessed?

### **LP1229 - Near Royd, Ovenden, Halifax**

- a) What landscape character assessment work has been undertaken to inform the site boundary and developable area? What effect would the proposal have on the character of the local area and the setting of Swales Moor Hill?
- b) Has third party land been secured to achieve access over Ovenden Brook, and is the provision of a bridge feasible?
- c) What is the reason for the proposed reduction in the indicative site capacity from 474 to 400 dwellings, as set out in the Housing Technical Paper (March 2020)?
- d) What viability assessment work has been done in support of the proposal?
- e) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP1379 - Heathmoor Park Road/Field Head Lane, Illingworth, Halifax**

- a) Is the proposal justified and consistent with paragraph 74 in the NPPF? What recreational, landscape/amenity and biodiversity value does the open space have, and where is this evidenced?
- b) What is the reason for the proposed increase in the indicative site capacity from 41 to 43 dwellings, as set out in the Housing Technical Paper (March 2020)?

### **LP1429 and LP1461 – Former St. Catherines High School, Holdsworth Road, Holmfield, Halifax**

- a) What recreational/open space value does the site have, and where is this evidenced? Does site LP1429 contain two former tennis courts? Does the proposal accord with paragraph 74 in the NPPF?
- b) Is the proposed amended site capacity of 108 dwellings on site LP1429 justified<sup>33</sup>, as set out in the Housing Technical Paper (March 2020)?
- c) Does the boundary of site LP1481 reflect what is on the ground?

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<sup>33</sup> Compared to an indicative capacity of 83 dwellings in the submitted Local Plan.

**LP1486 – Land off Hambleton Drive, Mixenden, Halifax**

**LP1487 – Land off Balkram Road, Mixenden, Halifax**

**LP1488 – Land off Hambleton Crescent, Mixenden, Halifax**

**LP1489 – Land south of Hambleton Crescent, Mixenden., Halifax**

- a) What recreational, landscape/amenity and biodiversity value do the open spaces have, and where is this evidenced? Do the proposals accord with paragraph 74 in the NPPF? What is the Council's strategy for the re-provision/enhancement of open space elsewhere in the local area?

**LP1547 – Land at Abbey Park, Illingworth, Halifax**

- a) What provision will be made for the re-provision of open space within the redevelopment or elsewhere? Is the proposal in accordance with paragraph 74 in the NPPF?
- b) Does the increased site capacity of 83 dwellings in the updated Housing Technical Paper (March 2020) reflect the recent planning application<sup>34</sup>?

**LP1603 – Land rear of 115 Claremount Road, Halifax**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

**LP1609 – Land at Titan Works, Claremount Road, Boothtown, Halifax**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

**Additional sites proposed by the Council**<sup>35</sup>

**LP0983 – Land at Maltings Road, Wheatley**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

**LP1128 – Land off Park Lane, Siddal, Halifax**

- a) Will access to the site require widening works on Park Lane? Is this deliverable and should it be specified in Appendix 1 in the Plan?
- b) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

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<sup>34</sup> Compared to an indicative capacity of 75 dwellings in the submitted Local Plan.

<sup>35</sup> Consultation paper 'Housing Requirement Update and Potential Supply' January 2020 (CC39).

**LP1409 – Wood Lane, off Ovenden Wood Road, Wheatley, Halifax**

- a) Can safe vehicular access be secured from Ovenden Wood Road via an enlarged tunnel and Wood Lane? What effect would this have on scheme viability?
- b) How would pedestrian access to Wheatley be facilitated?
- c) Does the estimated site capacity take account of the topography of the site and other constraints?
- d) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?
- e) The proposed amendment to the Green Belt boundary would result in Green Belt to the north and north-east of the site being surrounded by built development. Would consequential Green Belt changes be necessary in these locations?

**LP1590 – Land adjacent to the Wells, Stock Lane, Highroad Well, Halifax**

- a) How would the site be accessed?
- b) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

## **Matter 19 - Hebden Bridge, Mytholmroyd, Ripponden and Sowerby Bridge housing allocations**

***Issue - Are the proposed Hebden Bridge, Mytholmroyd, Ripponden and Sowerby Bridge housing allocations justified, effective, developable/deliverable and in line with national policy?***

### **Sites in the submitted Local Plan**

**LP1501 - Land east of Manor Drive, Hebden Bridge**  
**LP1503 - Land at Stoney Lane, Hebden Bridge**  
**LP0011 - Tenterfields, Burnley Road, Luddenden Foot**  
**LP0253 - Junction of Grosvenor Place, Burnley Road, Luddenden Foot**  
**LP0938 - Holme House, Holme House Lane, Rishworth**  
**LP1023 - Land off Halifax Road, Triangle, Sowerby Bridge**  
**LP1027 - Stonelea, Barkisland**  
**LP1224 - Land north of Meadowcroft Lane, Halifax Road, Ripponden**  
**LP0044 - Cemetery Lane, Lower Bentley Royd, Sowerby Bridge**  
**LP0287 - Land rear of 287 Willowfield Road, Halifax**  
**LP0435 - Land off Haugh End Lane, Sowerby**  
**LP0438 - Land off Dean Lane, Sowerby**  
**LP1356 - Hollins Park, Cemetery Lane, Sowerby Bridge**  
**LP1391 - Upper Bentley Royd, Sowerby Bridge**  
**LP1398 - Land on west side of Brockwell Lane, Triangle, Sowerby Bridge**  
**LP1412 - Land north of Lower Brockwell Lane, Sowerby Bridge**  
**LP1415 - Wakefield Road, Sowerby Bridge**  
**LP1654 - Politt Fields, 8 Ripon House, Sowerby Bridge**  
**LP1655 - Rawson Wood, Wood Croft, Sowerby Bridge**

### **Additional sites proposed by the Council (consultation paper CC39)**

**LP0931 - Land at Greave House Field, Luddenden**  
**LP1372 - Kershaw Drive, Luddenden Foot**  
**LP1602 - Barkisland Cross, Jackson Lane, Barkisland**

### **Sites in the submitted Local Plan**

#### **LP1501 - Land east of Manor Drive, Hebden Bridge**

- a) What recreational/landscape/biodiversity value does the open space have, and where is this evidenced? Is the proposal consistent with NPPF paragraph 74?
- b) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP1503 - Land at Stoney Lane, Hebden Bridge**

- a) Does the proposal involve public benefits or other mitigating circumstances that would outweigh harm to designated heritage assets? What mitigation measures may be necessary in order to conserve and enhance the historic environment<sup>36</sup>?
- b) What recreational/landscape/biodiversity value does the open space have, and where is this evidenced? Is the proposal consistent with NPPF paragraph 74?
- c) Is the reduced capacity of 20 dwellings appropriate (as set out in the Council's Housing Technical Paper March 2020 (CC40)), taking account of the site's constraints, including topography, ecology and heritage?

### **LP0011 - Tenterfields, Burnley Road, Luddenden Foot**

- a) Does the site contain open space? What recreational/landscape/biodiversity value does it have, and where is this evidenced? Is the proposal justified and consistent with paragraph 74 in the NPPF?

### **LP1224 – Land north of Meadowcroft Lane, Halifax Road, Ripponden**

- a) Should Appendix 1 in the Plan specify the submission of emergency and egress plans (as proposed in the Environment Agency letter dated 24<sup>th</sup> February 2020)?
- b) Does the proposed reduction in site capacity, down from 30 to 24 dwellings in the Housing Technical Paper (March 2020) (CC40), reflect the planning permission?

### **LP0044 – Cemetery Lane, Lower Bentley Royd, Sowerby Bridge**

- a) To what extent can development be accommodated in the south-east part of the site, taking account of the presence of mature trees?
- b) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

### **LP1356 - Hollins Park, Cemetery Lane, Sowerby Bridge**

- a) What progress has been made to identify a site for replacement pitches/play area?
- b) How would the existing narrow access point off Cemetery Lane be dealt with?
- c) What is the reason for the proposed increase in the indicative site capacity from 10 to 32 dwellings, as set out in the Housing Technical Paper (March 2020) (CC40)?

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<sup>36</sup> Historic England has indicated that the site could be developable subject to mitigation, as set out in the Statement of Common Ground with the Council (March 2020) (CC41).

### **LP1391 – Upper Bentley Royd, Sowerby Bridge**

- a) What mitigation measures may be required on Salisbury Road to enable access? Would third party land be needed, and has this been secured?

### **LP1398 – Land on the west side of Brockwell Lane, Triangle, Sowerby Bridge**

### **LP1412 – Land north of Lower Brockwell Lane, Sowerby Bridge**

- a) What is the relationship between the two sites? Is joint access required? How will the sites be accessed? Has any necessary third party land been secured?
- b) Does LP1398 contain a public right of way? If so, should Appendix 1 in the Plan specify its retention and enhancement?
- c) Do the sites contain open space? If so, what recreational/landscape/biodiversity value do they have, and where is this evidenced? Are the proposals justified and consistent with paragraph 74 in the NPPF?
- d) Does the proposed increase in site capacity on LP1412 from 8 to 18 dwellings, as set out in the Housing Technical Paper (March 2020), reflect the recent permission?

### **LP1654 - Politt Fields, 8 Ripon House, Sowerby Bridge**

- a) What is the extent and location of the open space, and what recreational/ landscape/ biodiversity value does it have? Is the proposal consistent with NPPF paragraph 24? Is the requirement to 'consider impact of loss of open space' an effective approach?

### **LP1655 – Rawson Wood, Wood Croft, Sowerby**

- a) Does the proposed increase in site capacity from 22 to 26 dwellings, as set out in the Housing Technical Paper (March 2020), reflect the recent planning application?

### **Additional sites proposed by the Council<sup>37</sup>**

### **LP0931 – Land at Greave House Field, Luddenden**

### **LP1372 – Kershaw Drive, Luddenden Foot**

- a) Why is the eastern part of site LP1372, identified as an 'area of high sensitivity' in the Council's Heritage Impact Assessment (EV38), included within the developable area? Is the Council satisfied that built development could be accommodated here and any impact on the historic environment sufficiently mitigated? What measures would this involve, and should they be specified in Appendix 1? What is the view of Historic England on provision of an access road only across the eastern section?
- b) What effect would residential development on sites LP0931 and LP1372 have on the character and appearance of the area and the setting of the village? Is development on site LP1372 consistent with its location with the Special Landscape Area? What role does site LP0931 play in providing a strategic gap between the settlements of Luddenden and Luddenden Foot?

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<sup>37</sup> Council consultation paper 'Housing Requirement Update and Potential Supply' (January 2020) (CC39).

- c) Is access to LP0931 necessary via LP1372? If so, should this be specified in Appendix 1 in the Plan for reasons of effectiveness?
- d) What value does site LP0931 have as open space, and where is this evidenced? Is the proposal in line with paragraph 74 in the NPPF?
- e) What effect would the proposed boundary change and allocation of site LP1372 have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

**LP1602 – Barkisand Cross, Jackson Lane, Barkisland**

- a) What effect would residential development have on the character and appearance of the area and the setting of the village? Is development consistent with the site's location within a Special Landscape Area?
- b) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

## **Matter 20 – Northowram and Shelf housing allocations**

***Issue - Are the proposed Northowram and Shelf housing allocations justified, effective, developable/deliverable and in line with national policy?***

### **Sites in the submitted Local Plan**

**LP0221 – Land at Spring Head, Northowram**

**LP0589 – Land adjacent to and rear of 8 Back Clough, Northowram**

**LP0759 – Land off Belle Vue Rise, Shelf**

**LP0782 – Land off Cock Hill Lane, Shelf**

**LP1041 – Land at West Street and Halifax Road, Shelf**

**LP1543 – Land north and north-west of Wade House Avenue, Shelf**

### **Additional sites proposed by the Council (in consultation paper CC39)**

**LP0766 – Land off Hall Lane, Northowram**

**LP1034 – Land off Soaper Lane, Shelf**

**LP1035 – Land at 30 Burned Road, Shelf**

**LP1036 – Land north of Shelf Cricket Ground, Carr House Lane, Shelf**

**LP1037 – Land off Burned Road, Shelf**

**LP1044 – Hud Hill Farm, Northowram**

**LP1523 – Land at Westercroft Lane, Northowram**

### **Sites in the submitted Local Plan**

#### **LP0221 – Land at Spring Head, Northowram**

- a) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

#### **LP0589 – Land adjacent to and rear of 8 Back Clough, Northowram**

- a) What is the reason for the proposed reduction in the indicative site capacity from 15 to 10 dwellings, as set out in the updated Housing Technical Paper (March 2020)?

#### **LP0782 – Land off Cock Hill Lane, Shelf**

#### **LP1543 – Land north/north-west of Wade House Avenue, Shelf**

- a) How do sites LP0782 and LP1543 relate to each other? Is access to LP1543 required through LP0782, and should this be specified in Appendix 1? What other access points to LP1543 are required, and has third party land been secured?
- b) Should the sites be combined in a single policy and a joint Masterplan required?
- c) Why is the 'area of high sensitivity' in site LP0782, as identified in the Council's Heritage Impact Assessment (EV38), included within the developable site area? Is the Council satisfied that built development in this area could be accommodated and any impact on the setting of Cock Hill sufficiently mitigated? What measures would this involve?

- d) Which of the Class III archaeological sites on site LP0782, as identified in the Council's Heritage Impact Assessment, are located within the 'area of high sensitivity'? What impact would built development have on these historic assets? Is the Council satisfied that suitable mitigation measures could be put in place?
- e) What is the view of Historic England on the provision of an access road only across the area of high sensitivity within site LP0782?
- f) What effect would the proposed boundary changes and allocations have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

#### **LP1041 – Land at West Street and Halifax Road, Shelf**

- a) Why is the vacant land to the south and west of the stream not included within the developable area? Would any potential mitigation measures allow this area to be developed? Should the site boundary be extended to include an area of vacant land to the rear of the factory building, as sought by the landowner?
- b) To what extent does the site contribute to the setting of Shelf and provide a clear gateway into the settlement?
- c) Does the site have value as an area of amenity space, and where is this evidenced? Is the proposal justified and consistent with paragraph 74 in the NPPF?

#### **Additional sites proposed by the Council<sup>38</sup>**

##### **LP0766 – Land off Hall Lane, Northowram**

- a) What effect would the proposed development have on the character and appearance of the area and the setting of the village?
- b) Should Appendix 1 specify that the area of high sensitivity (as identified in the Council's Heritage Impact Assessment) should remain free of built development, in order to protect the significance of nearby historic assets?
- c) What effect would the proposed boundary changes and allocations have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

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<sup>38</sup> Council consultation paper 'Housing Requirement Update and Potential Supply' January 2020 (CC39).

**LP1034 – Land off Soaper Lane, Shelf**

**LP1035 – Land at 30 Burned Road, Shelf**

**LP1036 – Land north of Shelf Cricket Ground, Carr House Lane, Shelf**

**LP1037 – Land off Burned Road, Shelf**

- a) What is the relationship between the four sites? Should joint masterplanning be sought in Appendix 1? Should Appendix 1 specify joint access arrangements for LP1034, LP1035 and LP1036, as shown in the submitted indicative masterplan?
- b) Has third party land been secured to facilitate improvements to Burned Road? Is it feasible to retain stone boundary walls as part of the proposed upgrade?
- c) What is site LP1036 currently used for? Does it form part of the cricket club land? If so, what open space value does it have, what is the view of Sport England, and is the proposal consistent with paragraph 74 in the NPPF?
- d) Has the Council carried out a Heritage Impact Assessment relating to all or some of these sites? If so, could you point me to this document?
- e) What impact would development on these sites have on the appearance and setting of the village and the gap between Shelf and Butterworth? What role does the Green Belt in this location play in preventing the coalescence of Shelf and Buttershaw?
- f) Overall, what effect would the proposed boundary changes and allocations have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?
- g) Is there a history of mining on the sites? If so, what additional reports/site specific considerations would result?
- h) Is the last bullet point in the 'site specific considerations' section of policy LP1036 necessary given that proposed site LP1035 is located to the north?

**LP1044 – Hud Hill Farm, Northowram**

- a) What effect would the proposal have on the character and appearance of the area and the setting of the village?
- b) What effect would the proposed boundary changes and allocations have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt?

**LP1523 – Land at Westercroft Lane, Northowram**

- a) Why has the area of high sensitivity, as identified in the Council's Heritage Impact Assessment, been included within the developable area? Is the Council satisfied that development here would not harm the significance of Westercroft hamlet? What mitigation measures may be necessary to reduce harm? What is the view of Historic England on this issue?

- b) If the area of high sensitivity was excluded, what would the revised site capacity and developable area be?
- c) What effect would the proposal have on the character and appearance of the area and the setting of the village?
- d) Would development on this site allow access to rejected site LP0826 to the west? If so, should the developable area of the allocation be extended and/or access required to LP0826?
- e) What effect would the proposed boundary changes and allocations have on the Green Belt and the purposes of including land within it? What role does the site play in providing a gap between Northowram and Lumbrook? Are there exceptional circumstances that justify altering the Green Belt?

## **Matter 21 – Todmorden housing allocations**

***Issue - Are the proposed Todmorden housing allocations justified, effective, developable/deliverable and in line with national policy?***

**LP0053 – Land off Key Syke Lane, Kilnhurst, Todmorden**  
**LP0635 – Land off Fir Street, Walsden, Todmorden**  
**LP0640 – Land off The Hollins, Stansfield Hall Road, Todmorden**  
**LP0651 – Land off Stoney Royd Lane, Todmorden**  
**LP0658 – Cinderhill Mills, Halifax Road, Todmorden**  
**LP0659 – Land rear of 302 Halifax Road, Todmorden**  
**LP0901 – Land off Woodlands Avenue, Todmorden**  
**LP0914 – Land opposite 46-48 Hollins Road, Walsden, Todmorden**  
**LP1534 – Birks Mill, Birks Lane, Walsden, Todmorden**  
**LP1637 – Land in front of Bradnor House, Todmorden**

### **LP0053 – Land off Key Syke Lane, Kilnhurst, Todmorden**

- a) What value does the site have as open space, and where is this evidenced? Does the proposal accord with paragraph 74 in the NPPF?

### **LP0640 – Land off The Hollins, Stansfield Hall Road, Todmorden**

- a) The Council has indicated that the indicative developable area should be amended to reflect the Heritage Impact Assessment (EV28)<sup>39</sup>. Does this include exclusion of the western and north-eastern tree belts? What are the implications for developable area and site capacity?
- b) Does the estimated site capacity take account of the site's topography?
- c) What effect would the proposal have on the character and appearance of the area and the setting of the town?

### **LP0651 – Land off Stoney Royd Lane, Todmorden**

- a) Representations indicate that Stoney Royd Lane is in private ownership. Is access via this route deliverable, and what alternatives have been explored?

### **LP0659 – Land rear of 302 Halifax Road, Todmorden**

- a) How would the site be accessed?

### **LP0901 – Land off Woodlands Avenue, Todmorden**

- a) Is a replacement kick-about area and play area of equivalent quantity and quality capable of being accommodated on the adjoining site (LP0902), taking account of its topography and vegetation? Would the community orchard also need to be relocated? Is the adjoining site easily accessed and its location conducive to

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<sup>39</sup> As set out in the Statement of Common Ground with Historic England (March 2020) (CC41).

users? Would the proposal accord with paragraph 74 in the NPPF? Is site LP0902 available/secured for this purpose?

- b) What effect would the loss of the open space have on the character of the locality and the setting of Woodlands Avenue?

**LP0914 – Land opposite 46-48 Hollins Road, Walsden, Todmorden**

- a) How would the site be accessed? What practical improvements may be required?

**LP1534 – Birks Mill, Birks Lane, Walsden, Todmorden**

- a) What is the significance of the existing buildings on the site, in terms of their heritage value and contribution to the setting of the canal? Should the policy seek their retention? In what circumstances would the loss of these buildings be outweighed by other factors? What is Historic England's view on the proposal?

**LP1637 – Land in front of Bardnor House, Todmorden**

- a) How would the site be accessed? Has necessary third party land been secured?

## **Matter 22 – Housing supply (update<sup>40</sup>)**

***Issue – Does the Plan make sufficient provision to enable the Council’s proposed revised housing requirement of 14,950 dwellings<sup>41</sup> to be delivered over the Plan period, and for a five year supply of land to be provided?***

### **Questions**

- a) Is the Council’s revised approach to estimating supply from extant permissions, as set out in the updated Housing Technical Paper (March 2020), justified and consistent with national guidance? Have realistic assumptions been made about delivery and an appropriate discount rate applied?
- b) Is the adjusted windfall rate and its application over the Plan period, as set out in the updated Housing Technical Paper, reasonable?
- c) Do the standard lead-in times for sites with permission, as set out in Table 18 in the Housing Technical Paper, provide a robust starting point for estimating site delivery?
- d) Is the process of estimating the lead-in time for allocations without permission, as set out in Table 3 in Appendix 7 in the updated Housing Technical Paper, robustly based? How were the additional factors listed in paragraph 7.17 of the Paper applied? Were they added to any particular standard lead-in times?
- e) Do the general build-out rates in Table 19 in the updated Housing Technical Paper provide a robust starting point for estimating allocation site delivery rates? In how many cases have bespoke adjustments been made, and why?
- f) Are the estimated delivery rates in the housing trajectory realistic and consistent with national guidance relating to the deliverability/developability of sites?
- g) Are the ‘indicative density’ figures for each allocation based on the gross, net or ‘indicative developable’<sup>42</sup> site area? Is the ‘indicative developable area’ the same as the net site area? Do all of the site allocations achieve the Plan minimum of at least 30 dwellings per hectare (net)?
- h) Paragraph 6.15 in the updated Housing Technical Paper refers to uplifts in dwelling numbers on a number of mixed-use sites (amounting to 200 dwellings) in the Council’s latest housing supply work. Are these uplifts justified and evidenced? Are other changes proposed by the Council<sup>43</sup>?

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<sup>40</sup> This issue was previously covered at the Stage 1 hearings under Matter 4. The questions under Matter 22 relate to the Council’s proposed revisions to the housing requirement and sources of supply, as set out in the consultation paper January 2020 (‘Housing Requirement Update and Potential Supply’ CC39) and the Council’s updated Housing Technical Paper (March 2020) (CC40).

<sup>41</sup> As set out in the Council’s ‘Housing Requirement Update and Potential Supply’ consultation paper (January 2020) (CC39).

<sup>42</sup> As set out in the site information in Appendix 1 to the Plan.

<sup>43</sup> At the time of publication the Council was intending to produce a ‘Mixed Use Sites Capacity Study’ looking at capacity on these sites. It is due to be published prior to the Stage 2 hearings. Please see the Council or Programme Officer for further information.

- i) Table 7 in the updated Housing Technical Paper indicates that supply over the Plan period will exceed the housing requirement by some 600 dwellings. Does this provide sufficient flexibility to respond to changing circumstances?
- j) In the Council's five year housing land supply calculations in Table 21, why has the shortfall in completions since the Plan base date been distributed over the Plan period rather than within the first five years (the Liverpool approach rather than the Sedgefield approach)? Is this approach justified and in line with paragraph 031 in the Government's Planning Practice Guidance on Housing Supply and Delivery?
- k) Table 21 indicates that the Council has applied extant permission figures from March 2019 to estimate supply from this source at March 2020. What are the reasons for taking this approach, rather than using the projections in the housing trajectory for the five year period? Why does the Council's figure of 2146 differ from the total remaining dwellings at March 2019 in Table 13 (2200 dwellings)?

### **Matter 23 – Employment supply (update<sup>44</sup>)**

***Issue – Does the Plan provide sufficient employment land to support growth and meet the identified need for some 73 hectares of additional employment land between 2016 and 2032?***

***[Policies SD4 - SD6]***

#### **Questions**

- a) In the Council's updated employment land supply calculations (March 2020), what size threshold was used for extant permissions relating to extensions to existing premises, ancillary development and replacement buildings? Why were sites below the threshold excluded from this source of supply? What was the scale of this additional supply, as at 31<sup>st</sup> March 2019?
- b) The updated employment supply paper identifies provision for some 108 hectares of additional employment land between 2016 and 2032. Is this level of provision, representing an uplift of 35 hectares above OAN, justified and appropriate? To what extent does the provision figure allow for flexibility and non-delivery? What is the actual anticipated rate of supply over the Plan period?
- c) How does the anticipated rate of supply over the Plan period (see Qb above) compare to recent rates of employment land take-up in the borough?

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<sup>44</sup> This issue was previously covered at the Stage 1 hearing sessions under Matter 5. The questions under Matter 23 relate to the Council's updated employment land supply calculations in the Council's Response to the Inspector's Hearing Note 3 (March 2020) (see section CC in the examination library).

## **Matter 24 - Addressing climate change**

***Issue – Does the Plan set out positive policies for addressing climate change which are justified, effective and consistent with national policy?***

### **[Policies CC1 – CC6]**

- a) Is Policy CC1 intended to provide a broad strategic framework? If so, are modifications necessary to clarify this position?<sup>45</sup>
- b) Is the approach to managing flood risk established in Policy CC2, including additional zone 3ai, justified and supported by evidence?
- c) Does Policy CC3 provide clear and effective guidance on Sustainable Drainage Systems (SuDS) and when they are required? Are there any implications arising from paragraph 165 in the revised NPPF (2019)?
- d) Should Policy CC4 have regard to the impact of natural flood management proposals on locally designated wildlife sites, including Local Wildlife Sites and the Calderdale Wildlife Habitat Network? What potential modifications would this involve?
- e) Is the proposed insertion of reference to Castle Hill in the supporting text to Policy CC6, as set out in the Council's Working Draft List of Potential Modifications (April 2020), necessary for reasons of soundness? As such, is it a main modification?
- f) Should bullet 3 in Policy CC6 be expanded to refer to protected species as well as protected sites?
- g) Are the areas identified as suitable for 'small' and 'very small' wind turbine development, as defined on the Policies Map, robustly evidenced and justified? Is the approach to turbines less than 18 metres to blade tip, as set out in Policy CC6, in line with the Written Ministerial Statement dated 18<sup>th</sup> June 2015?
- h) Is the threshold of 10 dwellings and the hierarchy approach to district heating networks, as set out in Policy CC6, justified and effective?

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<sup>45</sup> Other questions on climate change are included under Matter 8.

## **Matter 25 – Health and well-being policies**

***Issue – Does the Plan set out positively prepared policies for health and well-being which are justified, effective and consistent with national policy?***

### **[Policies HW1-HW6]**

- a) Is the approach to Health Impact Assessments and the threshold of 30 units, as set out in Policy HW2, supported by robust evidence and consistent with national policy?
- b) Are 'community facilities and services' clearly defined in Policy HW4? How would Assets of Community Value be dealt with?
- c) In Policy HW5 on local food production, is the exception for apartments and specialist accommodation soundly based? Is the Council's proposed modification to seek growing spaces where practical (as set out in the Council's Working Draft List of Potential Modifications April 2020) justified and necessary for reasons of soundness?
- d) Is the restriction of hot food takeaways within 400 metres of schools, as set out in Policy HW6, justified and supported by evidence? Are primary schools included, and if so why? How was the distance threshold determined? Is the exception relating to designated town centre locations justified and sufficiently flexible?

*[In its response the Council is requested to provide maps showing the location of schools and the 400 metre cordon, along with the boundaries of all designated centres. The maps should be larger scale than in 'The Impact on Health of Fast Food Takeaway Outlets' (EV25).]*

## **Matter 26 - Built and historic environment policies**

***Issue – Does the Plan set out positively prepared policies relating to the built and historic environment which are justified, effective and consistent with national policy?***

### **[Policies BT1-7, Policy HE1]**

- a) Is the insertion of criterion ii in Policy BT1, as set out in the Council's Working Draft List of Modifications (April 2020), justified and necessary for reasons of soundness?
- b) Are the amenity space standards in Annex 2 of the Plan (Policy BT2) justified?
- c) Is the Council's proposed change to Policy BT3, as set out in the Working Draft List of Modifications, necessary to make the policy effective and consistent with national guidance? As such is it a main modification?
- d) Does the Council's proposed change to paragraph 18.2 provide clarity between designated and non-designated historic sites? Does it meet the concerns of West Yorkshire Archaeological Service?
- e) Does Policy HE1 provide an appropriate framework for conserving and enhancing the historic environment which is line with national policy?

## **Matter 27 – Environment policies**

***Issue – Does the Plan set out positively prepared policies for protecting and enhancing the green infrastructure and the natural environment and for environmental protection which are justified, effective and consistent with national policy?***

### **[Policies GN1-GN8 and EN1-EN3]**

#### **Questions**

- a) Is the proposed change to Policy GN1 (in the Working Draft List of Modifications (April 2020)) necessary for reasons of soundness? As such, is it a main modification?
- b) Is the Wildlife Habitat Network accurately mapped and focused on open areas rather than built development?
- c) Does Policy GN3 provide an appropriate framework for conserving and enhancing biodiversity in the district? In particular:
  - i. Should the policy specify that development within the Calderdale Wildlife Habitat Network or which impacts on any designated wildlife site achieves a net gain in biodiversity, demonstrated through biodiversity metrics?
  - ii. Does the policy give adequate recognition to the role that landscape schemes and lighting schemes can play in conserving and enhancing biodiversity?
- d) Are the proposed Special Landscape Areas (SLA) justified and supported by robust evidence? In particular:
  - i. What evidence and criteria were used to determine the SLAs?
  - ii. Is the detailed assessment of sites/localities clearly documented?
  - iii. Where the boundaries have altered from the Council's previous Plan, are these clearly explained in the evidence base?
  - iv. Are the proposed SLA boundaries justified, with particular regard to SLA No. 6 in the vicinity of waste site WLP1, SLA No. 4 in the vicinity of Swales Moor Road and waste site WLP2, and SLA No. 5 in the vicinity of Stainland Moor?
- e) Does Policy GN4 provide protection for SLAs which is commensurate with their designation? Does it give adequate recognition to the setting of SLAs?
- f) How were the protected open space, sport and recreation facilities (as shown on the Policies Map) determined? How were sites considered for inclusion?
- g) What amount of on-site open space provision would be sought from development schemes under Policy GN6 and what size threshold would apply?
- h) Are the proposed Local Green Spaces in the Plan justified and supported by robust evidence? Does Policy GN8 provide an effective framework for protecting LGS which is in line with national policy?

## **Matter 28 – Minerals**

***Issue 1 - Does the Plan provide a positive strategy and policies for minerals management which are justified, effective and consistent with national policy?***

### **[Policies MS1 – MS4, MS6 and MS7]**

#### **Questions**

- a) How has the Council satisfied the Duty to Cooperate (DtC) in respect of planning for minerals? What work has been undertaken with neighbouring authorities? Are there any outstanding concerns from other DtC bodies?
- b) Paragraph 4.14 in the Council's Duty to Cooperate Statement (2019) (SD13) refers to a regional Memorandum of Understanding dating from 2015. Is this the same as the Leeds City Region Statement of Common Ground 2018 (as appended to the Council's DtC Statement)?
- c) How do the sub-regional landbanks identified in the West Yorkshire Local Aggregates Assessment (LAA) (2016) work in terms of minerals development in Calderdale? What apportionment levels are assumed for the authority area? Is the LAA 2016 the most up to date available evidence?
- d) How does the Council intend to plan for a steady and adequate supply of aggregates? What are the tonnage requirements in Calderdale over the Plan period and the extent of any capacity shortfall or surplus? What account has been taken of recycled and secondary sources?
- e) Is there evidence to show that imports of sand and gravel from North Yorkshire and other sources can be relied on over the Plan period? To what extent can limestone supplies or crushed rock substitute for sand and gravel in terms of the quality of the material?
- f) What is the extent of industrial mineral landbanks in Calderdale?
- g) Are the Mineral Safeguarding Areas (MSA) justified and appropriately defined? Why does the MSA for coal include urban areas? Is the threshold for seeking mineral resource assessments from development schemes in coal and brick/fire clay safeguarding areas, as set out in Policy MS1, justified?
- h) Do all of the criteria in the second set of bullets in Policy MS1 need to be satisfied, or just one? Are modifications to the text necessary for reasons of effectiveness?
- i) Are the restrictions on the re-opening of disused stone quarries, as set out in Policy MS1, justified?
- j) Is the 500 metre buffer zone around MSAs justified, as referred to in Policy MS1, and how would non-mineral development proposals in this area be dealt with?
- k) In what circumstances would the Council be prepared to waive the submission of full restoration details at the planning application stage (as set out in Policy MS6)?

- l) Is the structure of Policy MS7 consistent with paragraph 147 in the NPPF, which states that plans should clearly distinguish between the three phases of development (exploration, appraisal and production)?
- m) Is Policy MS7 consistent with the Plan's overarching aim to address climate change as set out in Policy CC1? Should there be a specific criterion in Policy MS7 relating to the potential impact on climate change?
- n) Is Policy MS7 consistent with the Council's formal position on shale gas exploration?

***Issue 2 – Are the minerals allocations in the Plan justified, effective and consistent with national policy?***

**[Policy MS5]**

**Questions**

- a) What site selection process was undertaken to identify the three proposed new mineral site allocations in Policy MS5?
- b) Does Policy MS5 provide adequate guidance on key constraints, requirements and mitigation measures relating to each of the three new allocations? Is further detail necessary within the policy or in an Appendix to the Plan?
- c) Are the proposed new mineral site allocations in Policy MS5 clearly defined and numbered on the Policies Map?
- d) Is proposed new mineral site allocation MLP29 (Pasture House Quarry, Southowram) justified and deliverable? In particular:
  - i. Are visual impacts and effects on the setting of the village and character of the locality, including views of St. Anne's church, capable of being appropriately mitigated?
  - ii. How would risks associated with noise and disturbance to nearby residential properties in Southowram be dealt with?
  - iii. Is there capacity on the local road network to accommodate additional traffic arising from the scheme?
  - iv. What value does the site have in terms of local recreational amenity and would public footpath access be retained?
  - v. Have cumulative impacts been assessed?
  - vi. Is the allocation consistent with its location in the Green Belt? Are structures likely to be necessary to facilitate development? Has a Green Belt assessment of the site been undertaken?
  - vii. What is the latest position regarding delivery and timescales for working out the resource?
- e) Is proposed allocation MLP30 (Pasture Quarry, Southowram) justified and deliverable? In particular:
  - i. Are visual impacts capable of being appropriately mitigated?
  - ii. How would risks associated with noise and disturbance to nearby residential properties be dealt with?

- iii. How would the site be accessed, and is there capacity on the local road network to accommodate likely traffic?
  - iv. What effect would the proposal have on the significance of heritage assets? Can appropriate mitigation measures be secured, in line with the Council's Heritage Impact Assessment? Are there any outstanding concerns from Historic England?
  - v. Have cumulative impacts been assessed?
  - vi. Is the allocation consistent with its location in the Green Belt? Are structures likely to be necessary to facilitate development? Has a Green Belt assessment of the site been undertaken?
  - vii. What is the latest position regarding delivery and timescales for working out the resource?
- f) Is proposed allocation MLP31 (Concrete batching plant, West Lane, Southowram) justified? In particular:
- i. What is the precise location and boundaries of the site? [the Council is requested to provide a map of the proposed allocation]
  - ii. What is the reason for the proposed allocation, in the context of generic Policy MS3 which safeguards existing facilities?
  - iii. Has a technical site assessment been carried out, in line with the methodology in the Council's Minerals Evidence Report (EV15)?
  - iv. What is the current position regarding ownership?

## **Matter 29 – Waste**

***Issue 1 - Does the Plan provide a positive strategy and policies for addressing waste capacity and management which are justified, effective and consistent with national policy?***

**[Policies WA1, WA2, WA3 and WA4]**

### **Questions**

- a) How has the Council satisfied the Duty to Cooperate in respect of planning for waste? What work has been undertaken with neighbouring authorities? What progress has been made in the production of a West Yorkshire Waste Plan? How has regional data been disaggregated by authority area, Are there any outstanding concerns from other authorities?
- b) The Council's Waste Data Report 2016 is based on data from 2014. Has this evidence been updated, as suggested in paragraph 23.12 in the submitted Local Plan?
- c) How has regional data, including capacity figures in the 'Waste Needs Assessment Capacity Gap Analysis' by the West Yorkshire Combined Authority (2017) (EV24), been disaggregated by local authority area?
- d) Does strategic objective 10 on waste suitably reflect the waste hierarchy and the Council's priorities?
- e) What degree of self-sufficiency is likely to be obtained over the Plan period, and how will the proximity principle be satisfied?
- f) What methodology was used to derive the waste recycling and treatment capacity shortfall figures, as set out in Table 23.2 in the submitted Local Plan? *[the Council is requested to provide a summary of the methodology]*
- g) How much additional new land is allocated for waste facilities in Policy WA2, e.g. excluding existing facilities? How does this compare to the capacity requirements identified in Table 23.2 in the Plan?
- h) Does Policy WA3 provide a clear framework for the safeguarding of existing operational waste sites? In what circumstances would the Council allow the loss of such sites? Are the safeguarded sites clearly identified in the Plan and on the Policies Map?
- i) Does Policy WA4 give sufficient recognition to Green Belt issues?

***Issue 2 - Are the waste allocations in the Plan justified, effective and consistent with national policy?***

**[Policy WA2]**

**Questions**

- a) How was the proximity principle factored into the site selection process?
- b) In the case of new waste facilities allocation sites currently in the Green Belt (WLP2, WLP3 and WLP4), does the Council intend that these should be removed from the Green Belt? If so, have exceptional circumstances been adequately demonstrated? Or if the allocations are to remain in the Green Belt, is there evidence to show they will be effective and that very special circumstances are capable of being demonstrated?
- c) Are the proposed new sites in Policy WA2 allocated for any type of waste facility?
- d) Does Policy WA2 provide adequate guidance on key constraints, requirements and mitigation measures relating to each allocation? Is further detail necessary within the policy or in an Appendix to the Plan?
- e) Is the proposed allocation at Sharneyford (WLP1) suitable and deliverable?  
Specifically:
  - i. What uses currently take place on the site?
  - ii. What is the scale and exact location of the proposed extension area? [the Council is requested to provide a map]
  - iii. Is there capacity on the local road network to support additional development?
  - iv. How would any visual impacts be mitigated, taking account of the site's location within a Special Landscape Area?
  - v. What are the implications of the site's location within a Local Geological Site?
  - vi. Have cumulative effects been assessed?
  - vii. What is the current position regarding landownership, developer interest and planning applications?
- f) Is the proposed allocation at Swalesmoor Road (WLP2) suitable and deliverable?  
Specifically:
  - i. What uses currently take place on the site?
  - ii. What is the scale and exact location of the proposed extension area? [the Council is requested to provide a map showing the existing site and the proposed extension area]
  - iii. Is there capacity on the local road network to support additional development?
  - iv. How would any visual impacts be mitigated, taking account of the site's topography and proximity to the Shibden Valley Special Landscape Area?
  - v. What effect would the proposal have on the significance of heritage assets? Can appropriate mitigation measures be secured, in line with the Council's Heritage Impact Assessment? Are there any outstanding concerns from Historic England?
  - vi. Have cumulative effects been assessed?

- vii. What is the current position regarding landownership, developer interest and planning applications?
- g) Is the proposed allocation at Stainland Road (WLP3) suitable and deliverable?  
Specifically:
- i. What uses currently take place on the site?
  - ii. What mitigation measures may be necessary to deal with potential impacts on the nearby watercourse and land contamination?
  - iii. What is the current position regarding landownership, developer interest and planning applications?
- h) Is the proposed allocation at Wakefield Road (WLP4) suitable and deliverable?  
Specifically:
- i. What uses currently take place on the site?
  - ii. Can appropriate mitigation and enhancement measures be secured, in line with the Council's Heritage Impact Assessment? Are there any outstanding concerns from Historic England?
  - iii. What is the current position regarding landownership, developer interest and planning applications?