

CALDERDALE LOCAL PLAN

LP0901 – OPEN SPACE PROVISION & VIABILITY

LP0902 – DEVELOPABILITY OF SITE IN CONJUNCTION WITH LP0901

Calderdale Metropolitan Borough Council

30 March 2021



1. INTRODUCTION

1.1 The production of this paper has been necessitated following the Matter 21 hearing session on Todmorden Housing Allocations at stage 2 of the Examination into the Calderdale Local Plan dated 17th November 2020. Agenda item 2 of Matter 21 sought justification from the Council for the proposed allocation of Land off Woodlands Avenue, Todmorden.

1.2 Following discussions at the Matter 21 hearing, the Inspector requested that the Council prepare a note to confirm its position regarding the effect of open space provision (incorporating any quantitative analysis as requested in various site matters and detailed in the Open Space Quantitative Standards and Assessment for Proposed Allocations paper (CC111)) on the viability of developing site LP0901 for housing. The Inspector also requested that the note should determine if any issues associated with developing LP0901 could be overcome by partially developing the adjacent site (LP0902).

1.3 This paper should be read in context with the Open Space, Sport and Recreation Study 2006 (EV43), the Open Space, Sport and Recreation Study Update 2015 (EV44), the Open Space Quantitative Standards and Assessment for Proposed Allocations Paper 2021 (CC111) and the Calderdale Housing Allocations- Viability Assessment Final Report 2020 (EV61.3/CC67).

2. LP0901 – OPEN SPACE PROVISION AND VIABILITY

2.1 As stated in the introduction, the Inspector has requested that the Council confirms its position regarding the effect of open space provision (incorporating any quantitative analysis as requested in various site matters and detailed in the Open Space Quantitative Standards and Assessment for Proposed Allocations paper (CC111)) on the viability of developing site LP0901 for housing.

2.2 In 2017 Avison Young (previously trading as GVA) were appointed by the Council to consider the viability of policies set out within the Local Plan Initial Draft (July 2017) and advise on what CIL rates would be viable to include in the Draft Charging Schedule (DCS) for the purposes of CIL having taken into consideration the cumulative impact of other local plan policies. This assessment also considered the viability of the draft housing and employment allocations within the Calderdale Local Plan Initial Draft (July 2017). This report was published in January 2018 (EV61).

2.3 However, the Calderdale Local Plan Publication Draft 2018 included additional draft housing, employment and mixed-use allocations that were not included within the Local Plan Initial Draft (2017). The Council, therefore, subsequently instructed Avison Young to consider the viability of these additional draft allocations. This report was published in March 2019 (EV61.2).

2.4 As the Council worked towards preparing for the Local Plan Examination in Public (EIP) they instructed Avison Young to undertake a new viability assessment of the preferred Local Plan allocations for housing as at 21st August 2020. This report was published in August 2020 (EV61.3/CC67).

2.5 Site LP0901 was included in the Calderdale Local Plan Publication Draft 2018 as an additional draft housing allocation. The Council's Housing section has stated that the site is council owned and that they would support mixed tenure housing. They suggest that the site should be strongly considered as an allocation for housing with relocation of the existing play area to the adjacent site (LP0902). This is a key site for council housing delivery and to meet need in Todmorden and is part of the Calderdale Together Investment Partnership - a partnership with Together Housing to deliver circa 500 affordable homes. The site is therefore an important part of the Council's proposed delivery vehicle to improve housing delivery and meet identified housing need.

2.6 Whilst the Council does not currently know the proportion of affordable housing at the site if it is taken forward as an additional housing allocation, the viability assessment carried out by Avison Young makes appraisal assumptions regarding affordable housing. In accordance with Policy HS6 of the Local Plan, the assessment applies affordable housing in the Todmorden area on an assumption of a threshold of 15 plus dwellings and a proportion of affordable housing of 25%.

2.7 The viability assessment makes further appraisal assumptions to include construction costs, accessible and adaptable homes, electric car charging points, biodiversity net-gain, remediation costs, site preparation, S106 and S278 Contributions, professional fees, contingency, and residual land value. The appraisal results confirm that developing site LP0901 as proposed in the Local Plan is considered to be viable.

2.8 As detailed in the Open Space Quantitative Standards and Assessment of Proposed Allocations paper (CC111), during the Stage 2 hearing the Inspector questioned whether there was sufficient assessment evidence to justify the allocation of a number of sites that involve open space deletion or compensatory provision. Specifically, the Inspector raised issue regarding the absence of quantitative standards of open space and the lack of evidence demonstrating that each relevant allocation had been assessed against them and could be considered to comply with Paragraph 74 of the NPPF (2012). As a result, the Council agreed to establish a set of Open Space Quantitative Standards and undertake assessment of a number of sites which are proposed for allocation to include LP0901. A summary of the results of this assessment for site LP0901 can be found in table 1 below.

2.9 When assessing site LP0901 against Quantity Standards for Open Space in Calderdale it can be seen that whilst there are minor changes to the consultee recommendation regarding the provision of compensatory open space, the revised recommendation does not prevent the site being allocated and the site is considered to comply with paragraph 74 of the NPPF (2012). It is proposed that minor wording changes are made to the existing Site Specific Condition in Appendix 1. The revised recommendation is not considered to impact upon the site's viability.

Table 1: Assessment of Local Plan Allocation LP0901 against Quantity Standards

Original Recommendation	Quantitative Assessment	Revised Recommendation	Revisions to Council Recommendation	Allocation to proceed
<p>Provision of improved play area and flat kick about area on the adjacent site (LP0902).</p>	<p>There are deficits of parks and gardens in the 400m and 600m catchments, amenity green space in all catchment areas and natural/ semi natural green space in the 400m catchment.</p>	<p>Development proposals should include replacement of the play area and kick about area. If this was to be on the adjacent site LP0902, the replacement kickabout area is likely to be smaller than the existing one due to the undulating ground therefore the quality of the playing surface should allow greater usage. The community orchard is on the embankment adjacent to Woodlands Avenue and it would be preferable if this was retained since the trees are well established and it would be impractical to relocate them. A play area of equivalent quality and quantity could be accommodated on LP0902 however construction costs are likely to be higher than if the site was flat. Pedestrian access to LP0902 should be provided through LP0901 to minimise the impact of moving the facilities and the site should be accessible for prams.</p> <p>Habitat improvements should be included within LP902 to compensate for the conversion of part of the natural/semi natural open space to more formal recreational use.</p>	<p>Minor wording change required to Appendix 1 Site Specific Conditions to ensure revised recommendation is implemented.</p>	<p>Y</p>

3. LP0902 – DEVELOPABILITY OF SITE IN CONJUNCTION WITH LP0901

3.1 As stated in the introduction, the Inspector has requested that this paper should also determine if any issues associated with allocating and developing LP0901 for housing could be overcome by partially developing the adjacent site (LP0902).

3.2 The site has a number of constraints that would make its allocation for housing development difficult to include topography, highway access and ecology.

3.3 This is a sloping Greenfield site within Todmorden owned by the Council and designated as Open Space in the RCUDP. The site is immediately adjacent to site LP0901 which is also Council owned.

3.4 Highways Development Management has stated that as the site is immediately south east of and adjoining site LP0901, access could be taken through this adjoining site. Access onto Hallroyd Lane would be problematic due to the topography of site LP0902 and the point of access immediately north involves a narrow railway bridge which is signal controlled. Highways Development Management conclude that the site is developable with the use of third party land.

3.5 West Yorkshire Ecology has stated that whilst direct disturbance to feeding areas of SPA birds is unlikely, recreational pressure will need mitigation. Development of the site is therefore acceptable subject to mitigation. A Habitat Regulations Assessment should be completed if the site is allocated for development.

3.6 In addition to these difficulties, the Open Space Study recommends this site be retained as natural/semi-natural urban green space. The site is currently used for grazing and CMBC Safer, Cleaner, Greener originally suggested it could be converted to a deficient typology such as allotments or cemeteries. The Council's housing section has since proposed that the adjacent Council owned site (LP0901) is allocated for housing and that improved open space facilities are provided on this site (LP0902). Following receipt of this proposal, Safer, Cleaner, Greener has stated that provided an equivalent or better play area is developed on this site (LP0902) together with a flat kick about area, development of the adjacent site (LP0901) for housing is acceptable.

3.7 Whilst it is acknowledged that the issues raised at the Stage 2 hearings regarding the viability of providing compensatory Open Space to facilitate housing development on LP0901 would be helped by some residential development on LP0902, this additional residential development on LP0902 would in itself be problematic. Provision of residential development on LP0902 would reduce the size of a site that is already constrained by topography, highway access and ecology issues. The provision of enough additional housing to make a meaningful difference to the viability argument would mean that the provision of compensatory open space of a suitable quantity and quality on LP0902 is no longer possible. In addition to this, the Calderdale Housing Allocations- Viability Assessment Final Report 2020 (EV61.3/CC67) states that development of site LP0901 is considered to be viable as proposed.

3.8 The Council therefore confirms that LP0902 is not developable and should be used exclusively to provide compensatory open space should LP0901 be taken forward in the Local Plan for housing.

