

MESSAGE FROM THE INSPECTOR 26TH APRIL 2021

QUESTIONS ARISING FROM EVIDENCE DOCUMENTS

CC111 – Open Spaces Quantitative Standards and Assessment of Proposed Allocations

1. Can you explain how the ha/1000 population figures for areas within 400m/600m/1200m of the sites have been calculated (as set out in the first three columns of the results tables in CC111). What data sets have been used to derive the estimated population living within these distances of the sites? Are the calculations based on the current open space position within an area? Or do they take account of the proposed loss of the open space in question and others within the catchment, as set out in the Local Plan?

Council Response

The estimated population was calculated using the latest Local Land and Property Gazetteer (LLPG) Residential MapInfo table available at the time the assessments were carried out then multiplying the number of properties within the defined area by an average occupancy of 2.36. 2.36 is the figure that the Council uses for assessments of this nature which provides for a consistent approach and an updated average was not available. The calculations take into account the proposed loss of open space as set out in the Local Plan.

2. Could the Council clarify what geography is included within the specified 'Halifax area', 'Brighouse area', 'Mytholmroyd area' etc (as set out in the 4th column in the tables). Why have these areas been used, rather than a lower-level ward based or settlement-based approach?

Council Response

These are the Local Plan areas which were used during the examination hearings. They also match the analysis areas used in the Calderdale Open Space, Sport and Recreation Strategy 2015 and the Calderdale Playing Pitch Strategy and Action Plan February 2017. Using these areas for analysis of open space provision for the Local Plan provides a consistent approach to the methodology used in these strategies. Ward based boundaries are often arbitrary with no relation to natural boundaries and would cause issues with open space catchments including more than one ward. A settlement based approach would cause fewer of these issues but at present it is considered that keeping analysis areas consistent with other relevant strategies is the best approach and provides a reasonable basis for the analysis of open space in the wider local area compared to the Calderdale and local 400m, 600m and 1200m catchment areas.

Housing supply paper CC125

1. For some allocations the proposed mitigation measures in CC111 involve the retention of part of the site for the provision of on-site public open space, including parks/gardens, allotments, amenity space and play areas. What implications will this have for site capacity? Has this been factored into the trajectory in CC125?

Council Response

Whilst the assessment of sites against quantitative open space standards in CC111 only gave rise to minor changes in consultee recommendations in relation to compensatory on-site open space provision, a number of the proposed mitigation measures in CC111 involve the retention of part of the site for the provision of on-site public open space including parks/gardens, allotments, amenity space and play areas. The Council

confirms that for each site requiring compensatory on-site open space provision any implications for dwelling capacity have been considered (including through discussions with the Council's Safer, Cleaner, Greener Section) in arriving at the specific site capacities. In many instances, the Council consider that on-site provision is possible with appropriate site layout and design. Where such provision is likely to have further implications for site capacity, the capacity has been reduced accordingly.

Furthermore, the definition of net density includes areas developed for housing and directly associated uses, including access roads within the site, private garden space, car parking areas, incidental open space and landscaping, and children's play areas. The capacities for the indicative developable areas therefore include an allowance for incidental open space as required under Policy GN6 (Protection and Provision of Open Space, Sport and Recreation Facilities).

In summary the Council confirms that the implications of any required mitigation measures, relating to open space provision, on site capacity have been factored into the trajectory in CC125.

- 2. CC125 appears to include two different estimates of housing supply, with options 3a and 4a a number of sites coming forward at an earlier stage than shown in the main trajectory. The Council is requested to confirm what its best estimate is regarding site delivery. If sites are capable of coming forward at an earlier stage than shown in the main trajectory, and the Council is comfortable that this represents a realistic prospect, this should be reflected in the trajectory and the supply paper. I am unclear how two different supply estimates can apply.**

Council Response

The Council apologises for any confusion regarding estimated delivery years with this being the result of some rather over enthusiastic modelling of the trajectory options under Task 262. For clarification a single best estimate regarding delivery is included in the housing supply/trajectory work as set out in the principal trajectories and the update to Appendix 3 of the Housing Technical Paper (included in CC125).

Options 3a and 4a were intended to demonstrate the need for additional sites in order to provide a five-year housing land supply should the trajectory be aligned precisely with the average of the respective steps within a stepped trajectory. As such it was simply a further modelling option exploring and illustrating various approaches. The so called 'buffer' sites were ones that would need to come forward earlier to ensure a five-year land supply. The Council's best estimate of their delivery remains as in the principal trajectory since it is not convinced these sites will come forward earlier and would not be comfortable with moving them forward in the trajectory.

C114 Minor Green Belt deletions

Mrs Tattersalls representations indicate that there were technical problems at the Stage 2 hearings and the session including GBD096 was not completed. Could the Council confirm their recollection of the situation, please.

Council Response

The Council has no recollection of any technical problems being experienced at the Stage 2 hearing relating to minor Green Belt deletions which we believe to be the Matter 12 hearing session on Green Belt and Allocation Policies General dated 14th October 2020.

At that session the Inspector raised a number of issues to include the following:

4. 'Minor' changes to the Green Belt (as set out in CC48 and CC48.1)

- Definition of minor and major?
- Is there sufficient assessment evidence to justify the release of major areas?

Green Belt deletion GBD096 was discussed during point 4 above along with a number of other relevant deletions. As a result of these discussions the Council agreed with the Inspector to carry out the following task:

Task 72: Prepare a list of the non-minor Green Belt changes (CC48 and CC48.1), and undertake assessment of the following sites/parcels:

- GBDMIQ01
- GBDMIQ02
- GBDMIQ12
- GBD096
- GBD290
- GBD294
- GBD297
- GBD304.

The Council's recollection is that the session was completed in full and that no objections were raised by any attendees regarding the tasks required of the Council following discussions. Task 72 was completed by the Council on 19 February 2021 and was included in the recent 2nd Consultation event which ran from Friday 12th March to 5pm Friday 9th April 2021. The document that relates directly to Task 72 is Assessment of Non-Minor Green Belt Deletions Against Green Belt Purposes (CC114).

LP0177 – Land adjacent Ellistones Place, Saddleworth Road, Greetland

The Council is requested to confirm its position regarding the eastern section of the site. Is the area required for and is suitable to accommodate an expansion of Greetland Academy within the Plan period? What other sites have been looked at for the expansion of schools in the Greetland area? Are exceptional circumstances demonstrated to release the eastern parcel from the Green Belt on educational grounds?

Council Response

Further to the Inspector's message of 7th May this the Council's response will be provided at the Stage 3 hearings.

HS15.1

Representors have submitted a report from the WYCA Place Panel (Jan 2021) which indicates that previous funding for the Clifton EZ (LP1232) has been withdrawn and other sources will need to be sought. Could the Council confirm the latest funding position for the site and outline any implications regarding delivery and/or timescales.

Council Response

As mentioned during the Stage 2 hearings, the current Growth Deal 3 (GD3) funding allocation for all EZ sites across the Leeds City Sub-Region, that includes Clifton EZ (LP1232), is only available to spend until 31st March 2021. It is not therefore the case that the previous funding has been withdrawn. In this regard and as also referred to at the Stage 2 hearings, the Council has been continuing to work through the WYCA Funding Assurance Process and at the beginning of December 2020 it submitted a Full Business Case (FBC) to WYCA for the scheme. The FBC is presently under consideration by WYCA.

Whilst GD3 monies have come to an end on March 2021 (see place panel report para 2.9), WYCA continues to work in close partnership with the Council in recognition of the Clifton site's strategic importance for the City Region and its dual designations as an EZ but also as an 'investment' Spatial Priority Area in the Strategic Economic Framework that was recently adopted by the Leeds Economic Partnership (LEP). As such, WYCA remains in the progress of exploring new, devolved funding opportunities including the Single Investment Fund (SIF) to support delivery of the remaining EZ sites. WYCA and the Council are also continuing to explore opportunities to utilise the Business Rates income that the site will generate to support co-funding scheme delivery.

WYCA recognises the complexity of the Clifton scheme and also the importance of all the remaining EZ sites to be delivered (see place panel para 2.15). To this end and with the full support of WYCA, the Council is also in process of submitting a round 1 bid for the Levelling-Up Fund (LUF) by the 18th June 2021 and if successful the scheme would be delivered as programmed.

The Council is also continuing to actively negotiate land acquisition from the land owners in agreement and in pursuit of this since the Stage 2 hearings, has been in further dialogue and two-way communication with the landowners.

CC131 – Waste Sites Assessment Update 2021

1. I note that four new waste allocation sites are proposed in CC131 in lieu of sites WLP3 and WLP4 in the submitted Plan. As two of the sites are new locations could I request that the Council considers whether it wishes to extend the period of consultation on CC131 to cover a six-week period. It would be appreciated if you could let me know your position on this as soon as possible.

Council Response

The consultation period was extended by a further 4 weeks in order to cover a six-week period as requested by the inspector. The consultation finishes on Monday 24th May at 5pm.

2. For proposed sites 129 and 127, does the Council have an idea at this stage of how much of the employment area could potentially be developed for waste uses?

Council Response

At this moment in time the council does not have an estimated developable area for waste uses for sites 127 or 129.

In relation to 129, although this was included as an option, further information has since come to light following the granting of reserved matters planning permission and the development is predicated on a regionally significant business park in an established Spatial Priority Area within the Leeds City Region Strategic Economic Plan (SEP), particularly as this is also an Enterprise Zone (EZ). EZ's are seen as a key part

of the Government’s national agenda to devolve responsibility for growth and incentivise additional economic development. The key focus and Vision for the EZ’s as set out in the SEP is “the acceleration of development and delivery of high-quality employment floorspace in the advanced and innovative manufacturing and complementary sectors.”

Given the proposed uses, subject to the completion of the consultation on the Waste Sites Assessment Update 2021, the Local Planning Authority would seek to withdraw site 129 from further consideration as a waste recycling site.

Even in the absence of site 129, it is considered there is sufficient potential land allocated to deliver the potential future waste capacity required by offering alternatives to two of the green belt sites that were put forward as part of the draft Local Plan (WLP3, Stainland Road, West Vale and WLP4 Land / Premises at Wakefield Road, Brighouse) through sites 133, 127 and 436, all of which are in the urban area.

Site Ref	Area	Area suitable for waste allocation
133 Lacy Way , Lowfields, Elland	2.26ha	2.26ha
127 North Of Holmfield Industrial estate	6.1ha	Not known
436, Atlas Mill Road, Brighouse	2.08ha	2.08ha
Total (Known area)		4.34ha
Area of Green Belt sites WLP3 (Stainland Road, West Vale) and WLP4 (Land / Premises at Wakefield Road, Brighouse	WLP3 – 1.55ha WLP4 – 0.98ha	2.53ha

The table above shows that even with the uncertainty as to the potential area that could be provided through site 127, there would be an additional 1.81ha of urban area waste capacity compared to Green Belt sites WLP3 and WLP4.

3. CC131 indicates that proposed new waste site 436 (Atlas Mill Road, Brighouse) would involve the loss of open space. What is the nature of the current open space use and is the site identified in the Council’s Open Space Study?

Council Response

The site was assessed as part of the Open Space Strategy Update (site reference 9330). The typology of the site is Natural and Semi Natural Areas and is located in the Brighouse area in the report. The site was assessed as part of the 2015 Open Space, Sport and Recreation Strategy update with retention of the site being recommended, although during the subsequent local plan site assessments the site was not subject to further consultation with the council’s Safer, Cleaner Greener Officer.

As part of the Waste Sites Assessment Update 2021, and in order to address the inspectors query, the site has now been subject to further assessment in relation to the Open Space issue, which is set out below in

Appendix A. The recommendation of the assessment is that any development should include the retention and enhancement of a minimum area of 0.04ha of natural/semi-natural greenspace within the site.

Appendix A

Open Space Comments

Site Ref LP0436

Site Address Atlas Mill Road, Brighouse

The site has been assessed as natural/semi-natural green space in the open space study with a recommendation for retention.

Accessibility Assessment

Open space in the area has been analysed in accordance with the Council's accessibility standards by drawing buffers of 240m, 400m, 600m and 1200m around the site to indicate the accessibility distances for the different open space typologies as shown on map LP0436. Table below summarises the sites within these buffers and shows that there is no other natural/semi-natural green space within the 400m catchment of the site.

Typologies with accessibility and quality standard	Sites of 0.04ha - 1.00ha within 400m	Sites of 1.00ha - 3.00ha within 600m	Sites of greater than 3ha within 1200m
Parks and gardens	Rydings Park	Rydings Park	Wellholme Park
Allotments	Lillands Lane Allotments,	Lillands Lane Allotments, Waterloo Road Allotments,	None
Amenity greenspace	Lillands lane, George Street, Elland Bank, Sunnybank Terrace, Churchfields Road Car Park	Bramston Street Recreation Ground, Lane Head Recreation Ground	Lane Head Recreation Ground
Natural/semi-natural greenspace	None	Brighouse Wood, Mill Hill Lane, Freemans Wood	Mill Hill Lane, Freemans Wood, Brookfoot, Disused Railway Clifton, Bowling Alley
	LEAPs within 240m	NEAPs within 600m	
Provision for children and young people	None	Bramston Street Recreation Ground, Lane Head Recreation Ground	

Quantitative Assessment

The ha/1000 population of open space in the area has been analysed within the catchment areas of the site and within the Brighouse area and is shown in the table below:

	Ha/1000 population				Proposed Calderdale standard
	400m	600m	1200m	Brighouse	
Parks and gardens	0.505	0.453	1.051	0.757	0.8
Amenity greenspace	0.877	1.005	0.879	0.974	0.6
Natural/semi-natural greenspace	0.000	3.026	2.223	2.945	2

There are deficits of parks and gardens in the 400m and 600m catchments and in the Brighouse and of natural/semi-natural greenspace in the 400m catchment.

Recommendation

In order to comply with paragraph 74 of the NPPF development proposals should include the retention and enhancement of a minimum area of 0.04ha of natural/semi-natural greenspace within the site