

CALDERDALE LOCAL PLAN

Representations and Responses

Document

Chapters 0-6

Calderdale Metropolitan Borough Council

April 2019



Summary of Representations Document

Document Section: 0 Calderdale Local Plan Publication Draft 2018

Representations

Comment ID **Lpp1128**

Site ref (if applicable):

Person ID: **844301**

Name: **CLlr Marilyn Greenwood**

Organisation: **Calderdale Borough Council**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. I regard that the extensive work carried out by Planning Officers at Calderdale MBC, with broad public consultation and the due diligence they have paid to comments from the public, that the Proposed Local Plan for Calderdale is: Legally compliant Sound Complies with duty to co-operate

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. I regard that the extensive work carried out by Planning Officers at Calderdale MBC, with broad public consultation and the due diligence they have paid to comments from the public, that the Proposed Local Plan for Calderdale is: Legally compliant Sound Complies with duty to co-operate

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. I regard that the extensive work carried out by Planning Officers at Calderdale MBC, with broad public consultation and the due diligence they have paid to comments from the public, that the Proposed Local Plan for Calderdale is: Legally compliant Sound Complies with duty to co-operate

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp1139**

Site ref (if applicable):

Person ID: **1128665**

Name: **CLlr Scott Benton**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

I do not consider the Local Development Plan to be sound nor legally compliant as it currently stands. Furthermore, I do feel that it adequately discharges the 'Duty to Cooperate' with neighbouring Local Authorities. The current draft has caused considerable concern among residents across Calderdale for numerous reasons. Many local people do not feel that the draft plan properly addresses the challenges in terms of development both in their own area, and across Calderdale as a whole. However, it is the residents of Brighouse (whom I represent) and Rastrick who are most strongly opposed to the current plan. As their representative, I completely share the concerns which are expressed by the vast majority of the people in these communities. The residents of Brighouse & Rastrick overwhelmingly feel that the Local Plan is not fit for purpose and is unsound "" this as because they feel that the plan does not include sufficient detail with regards to how the infrastructure needed to accommodate an addition 4,900 houses (over the course of the plan period) will be delivered and are concerned that their area is receiving a greatly disproportionate level of development. Both of these concerns are valid. My view that the Plan is neither deliverable nor effective, comes from an analysis of the evidence base upon which it is built. It relies extensively on the assumption of locating two garden suburbs in South-East Calderdale. In fact, without these garden suburbs, the plan falls down as it cannot meet the basic housing requirement. The evidence base to demonstrate that these sites are deliverable is woefully deficient and thus by implication, the entire plan cannot be demonstrated to be sound. I will elaborate upon the weaknesses in the evidence base which supposedly demonstrates the viability of the garden suburbs, and particularly, the Thornhills site (LP1463), before outlining some of my general concerns about this plan.

Green Belt Review and the Duty to Cooperate The current draft states there are special circumstances as to why Green Belt land should now be used for housing. However, the designated Green Belt in South East Calderdale is not a single local authority area designation "" it is a West Yorkshire wide designation which crosses Council boundaries. This poses the question as to why a West Yorkshire wide Green Belt review has not been carried out instead of each authority conducting its own review? The current Plan does not seek to answer this question, yet it is made explicitly clear in the Green Belt Review final report that cross boundary consideration of this key strategic matter is an absolute requirement under the Duty to Cooperate. This is therefore a fundamental failing of the Plan. This issue is compounded by large developments in Kirklees at Bradley Park and Cooper Bridge, encompassing over 3000 new houses and a business park "" both of which are adjacent to the Calderdale garden suburbs. The obvious interaction between the developments on both sides of the boundary makes the duty to cooperate critically important and our failure to adequately discharge this duty of serious concern. Specific concerns about the Thornhills Garden Suburb (LP1463)

There are fundamental shortcomings in the evidence pertaining to the Thornhills site: - Despite the site report acknowledging that there will be flood risk issues, no detailed assessment has been carried out to consider whether this site is feasible or what impact development may have upon downstream areas. - There has been significant past mining activity underground which is likely to reduce the extent of the site which is developable. Again, none of this has been considered by the site assessment reports or the strategic vision document. - Concerns relating to the ecological impact, landscaping issues, heritage, or how to deal with contaminated parts of the land have not been fully addressed. - And finally, there is no analysis regarding the ownership of the site and how the fragmented plots could be brought together to deliver the site. It would be unfeasible to request that the sheer amount of work required to investigate all of these different issues could occur with regard to each and every one of the sites in the plan. However, the Thornhills and Woodhouse Garden Suburb sites are by far the largest single allocations, accounting for over a third of all of the new housing. Without them the plan fails. The lack of detailed site assessments and evidence to verify the deliverability of these sites is thus a staggering omission from the plan and one of its major weaknesses.

Highways Evidence The single greatest weakness of the garden suburb proposal is

the highways evidence. The Council commissioned WSP to produce several reports on the Local Plan. One of these reports "" Strategic Vision For South East Calderdale "" Traffic Statement, was produced in 2016. This report stated that its main purpose: 'is to set out the traffic modelling work that has been carried out to support the strategic vision for South East Calderdale'. The traffic report effectively states that the existing highway network is operating satisfactorily and that with no further highway improvements it will continue to operate without any onerous impacts when the traffic from up to 6000 houses is added. This was the document produced and circulated at a Local Plan Working Party meeting of the Council when the concept of the garden suburb was first confirmed as a fundamental part of the plan and so the importance placed upon this traffic document in illustrating that the two garden suburbs are deliverable is absolutely paramount. The Clifton Village Neighbourhood Forum has commissioned a highways consultancy firm to complete an independent examination of the transport implications of the Local Plan. This report focused upon the allocations in Brighouse and in particular, the Thornhills site. This independent report concluded that the Council's traffic modelling work, conducted by WSP, generally understated the level of the existing demand on the highway network in Brighouse. It further noted that 'many locations in Brighouse are significantly over capacity and are operating under severely congested conditions'. It concluded that in the Council's report the scale and severity of the highways impact has been significantly understated and that 'the decision to propose such significant development in Brighouse has been based on completely inadequate highway evidence'. This independent report merely confirms what people in Brighouse already know: that the road network is at breaking point and the town centre and main routes are severely congested on a daily basis. . The notion that Brighouse could withstand thousands of additional homes and that this would not be 'particularly onerous' on the highway network is absolutely laughable. Yet this is what the Council's traffic report claims. The fact that this independent report reaches a completely different conclusion to the Council's traffic report is of grave concern. This report undermines the conclusion that the highways network in Brighouse can facilitate development on such an enormous scale and casts doubt on the deliverability of the garden suburbs. Because the Plan is so over reliant of these sites, the conclusions of this highway report cast doubt on the integrity of the Plan as a whole. I would request that the Inspectorate considers this independent report as part of this examination. These are not the only examples of flaws in the handling and interpretation of the evidence base. Due to the weaknesses in the evidence, Strategic Objectives, SO 1, SO7 and SO8, which relate to sustainable development, transport, and narrowing the gap, cannot be demonstrated to be achieved within the plan. Infrastructure The current Infrastructure Delivery Plan (IPD) is extremely weak and badly lacking in detail. It does not demonstrate that substantial development is deliverable because it does not clearly illustrate how, where, and when the highway improvements, schools, health facilities, and other services needed to support development will be delivered and funded. The IPD gives absolutely no assurances that the key schemes needed to unlock growth will actually go ahead - as the Council's own supporting documents openly acknowledge. It is a complete and utter failure and members of the public will rightly question how the Local Plan can rest upon such a deeply flawed document. The IPD does state the need for transport improvements and additional schools and health facilities in the wider Brighouse area. However it does not contain sufficient detail to make a compelling case that the plans are achievable or are likely to be delivered. For example, the IPD recognises the need for additional doctor surgeries in the area but the Council haven't discussed the additional provision that will be required with GPs in the area who know nothing of the Council's plans. Furthermore, despite making several attempts to gain this additional information, GPs in the Brighouse area remain extremely disappointed that further information on how additional capacity will be delivered has not been forthcoming from the Council. Similarly, the plan suggests three additional schools in the Brighouse area but does not outline where precisely these will be delivered; does not evidence that there is sufficient land for these within the Garden Suburbs alongside the housing allocations; and does not outline where the funding for these will come from. Finally, the Council justifies the Garden Suburbs on the basis of transport improvements in the area but has no idea what form the 'strategic highway improvements' will take and openly admits that these are not fully costed or funded. To include a mere sentence or two of detail about these schemes in the IPD "" when the whole

of the Local Development Plan rests upon these transport improvements demonstrating that the Garden Suburbs are deliverable "" is at best, extremely worrying and at worse, incompetent and embarrassing.

Unfair nature of the Plan The current plan is deeply unfair and biased with the vast majority of development taking place in 'Eastern Calderdale': in Brighouse, Rastrick, Northowram, Shelf and Elland. Over 4600 of the 9000 new houses (which the plan lists sites for) will be in the Brighouse, Rastrick & Hipperholme area - despite this area making up only a fraction of Calderdale's current population. The plan places a disproportionate amount of housing growth on a small number of areas which is deeply unfair and undeliverable. Although the Plan allocates development on a small percentage of the total amount of Green Belt land, in areas such as Brighouse and Northowram, the proportion of greenfield and Green Belt land lost to development is very high. Furthermore, environmental and ecological concerns such as flooding on some sites, and significant air quality issues in places such as Brighouse, Hipperholme and Sowerby Bridge have not been adequately addressed. In particular, the lack of a detailed plan for addressing air quality and health issues for the AQMA in Brighouse, which is located next to the garden suburbs, is a glaring omission. In fact it is the lack of detail in relation to how the Council will mitigate the impact of air quality issues in the Brighouse area which is one of the plan's main weaknesses. We all know about the devastating impact that poor air quality can have upon people's health. There is an existing AQMA located in between both proposed garden suburbs and yet where is a comprehensive plan from the Council to demonstrate that the developments outlined within the plan will not negatively impact upon both existing residents, and those who will live in the new developments? The lack of detailed plans to mitigate the impact upon people's health as a consequence of these developments is in blatant breach of national planning policy (Promoting healthy and safe communities and Ground Conditions and Pollution)

Other concerns include the consultation process last year (2016) and the extent to which the 8000 individual comments have been evaluated in a meaningful way; the site assessment process; and indeed, the difficulties residents have had in taking part in the current consultation due to ICT problems on the Council's website. I would strongly suggest that the number of responses to this current consultation (especially from residents in the Brighouse & Rastrick area) would be significantly higher were it not for the disappointment that residents feel in terms of the Council ignoring their concerns thus far in the Local Plan process. A final weakness of this plan, is that it Doesn't take account of the needs of the different communities of Calderdale. The Council lists 'reducing economic inequalities' as one of its key aims. This plan presents an opportunity to create employment opportunities in areas of deprivation, inject infrastructure spending where it is required, and to build affordable housing in places of high demand. So what have the Council done to further these objectives? They are proposing to build 3000 houses, and the greatest concentration of new job opportunities, in Clifton and Woodhouse "" two communities which are statistically among the wealthiest 10% of the entire country. Meanwhile, the communities which are most in need of housing and employment opportunities get overlooked yet again. Parts of north and west Halifax which are crying out for the regeneration which new housing, jobs, and infrastructure development could bring, receive less employment growth and affordable housing than the spatial hierarchy would dictate. What about places such as Todmorden, Hebden Bridge, Mythomroyd and Ripponden where house prices are rising rapidly and social housing waiting lists are increasing. These communities are also overlooked. An appalling failure to provide the affordable housing that working people in these communities desperately need. Another wasted opportunity to regenerate Todmorden Town Centre and to provide the sites for housing and industry which are needed to sustain the economy of the Upper Calder Valley. This is a Plan produced without an evidence base which is fit for purpose. It is built upon two garden suburbs which cannot be demonstrated to be deliverable and without which the Plan fails. It does not meet its own strategic objectives and cannot be described as credible, sound or fit for purpose. It is not supported by the people of Calderdale and the opposition to the plan in the communities of Brighouse and Rastrick is almost unanimous. I would urge the Inspectorate to consider the points outlined in this response; the concerns that come forward from the people of Calderdale; and the detailed evidence proposed by groups such as the Clifton Village Neighbourhood Planning Forum with their forensic analysis of the Plan.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp1163**

Site ref (if applicable):

Person ID: **1069334**

Name: **Ms Megan Pashley**

Organisation: **Gladman Developments Ltd**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

These representations have therefore been prepared on the basis of the previous Framework. Should the Council delay the submission of the Local Plan to the Secretary of State for Independent Examination then we reserve the right to provide further representations should any meaningful changes to the Plan be implemented. Gladman are surprised to note that throughout the publication draft of the Plan, reference is made to the draft consultation version of the 2018 Framework. We therefore recommend that the Council takes the time to recognise that the revised Framework has indeed been published.

Do you consider the plan to be Sound?:

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5089285>

Comment ID **Lpp1165**

Site ref (if applicable):

Person ID: **1069334**

Name: **Ms Megan Pashley**

Organisation: **Gladman Developments Ltd**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

The Duty to Cooperate is a legal requirement established through Section 33(A) of the Planning and Compulsory Purchase Act, 2004, as amended by Section 110 of the Localism Act. It requires local authorities to engage constructively, actively and on an ongoing basis with neighbouring authorities on

cross boundary strategic issues throughout the process of plan preparation. As demonstrated through the outcomes of the 2012 Coventry Core Strategy Examination and the 2013 Mid Sussex Core Strategy Examination, if a council fails to satisfactorily discharge its Duty to Cooperate, this cannot be rectified through modifications and an Inspector must recommend non-adoption of the Plan. Whilst Gladman recognise that the Duty to Cooperate is a process of ongoing engagement and collaboration as set out in the PPG, it is clear that it is intended to produce effective policies on cross boundary strategic matters. In this regard the Calderdale Local Plan must be able to demonstrate that the Council has engaged and worked with neighbouring authorities, alongside their existing joint working arrangements, to satisfactorily address cross boundary strategic issues and the requirements to meet any unmet housing needs. This is not simply an issue of consultation but a question of effective cooperation.

Do you consider the plan to be Sound?:

Sound Reason:

Having considered the draft Calderdale Local Plan, Gladman are concerned about a range of matters including the housing requirement as well as several of the detailed development management policies. The plan must be positively prepared, effective, justified and consistent with national policy to be found sound at examination. In the first instance the Council must start with clearly defining and NPPF and PPG compliant OAN by developing an unconstrained requirement which properly follows the guidelines as set out at the national level. Careful consideration also needs to be given to the spatial strategy that forms the basis of the spatial distribution of growth across the district. It is important that all sustainable settlements should be allowed to play their part in meeting their own housing and employment needs as well as contributing to the wider district requirement. A flexible approach to delivering the development needs of the district will ensure the plan's ultimate success.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5089285>

Comment ID **Lpp1166**

Site ref (if applicable):

Person ID: **1069334**

Name: **Ms Megan Pashley**

Organisation: **Gladman Developments Ltd**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Under section 19 of the 2004 Planning and Compulsory Purchase Act, policies set out in Local Plans must be subject to Sustainability Appraisal (SA). Incorporating the requirement of the Environmental Assessment of Plans and Programmes Regulations 2004, SA is a systematic process that should be undertaken at each stage of the Plan's preparation, assessing the effects of the Local Plan's proposals on sustainable development when judged against reasonable alternatives. 3.2.2 The Council needs to ensure that the results of the SA process clearly justify its policy choices. In meeting the development needs of the area, it should be clear from the results of the assessment why some policy options have been progressed, and

others have been rejected. Undertaking a comparative and equal assessment of each reasonable alternative, the Council's decision making and scoring should be robust, justified and transparent. 3.2.3 Gladman reminds the Council that there have now been a number of instances where the failure to undertake a satisfactory SA has resulted in Plans failing the test of legal compliance at Examination or being subjected to legal challenges. 3.2.4 The Sustainability Appraisal underpinning the Local Plan is concerning, especially how the potential impacts of delivering the full OAN has been assessed. To score negative on all objectives but housing would appear that the Council has not got to grips with the benefits associated with the Calderdale Local Plan "" Publication Draft 2018 Gladman Developments Ltd. 8 delivery of housing and the mitigation that a development can provide to ensure any negative impacts are either minimised or offset. 3.2.5 The explanation for the various scoring is currently deficient, this will need to be rectified for the plan to be found sound. Gladman reserve the right to comment in further detail on the SA once these issues have been addressed.

Do you consider the plan to be Sound?:

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5089285>

Comment ID **Lpp1215**

Site ref (if applicable): **LP1095**

Person ID: **855708**

Name: **Barratt Homes & David
Wilson Homes**

Organisation: **Barratt Homes & David
Wilson Homes**

Agent ID: **961335**

Name: **Mr Paul Butler**

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachments

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5097632>; [http://calderdale-](http://calderdale-consult.objective.co.uk/file/5097632)

Comment ID **Lpp1505**

Site ref (if applicable):

Person ID: **897896**

Name: **Mr Merlin Ash**

Organisation: **Natural England**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. Full submission attached Habitats Regulations Assessment Recreational use and urban edge impacts Natural England agrees with the conclusions of the assessment in relation to the South Pennine Moors Phase 2 Special Protection Area (SPA) and South Pennine Moors Special Area of Conservation (SAC) that recreation impacts arising from the allocation and policies screened in from the Calderdale Local Plan and in combination with other plans cannot be ruled out at this stage due to the lack of evidence. Until this evidence is provided and the implications of the evidence is appropriately addressed in the plan we do not consider that the plan can be considered sound or legally compliant.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5109658>

Comment ID **Lpp1506**

Site ref (if applicable):

Person ID: **897896**

Name: **Mr Merlin Ash**

Organisation: **Natural England**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. Full submission attached Habitats Regulations Assessment Air Quality Natural England is concerned that sufficient evidence regarding the assessment of traffic emissions on European sites may not be available at this stage. We note

that the assessment relies upon existing traffic modelling undertaken for the previous Draft Core Strategy and that further modelling is being undertaken for the new Local Plan. However we advise that the assessment should be clear where there are omissions or incompatibilities in the existing modelling for the Draft Core Strategy which the further modelling will resolve. We note that no figures or tables relating to the emissions modelling has been provided in support of the assessment. In addition we do not agree with the conclusions of para 10.26 that the M62 can be omitted from the assessment on the basis of Highway's England's role in the process. We are aware that Highways England are currently planning works to the M62 adjacent to the South Pennine Moors SAC and South Pennine Moors Phase 2 SPA and that they will need to assess the impact of their scheme on these European sites. However it is the responsibility of Calderdale Metropolitan District Council, as the competent authority, to assess the contribution of the Calderdale Local Plan to traffic levels consequent emissions on the M62. We advise that this should be included in the forthcoming traffic modelling. Until this evidence is provided and the implications of the evidence is properly addressed in the plan we do not consider that the plan can be considered sound or legally compliant.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5109658>

Comment ID **Lpp1508**

Site ref (if applicable):

Person ID: **897896**

Name: **Mr Merlin Ash**

Organisation: **Natural England**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. Full submission attached Sustainability Appraisal Natural England welcomes the Sustainability Appraisal of the Calderdale Local Plan Publication Draft August 2018 which we consider to be broadly compliant with the legislation. However we advise that the assessment will need to be updated based on the evidence collected regarding air quality and recreational use as discussed in section 2 above.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5109658>

Comment ID **Lpp1513**

Site ref (if applicable):

Person ID: **897896**

Name: **Mr Merlin Ash**

Organisation: **Natural England**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. Full submission attached Further comments on HRA Setting aside the concerns and identified evidence gaps discussed in part 2 of this letter, Natural England broadly welcomes the assessment which we consider to be thorough and well presented. We have a number of further comments to make regarding the assessment which we advise that you consider. Terminology Natural England advises that you ensure that the terminology used throughout the assessment is clear and consistent. We note for instance that some of the conclusions in the Appropriate Assessment refer to likely significant effects. We advise that, for clarity, it is best practice to refer to "'likely significant effects' in relation to the screening section of the assessment and then "'adverse effects on integrity' in the Appropriate Assessment section. We also advise that you ensure that the assessment and plan refers to the Conservation of Habitats and Species Regulations 2017 rather than 2010. People over wind A recent judgment from the Court of Justice of the European Union (Case C-323/17 People Over Wind v Coillte Teoranta) has provided authoritative interpretation relating to the use of mitigation measures at the screening stage of a Habitats Regulations Assessment ("HRA") when deciding whether an appropriate assessment of a plan or project is required. The court concluded that measures intended to avoid or reduce the harmful effects of a plan or project on a European Site can only be considered as part of the appropriate assessment stage of HRA, and not at the preceding screening stage. This means that it is no longer appropriate to rely on these measures when deciding whether a plan or project is likely to have a significant effect on a European site(s). In light of this judgment, Natural England advises that local plan-making authorities may wish to take legal advice on the implications of the judgment to fully understand whether any further assessment of, or changes to, their Plans are now required to ensure their compliance with the Conservation of Habitats & Species Regulations 2017. We advise that, if reviewing a draft HRA of a Plan, plan-making authorities consider whether there are measures in the Plan that are intended to avoid or reduce the risk or the possibility of significant effects on European Sites that are being relied upon to rule out the need for an appropriate assessment. Where you consider this to be the case, we advise that an appropriate assessment should be undertaken to consider the impacts on the integrity of the European site(s), either alone or in-combination with other plans and projects, in view of the available advice about the site's conservation objectives. However, when determining whether the plan will have an adverse effect on the integrity of the European site at the appropriate assessment stage, a competent authority may take account of those avoidance and mitigation measures. Natural England must be consulted on any appropriate assessment. Plan-making authorities may also wish to consider the advice about this judgment currently provided by the Planning Inspectorate (PINS Note 05/2018), which recommends that, where planning cases are on-going and still being determined, any HRAs drafted which contain screening decisions that have taken into account mitigation measures should be re-examined and an appropriate assessment conducted where necessary.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5109658>

Comment ID **Lpp1527**

Site ref (if applicable):

Person ID: **1130533**

Name: **Mr Nick Midgley**

Organisation: **Chair person rastrick
Neighbourhood Forum**

Agent ID: **1130525**

Name: **Mr Nick Midgley**

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5115251>

Comment ID **Lpp1529**

Site ref (if applicable):

Person ID: **1184942**

Name: **Mr Mark Bullen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

See attached

Do you consider the plan to be Sound?:

Sound Reason:

See attached

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

See attached

Suggested Modifications:

See attached

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5084592>

Comment ID **Lpp1542**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment for complete submission Targets levels in SA Objectives 8 and 10 challenged whilst the resulting SA Assessment of the Local Plan is considered to result in judgements which do not pass a real world test, is divorced from the real world and misrepresents the negative effects and impacts on sustainability that the Local Plan will bring about.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5074035>

Comment ID **Lpp203**

Site ref (if applicable):

Person ID: **1115638**

Name: **Mr Tony Perryman**

Organisation: **Chair Clifton Village
Neighbourhood Forum**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This local plan conflicts with NPPF2018 because of the approach to brownfield sites, to housing density, and to development viability. This raises the distinct likelihood that brownfield sites have been rejected as plan allocations, which should not have been rejected, and therefore the evidence base for that must be re-visited. In other words the plan uses too much greenbelt because it has rejected brownfield sites.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp204**

Site ref (if applicable):

Person ID: **1115638**

Name: **Mr Tony Perryman**

Organisation: **Chair Clifton Village
Neighbourhood Forum**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

I content that the Plan must be assessed against NPPF2018, why because it will be operating alongside NPPF2018 for decision-taking purposes, it is clear therefore that this plan will be found to be unsound when using NPPF2018 criteria. There are major conflicts with NPPF2018 in particular the approach's to brownfield sites, to housing density, and to development viability. This raises the distinct likelihood that brownfield sites have been rejected as plan allocations which should not have been rejected, consequently, the evidence base must therefore be re-visited.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp300**

Site ref (if applicable):

Person ID: **1101788**

Name: **Mr Robert Bland**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Some of the plans used to form Clifton Enterprise zone were thirty years out of date.

Do you consider the plan to be Sound?: **No**

Sound Reason:

The plan shows a very disproportionate amount of development to the Brighouse side of the Borough both residential & industrial. From a development point of view it clearly neglects the remaining districts of the borough. There is no indication of any radical improvements to the areas infrastructure to compliment any future development and these should surely be completed first.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

The neighbouring Borough of Kirklees are also proposing major residential & industrial developments to their side of Brighouse which will use the same Motorway exit & access roads to it, clearly they can't have been any co-operation between the boroughs. Should both local plans proceed then the areas infrastructure (particularly highways) around Brighouse will be unable to cope with the demand on them.

Suggested Modifications:

To produce an up to date site plan which would have made the Clifton enterprise zone unworkable as the plans produced.

Additional Evidence Link:

Comment ID **Lpp391**

Site ref (if applicable):

Person ID: **952752**

Name: **Mr Richard Lupson**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

I believe the Local Plan to be sound. I believe the Plan to be a considered conclusion to a number of years of planning and public consultation. There has been an implied target for housing development which has been included alongside development of employment zones and mixed use zones. The Plan has considered geography and particular needs of the district and concentrated the development in the areas most appropriate to sustain population increase i.e. Halifax and Brighouse. There is little point in a great deal of housing development in the Upper valley and outlying areas as communication links would make employment opportunities unlikely to be developed. The Plan is inspired as it utilises additional funding for

Garden suburbs to be created and employment sites to be developed where communication outside of Calderdale is most easily facilitated i.e. near the M62 corridor. The planned Garden suburbs allow for pleasant development alongside parkland and suitable infrastructure e.g. shops schools new roads and even cycle ways. There have been no other sites identified in Calderdale which allow this extra infrastructure to be included. The choice of developments has responded to huge public pressure around loss of Green Belt land and by choosing 2 large developments has minimised the loss of Green Belt throughout all of Calderdale. Alternatives were considered which involved more, smaller sites but this led to increased Green belt erosion. It is inevitable that people living in those areas where significant development will take place won't like the plan, but I believe that no-one likes change. To an extent no-one will like anything happening in their own back yards, however development is essential, we will all benefit eventually by being part of a more prosperous area. The Local Plan delivers a considered and balanced approach to development in Calderdale.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp433**

Site ref (if applicable):

Person ID: **1126168**

Name: **Mr David Armitage**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attached document

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

See attached document

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5069113>

Comment ID **Lpp686**

Site ref (if applicable): **Lp1451**

Person ID: **957858**

Name: **David Ryan**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

I believe that the Local Plan procedurally has failed to consider all the comments made under regulation 18 I therefore contend that there has not been meaningful consultation. The Council when it passed the Local Plan did reserve sufficient time to debate and consider all the issues surrounding the Local Plan. The timing of the consultation for regulation 19 is again through the summer holiday period, which was the same for regulation 18. Only six weeks has been given for consultation, which means given the time of year the people of Calderdale have not be given adequate time to consider the issues and prepare adequately to respond.

Do you consider the plan to be Sound?: **No**

Sound Reason:

I do not believe they have cooperated sufficiently with Kirklees and Bradford, on the impact their plans will have upon the infrastructure in Calderdale. An example is the housing development in Bradley, where 1800 houses will be built. They have not shown how the developments in Clifton and Woodhouse combined with the development in Bradley will be managed in terms of the road network. How will junction 25 cope with the evident increase in traffic that will ensue. There will also be industrial development on both sides of the JUNCTION 25, which increase traffic on the M62 putting real pressure on junction 25 and 24.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

The council has NOT met its 'duty to co-operate' and I object to the plan on this point There is no evidence to confirm that the cumulative impacts of traffic on congestion and air quality have been assessed across the boundaries of Calderdale, Bradford and Kirklees. The Council need to demonstrate that this has been fully considered to protect the South East of the borough

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp728**

Site ref (if applicable):

Person ID: **1183597**

Name: **councillor colin peel**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Soundness Positively Prepared. This Local Plan fails to meet the Objectively Assessed Needs (OAN) of the people of Calderdale. The table 2.5 on page 17 of the plan shows the population changes expected in Calderdale by the Office of National Statistics (ONS) up to the year 2033. It shows a FALL in population of 6000 in age groups up to 65. It shows a RISE of 14200 in the 3rd age group of 65 and over. This council have not given sufficient weighting to the OAN to provide the increasingly elderly population with suitable accommodation for their needs. The 3rd age group accommodation would be sheltered housing, apartments and bungalows within the existing communities they live in, all over the borough. This council's vision of building large scale housing development of 3, 4 and 5 bedroomed accommodation on greenfield sites, based mainly around Brighouse, is blinkered and ill conceived. This style of housing is not what the 3rd age group wants or needs, and it is not in the place where most of them want to live. Providing the right housing mix for the 3rd age group in the right places allows them to downsize and free up equity from their existing properties to fund their needs. Freeing up these properties would unjam the housing ladder allowing families to move into good homes near to schools, etc. Sheltered housing and apartments have the benefit of higher density, requiring less land. The 3rd age group tend to commute less and use public transport more. Done right road traffic and pollution, especially at peak times, would be no worse than it is now. Grouping 3rd age accommodation in existing communities will allow health care and support to be delivered more efficiently by council agencies. Integration of elderly care within communities would allow support groups to help prevent the elderly being cut off and lonely. Dementia and disability care would also benefit. The overall increase in population by 2033, according to the ONS, is 8600 people. The council policy SD3 states we need to build 12600 properties by 2033. That means each person will get 1.47 houses each? And if they live together, will they get 2.93 houses for each couple? The figure in SD3 should be 6300 Justified This local plan is not the best possible strategy to fulfil the Objectively Assessed Needs of the people of Calderdale for the reasons above. The council continue to focus too heavily on Halifax for business growth and development. This can be seen in the A629 road scheme, a road to nowhere. Brighouse has far better links via road and rail and has much more untapped potential that the council has failed to notice because of its Halifax bias. Calderdale has 4 under developed motorway junctions that are crying out for the development. Things like a technology and science park, or an offsite university campus for Leeds or Manchester. All this council can only conceive is a small business park, LP0021, near Junction 25 with small units on a sloping site. This is something business does not actually need or want, preferring larger units on a flat site. Everyone from local residents to local councillors to the land owner have said that this site would be far better used for housing but because the council is hell bent on the Garden Suburb concept, they have refused to listen. 3. Effective As a local councillor base on the border with Kirklees, I would expect to know what cross boundary strategies are planned by both Kirklees and Calderdale. In the two and a half years I have been a councillor I have not seen or heard anything on this subject. If this council is having discussions with Kirklees, then they are not being shared with councillors or the public. This is wrong. For instance, we know that Kirklees is planning 2500+ houses on Bradley Golf Course, a few hundred metres from the M62. Calderdale are also planning 1400+ houses in Woodhouse, LP1451, a few hundred metres on the other side of the M62, opposite the Kirklees development. Have the councils discussed this and, if so, why are they still cramming so many properties into such a small area? This combined development, both on greenbelt, will merge the towns of Brighouse and Huddersfield, something the greenbelt was meant to prevent. Consistent with national policy. This council has done a greenbelt review that is not in line with national policy, as the council process is flawed by being target led. Having decided the number of houses required, they then determined the amount of land required to build these properties but realised they could not complete them without using greenbelt. The council then chose the greenbelt sites to develop and ensured the greenbelt review's findings fitted the sites. Otherwise, how come the Garden Suburb sites both survived intact? And where is the greenbelt buffer between Calderdale and Kirklees? This review needs redoing by an independent external agency with no knowledge of the site allocations. The white paper in February 2018 allowed the release of greenbelt as an 'exceptional circumstance'. As this local plan is flawed by not fulfilling the Objectively Assessed Need, so

there is no 'Exceptional Circumstance' requiring the release of large blocks of greenbelt land. Selective, small scale extensions to existing settlements into greenbelt would be acceptable to house the 3rd age community in their existing communities. SO4 states that the council needs to 'maximise the use of Brownfield land'. The council cannot be maximising the use of Brownfield land when they're filtering Brownfield sites less than 0.25 of a hectare out of the plan. That is 100 hectares of brownfield has been filtered out, 470 brownfield and brownfield/greenfield mixed sites. This is land that should be included and used before any green belt is used.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

I cannot assess this is correct as I have had no input or feedback on what the councils have been doing.

Suggested Modifications:

See the details above in the soundness area.

Additional Evidence Link:

Comment ID **Lpp920**

Site ref (if applicable):

Person ID: **717690**

Name: **Mr Jason Carlton**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Lack of meaningful consultation restricting community involvement There has been a lack of meaningful consultation during 2017 and 2018 Release of documents in advance of the consultation sporadic, some documents for the 2017 consultation were released in draft format. There was a lack of clarity around document publishing and release dates Evidence-based documents were published on Calderdale's website without announcement - even to people subscribing to Calderdale Consultations. Both consultations ran during the Summer holiday period, limiting potential for active participation (especially considering the sporadic release of documents) Unlike the 2015 consultation, Calderdale failed to provide individual responses to comments made in 2017, this means we cannot clearly see if previous representations were considered, mitigated, accepted, answered or rejected - this cannot be meaningful consultation The process encourages comments by website, disenfranchising a section of the community. The Consultation Statement [<https://www.calderdale.gov.uk/v2/residents/environment-planning-and-building/planning/planning-policy/evidence-base/consultation>] (which contains basic layout / heading errors) shows how active community involvement has decreased over the consultation process. Workshops and community engagement events were replaced with reliance on submitting documents online and by email.

Do you consider the plan to be Sound?: **No**

Sound Reason:

Soundness and use of NPPF 2012/NPPF 2018 Draft Local Plans (DLP) submitted for examination before 24 January 2019 can be assessed under former NPPF (2012), Calderdale's DLP uses the new housing data guidelines [1] (applicable under NPPF 2018) and the Duty to Cooperate but does not appear to validate the

rest of the DLP against NPPF 2018, particularly the promoting town centre diversification, 'fully evidenced and justified' release of greenbelt that demonstrates brownfield sites exhausted and that other site density optimised prior to greenbelt status removal. My concern with soundness is the scale of the garden suburb developments, even though the Council is on record saying 50% could be built without additional infrastructure, means the development will be taking place throughout the plan lifetime. It is very likely NPPF 2018 will be firmly in place before the first dwellings are erected on site and it is unsound that large-scale destruction of greenbelt for two major development sites can be permitted unless the plan would also pass NPPF 2018. Impact of public comments from 2017 consultation The Consultation Statement claims the 'impact of the comments may be seen in the Site Reports issued with the Publication Version of the Local Plan, or in the revised text of the policies. I reject this assertion and suggest this plan has been rushed to publication, considering only six pages (Appendix 10) of the 786 page report deal with the Regulation 18 consultation. By not providing individual comments, as the Council did in previous rounds of consultation, means we cannot easily assess if the plan is sound. I should point out acknowledgement of our comments is essential because of the way the plan has 'emerged', concentrating development in one part of the borough, with all the complications that brings. [1] Housing needs assessment, Ministry of Housing, Communities & Local Government "" 13/09/18

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

1. Assess the plan against NPPF2012 and NPPF2018 highlight areas where the plan falls short of the NPPF 2018 requirements Detail the mitigating factors or amendments required for the plan to comply with NPPF 2018 2. Respond to individual comments using the same method as 2015 consultation.

Additional Evidence Link:

Comment ID **Lpp946**

Site ref (if applicable):

Person ID: **1182738**

Name: **mrs BERYL GRAY**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

The legality of this plan is questionable due to the fact out of date plans have been used, there has been no meaningful consultation, there has not been any investigation on the air quality, or the congestion. If 80% of the population lives in the area that the plan suggests building in, surely it would make more sense to build in the areas less congested to make the borough more evenly populated along side more employment opportunities in those areas. It can not be legal to keep building in the most congested areas. When there are areas that are crying out for industrial sites and new housing such as the western side of the borough. More housing in these areas would encourage more retail outlets in those areas bring more employment opportunities.

Do you consider the plan to be Sound?:

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp947**

Site ref (if applicable):

Person ID: **1182738**

Name: **mrs BERYL GRAY**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

How can this plan be sound when it does not take into account the M62 corridor as it is today although it has been widened several times the congestion and air pollution still remain. Congesting this area even more is not likely to address that situation nor putting in dual carriageways going from one congested road to another congested road. Putting another industrial site in this area is also a creating more air pollution instead of looking at other areas none of this has been looked at in depth and certainly not using up to date info.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp948**

Site ref (if applicable):

Person ID: **1182738**

Name: **mrs BERYL GRAY**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

no co-operation has taken place as far as I can see. Kirklees, Bradford and Calderdale should have co-operated in 2011 but it was only in 2015 that a token co-operation took place. Nothing has changed to the outcome this plan will create. Poor air quality, Enormous congestion (Brighouse will become a massive car park for several hours of the day) More empty industrial sites. Businesses need to be cost effective. Having vehicles in traffic jams most of the time is not cost effective.

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

1. Lack of community involvement in developing the vision for the Garden Suburbs.
2. Inadequate public consultation including publishing the Plan during the school holidays / the consultation portal was difficult to use which put residents off from commenting.
3. Inadequate evidence as to how comments from the LPID have been taken into account.
4. Sites have been added to the allocations since the Local Plan Initial Draft consultation which the public have not been consulted on.
5. The explanation of the scoring in the Sustainability Appraisal is deficient.
6. The Council has failed to adequately respond to previous consultation comments.

Council's Response:

1. Extensive and inclusive consultation has been carried out throughout all stages of the Local Plan preparation process in accordance with the Council's adopted Statement of Community Involvement and is detailed in the Consultation Statement (Regulation 22). In accordance with Policy IM7, the production of a master plan for strategic housing sites should involve all relevant stakeholders, including the Council, infrastructure providers, landowners, developers, the local community, service providers and other interested parties. Master plans should be developed in consultation with the Council and local community prior to the submission of a planning application.
2. Extensive and inclusive consultation has been carried out throughout all stages of the Local Plan preparation process in accordance with the Council's adopted Statement of Community Involvement and is detailed in the Consultation Statement (Regulation 22).
3. The Regulation 18 Consultation sets out how the comments made during the pre-Publication stages have

been taken into account. Specific responses to individual comments have not been made as these are not required by regulations.

The Regulation 22 Statement shows how comments made at LPID were taken into account in preparing the Publication Local Plan. The site specific comments were circulated to consultees and used by them to help frame their responses to the Publication Local Plan.

4. Sites added to the Local Plan since the Local Plan Initial Draft consultation have been subject to full site assessment and stakeholder consultation. Following this, a full round of public consultation took place on these sites at the Local Plan Publication Draft stage in accordance with the Council's adopted Local Development Scheme and Statement of Community involvement.

5. The Council considers that the supporting text contained within the Sustainability Appraisal adequately explains the approach utilised.

6. The Regulation 22 Statement shows how comments made at LPID were taken into account in preparing the Publication Local Plan. The site specific comments were circulated to consultees and used by them to help frame their responses to the Publication Local Plan. Individual responses to each comment were not made by the Planning Team given the need to progress the preparation of the Publication Local Plan in accordance with the agreed Local Development Scheme and the MHCLG Intervention Team.

Test of Soundness

Main Issues:

1. Incomplete evidence on traffic modelling.

2. Viability assessment should assess all opportunities and then provide evidence to form a preferred strategy, not simply review existing sites.

3. The Plan can not be found sound until evidence is provided of the impacts arising from the allocations and policies on the SPA and SAC through the HRA.

4. The plan does not provide sufficient detail on the delivery of infrastructure to support the proposals in the plan.

5. The plan is not positively prepared as it uses the Standard Methodology to calculate its housing requirement, not the OAN in the SHMA.

6. SA Assessment will need to be updated based on new evidence relating to air quality (latest transport modelling and effects of Local Plan on M62) and further evidence in relation to recreational use associated with allocations.

7. Targets levels in SA Objectives 8 and 10 challenged whilst the resulting SA Assessment of the Local Plan is considered to result in judgements which do not pass a real world test, is divorced from the real world and misrepresents the negative effects and impacts on sustainability that the Local Plan will bring about.

8. Habitat Regulations Assessment cannot be concluded until new evidence relating to air quality (latest transport modelling and effects of Local Plan on M62) and further evidence in relation to recreational use associated with allocations is provided and the implications properly addressed.

9. Judgement of European Union Court of Justice (People over Wind v Coillte Teoranta) regarding only

considering mitigation measures at the Appropriate Assessment stage where a European site is threatened makes it advisable to take legal advice as to whether any further assessment of or changes to the Plan is required. Should the Plan contain mitigation measures to avoid harm to a European site, Appropriate Assessment will be required.

10. The publication version of the Local Plan has failed to take account of comments made during Regulation 18 in 2017.

Council's Response:

1. The Council considers that the evidence submitted supports and justifies the content of the Local Plan.
2. The Council has followed the advice of the Planning Practice Guidance in assessing the implications upon the viability of development of viability of the policies in the Plan and the sites allocated within the Local Plan. These assessments have helped inform the deliverability of sites
3. Additional work has been undertaken on the HRA following Publication, and taking into account comments made by Natural England at Publication. This work is exploring in more detail the impact of potential sites on the SPA/SAC.
4. The Infrastructure Delivery Plan is a compendium of projected infrastructure provision and it helps to ensure that this infrastructure is provided in a timely manner and in a coordinated and sustainable way. It sets out the infrastructure that will support the level of development that is proposed in the Calderdale Local Plan.
5. The Council's response to the Inspector's Pre-Hearing Note 1, Question 5, elaborates on the reasoning behind the Council's decision to base the housing requirement on the Standard Method (App 1.5 to PHN 1).
6. The Sustainability Appraisal (2018) provides an addendum to the previously released Sustainability Appraisal (2017). The document was updated specifically to inform the Publication Draft Local Plan preparation process, taking into account evidence available at the time of production. An up to date Sustainability Appraisal is a requirement of any future plan review.
7. The SA is a technical document which assesses and reports on a plans potential impact on the environment, economy and society. An extensive baseline assessment was prepared to establish a picture of the current issues in Calderdale and the assessment is based on this.
8. Further work has been undertaken on the impacts of traffic along the M62 and the HRA has been revised to take account of this information.
9. The HRA is being examined by the Council in order to determine whether there are any sites where Appropriate Assessment is required following the European Judgement, particularly where sites may have been screened out as mitigation measures were relied on to address any impacts at the planning application stage. See Submission Documents SD 12.4 Habitat Regulations Assessment Report Update (2019), SD 12.5 HRA Appendices 1-4 Update (2019) and SD 12.6 HRA Appendix 5 Update (2019). A meeting with Natural England is to be convened in order to discuss the findings. Should Appropriate Assessment be required this will be undertaken.
10. The Regulation 18 Consultation sets out how the comments made during the pre-Publication stages have been taken into account. Specific responses to individual comments have not been made as these are not required by regulations.

Duty to Co-operate

Main Issues:

1. Calderdale Council have failed to consult with the necessary bodies to tackle infrastructure issues.
2. The Council has not liaised, communicated or consulted effectively with neighbouring authorities especially with Kirklees with regards the housing and employment growth to the south-east boundary of Calderdale.
3. No evidence has been provided that demonstrates the cumulative effects of traffic on congestion and air quality have been fully considered in SE Calderdale.
4. No in depth analysis regarding Green Belt release across local authority boundaries.
5. Lack of DtC with Kirklees and Bradford with regards to the impact on infrastructure.
6. The Council have not taken into considerations comments made by the Highways Agency.
7. Rastrick Neighbourhood Forum has received no direct communication from CMBC regarding the Local Plan.

Council's Response:

1. Extensive and inclusive consultation has been carried out throughout all stages of the Local Plan preparation process in accordance with the Council's adopted Statement of Community Involvement and is detailed in the Consultation Statement (Regulation 22).
2. Calderdale is part of the Leeds City Region (LCR) and a member of the West Yorkshire Combined Authority (WYCA). The LCR has a well-established programme for joint working and cooperation at both member and officer levels – planning portfolio holders and heads of planning meeting regularly, and there is specific 'duty to cooperate' group attended by planning policy officers.
See Submission Document SD 13 Duty to Cooperate Statement Including Statements of Common Ground (January 2019).
3. The Council consider that the evidence provided in documents EV54.8, EV54.9 and EV54.12 show that these matters have been assessed and considered appropriately as part of the preparation of the Local Plan.
4. Using the same methodology as the Green Belt Review, proposed development sites in the Local Plan that are located in the Green Belt have been assessed against the Green Belt purposes in the NPPF using the boundaries of the site itself. During that assessment, the question was asked if the land contained in the development site is contiguous with other Green Belt up to and beyond the Borough boundary.
5. Calderdale is part of the Leeds City Region (LCR) and a member of the West Yorkshire Combined Authority (WYCA). The LCR has a well-established programme for joint working and cooperation at both member and officer levels – planning portfolio holders and heads of planning meeting regularly, and there is specific 'duty to cooperate' group attended by planning policy officers.
6. Document EV 51.1 Site Allocations Assessment Methodology - Publication Draft (2018) details the process the Council has followed in relation to the site assessment process. The document outlines the various stages of assessment from initial site identification to the implementation of the Sequential

Approach.

7. Extensive and inclusive consultation has been carried out throughout all stages of the Local Plan preparation process in accordance with the Council's adopted Statement of Community Involvement and is detailed in the Consultation Statement (Regulation 22).

Suggested Modifications

1. Re-draft the Plan to comply with the NPPF 2018.

Council's Response:

1. The Council has prepared the Plan in accordance with NPPF 2012 because the revised NPPF with its transitional arrangements was not published until July 2018, after the Council took the formal decision in June 2018 to publish the Plan in August.

The policies in the 2012 NPPF will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, the policies contained in the revised NPPF (2018) will apply to any subsequent plan produced for the area concerned.

There is no intention to revise the current Local Plan to bring it in line with the NPPF 2018 or 2019.

No Modification Required.

Document Section: 1 Introduction

Representations

Comment ID **Lpp1370**

Site ref (if applicable):

Person ID: **844298**

Name: **Cllr Howard Blagbrough**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

Please also see attachment. I have had numerous people contact me over the last few weeks very confused with the way in which the process at this stage has been handled "" a number of people would like to feed their thoughts into the process, however they have found the system very complex and the type of language used on the website has been quite confusing. I have to say that this is one of the reasons for me not using the system "" even though I have never generally given up on technology. If I was cynical, I would suggest that the system has been made over complex to curtail more people from commenting on the process. Having spoken with many residents, there is a general consensus that Calderdale Council has failed to respond adequately to previous feedback through the consultation process last year and therefore feel disappointed that their comments will not be taken into account this time. I would like to think that something as serious as the proposed development in the Brighouse area will gain the attention of the inspectorate at the relevant time. As a councillor, whilst I appreciate that Calderdale has tried to communicate their strategic plan for the future, I do not feel that this has been wholly effective. A large number of people for example are under the impression that these sites would be developed immediately, and have not fully appreciated that the relevant planning permission would still be required. I am equally disappointed that Calderdale failed to deal with technical issues prior to engaging with members of the public "" this resulted in the website crashing and therefore leading to additional confusion when the deadline was eventually extended. I received a large number of comments with reference to the adequacy and pressure the plan would have upon the planning department, which is already under a great deal of pressure, and often fails to meet their own deadlines. I would suggest that an urgent review is taken to ensure that the department is adequately resourced, together with an action plan to deal with enforcement.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5105906>

Comment ID **Lpp1437**

Site ref (if applicable):

Person ID: **1182876**

Name: **Mr Craig Whittaker MP**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

See attached

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5107475>

Comment ID **Lpp1445**

Site ref (if applicable):

Person ID: **1182876**

Name: **Mr Craig Whittaker MP**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

Whilst I appreciate that Calderdale Council has to produce a strategic plan for the future, I am not satisfied that they have fully managed to communicate their plans to the majority of residents living in Calderdale. When I have been speaking with a number of residents over the last few weeks, they are under the impression that these sites will have automatic planning permission ; I appreciate that this is not the case, however, this is something which could have been made simpler for large number of people who are rightly concerned that their quality of life may be affected in the future. I have equally been contacted by a number of land owners who are disappointed that their land allocation has been taken out of the Local Plan, which suggests that the Brighouse and Woodhouse areas could have and should have in view received less housing allocation. Finally I wish to express my concerns on behalf of a large number of constituents who have contacted me since last July (2017) and put forward their views and thoughts over this period. I would like to thank all those who have taken part and attended meeting to discuss these important issues. As previously stated, I acknowledge that we need additional houses in accordance with Government guidelines, however we need to ensure that we have adequate, well thought out and funded

plans to improve the infrastructure prior to any development. We equally need to ensure that we have complied and communicated the plan with all partner agency effectively.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Calderdale Council has failed equally to liaise, communicate and consult effectively with neighbouring authorities to ensure that the plans put forward will actually work. Some of the schemes put forward, for instance road improvements from Cooper Bridge will not have a major positive impact on the Brighouse area and traffic using this stretch of road. This is due to the fact that Kirklees has plans to build a large number of houses and employment sites. Kirklees Council are not fully aware of the plans which are being worked on in Calderdale and therefore the addition of around about 5,000 will have a negative impact on all areas and residents.

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5107475>

Comment ID **Lpp1528**

Site ref (if applicable):

Person ID: **1130533**

Name: **Mr Nick Midgley**

Organisation: **Chair person rastrick
Neighbourhood Forum**

Agent ID: **1130525**

Name: **Mr Nick Midgley**

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5115251>

Comment ID **Lpp182**

Site ref (if applicable): **LP1463**

Person ID: **1115638**

Name: **Mr Tony Perryman**

Organisation: **Chair Clifton Village
Neighbourhood Forum**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

I believe that the Local Plan procedurally has failed to consider all the comments made under regulation 18 I therefore contend that there has not been meaningful consultation. The Council when it passed the Local Plan did reserve sufficient time to debate and consider all the issues surrounding the Local Plan. The timing of the consultation for regulation 19 is again through the summer holiday period, which was the same for regulation 18. Only six weeks has been given for consultation, which means given the time of year the people of Calderdale have not be given adequate time to consider the issues and prepare adequately to respond.

Do you consider the plan to be Sound?: **No**

Sound Reason:

I do not believe this plan is proportionate. 50% of the housing development has been placed in 3.9% of Calderdale's area of operation. The development will therefore create an issue for the people of Brighouse. There is sufficient Community Infrastructure Level be proposed from the developers to provide for the infrastructure requirements for the area. The proposal is for £40 per square meter, which insufficient. The Plan has not taken into account the impact of the proposed housing and industrial development that will occur in Kirklees which will also have an impact upon roads and air quality. Junction 25 M62 will not be able to adequately cope with the potential increase in traffic. The consultation process for regulation 18 was flawed, because the Council have failed to carryout meaningful consultation, because they have not provided objective reasons why they have not considered the issues raised on traffic congestion in Brighouse.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

I do not believe they have cooperated sufficiently with Kirklees and Bradford, on the impact their plans will have upon the infrastructure in Calderdale. An example is the housing development in Bradley, where 1800 houses will be built. They have not shown how the developments in Clifton and Woodhouse combined with the development in Bradley will be managed in terms of the road network. How will junction 25 cope with the evident increase in traffic that will ensue. There will also be industrial development on both sides of the JUNCTION 25, which increase traffic on the M62 putting real pressure on junction 25 and 24.

Suggested Modifications:

I believe more time should be give to consult in a meaningful way. It is unreasonable for the Council for both Regulation 18 and 19 to have scheduled this consultation over the summer holiday period and only given six weeks. The Council have not given adequate feedback on the comments made during Regulation 18. The local plan has failed to include the Enterprise Zone, which it has openly admitted will be critical in opening up the development in Thornhill. This is an omission that has been brushed away by council officials, when challenged to such an extent that I emailed saying see you in front of the Public Inspector.

Additional Evidence Link:

Comment ID **Lpp270**

Site ref (if applicable):

Person ID: **1181961**

Name: **Mrs Julie Bullen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

I object to the plan because it is not legally compliant in terms of public involvement:- Inadequate public involvement a Given the scale of development proposed for Brighouse (increasing its size by 32%), the scale of involvement has NOT been proportionate to the scale of development planned for the town. b The strategy has changed throughout the plan without adequate community involvement. Woodhouse garden suburb was not originally included providing no opportunity for early meaningful consultation in the process to enable input on such a significant proposal. c There has been no community involvement in the development of the overall vision for the garden suburbs and it is unclear whether stakeholders have been involved in their development to create transparency in process. It appears these have been solely formed by consultants and the Council. d In addition, there are certainly new sites that have appeared in the publication draft that have not previously been consulted on in previous iterations of the plan ie Stratton Road site for 24 units (ref LP1000) is one of these. e When trying to access the Council's Local plan documents and comment portal on 15 th and 17 th September the Council's website was down and inaccessible. This was at a critical weekend (9 days prior to the deadline) when I needed to access the information and had planned to submit my comments . Whilst an extension has now been given I am unable to benefit from this due to personal circumstances and it has impacted on my ability to thoroughly check points and comment. In this respect I consider that the Statement for Community Involvement has NOT been therefore adhered to in terms of providing the required 6 weeks access. f Public consultation has not been meaningful and there is insufficient evidence to show how comments have been taken into account through the process. There were over 8000 responses to the over development of Brighouse and the significant impact that this would have on an already creaking infrastructure. While other parts of the authority have seen changes, despite the level of objection to the strategy, housing numbers in this area have remained unchanged. Why is this? "" Can the Council explain how this has been objectively assessed and what political input has affected this decision . g It appears that traffic modelling is not yet completed and information has not yet been available to comment on at this consultation. The evidence available to the public is therefore inadequate on which to base comments and the council's case is also not founded on robust evidence.

Do you consider the plan to be Sound?: **No**

Sound Reason:

Detailed points are made throughout the plan but in summary I object to the whole plan on soundness grounds due to an unsustainable spatial strategy which is contrary to the settlement hierarchy and results in disproportionate allocation of housing development land across the borough The case for strategic garden suburb development sites does not stack up - exceptional circumstances for greenbelt release have not been demonstrated - required infrastructure is not in place - inadequate brownfield land assessment The economic strategy does not adequately take account of demographic change Inadequate CIL policy

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

The council has NOT met its 'duty to co-operate' and I object to the plan on this point There is no evidence to confirm that the cumulative impacts of traffic on congestion and air quality have been assessed across the boundaries of Calderdale, Bradford and Kirklees. The Council need to demonstrate that this has been fully considered to protect the South East of the borough It is reported and evident that green belt is a key

strategic constraint on delivering housing needs across West Yorkshire and specifically in Kirklees and Calderdale. However, there appears to have been no in-depth analysis of the issues facing local planning authorities in this respect. There is reference that this will potentially start in the next plan making period. In the meantime, each local authority has focused inwardly and turned to green belt release to achieve their own individual housing numbers. This has resulted in a number of large 'bolt on estates' to settlements in Brighouse and Kirklees which will create significant areas of overdevelopment and overload existing infrastructure rather than create sustainably planned development. Whilst it is accepted that individual authorities are at different timescales in their delivery plans, the 'duty to co-operate' should have looked at this as an alternative strategy to plan development in a more sustainable way. A larger than locally led approach could provide a more sustainable option with a properly planned new garden village with sufficient room for expansion and the ability to achieve a self contained and sustainable community in the right location. Clearly these are hard decisions to make and would also have implications on green belt. This has not been assessed to support the housing market. Instead we are left with a strategy that will overload the current infrastructure and in the case of Woodhouse' a proposal that will not in anyway make a 'positive impact' for the community or location.

Suggested Modifications:

A review of the spatial strategy is required to delivery a more sustainable and proportionate distribution of development

Additional Evidence Link:

Comment ID **Lpp468**

Site ref (if applicable):

Person ID: **1126168**

Name: **Mr David Armitage**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attached comments

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5078965>

Main Issues and Council Response

Legal Compliance

Main Issues:

1. The Plan has not been communicated properly to the residents of Calderdale.
2. Overly complex consultation procedures has curtailed people from commenting.
3. The strategy has changed throughout the plan without adequate community involvement.
4. Public consultation has not been meaningful and there is insufficient evidence to show how comments have been taken into account through the process.
5. The people of Calderdale have not be given adequate time to consider the issues and prepare adequately to respond.

Council's Response:

1. Extensive and inclusive consultation has been carried out throughout all stages of the Local Plan preparation process in accordance with the Council's adopted Statement of Community Involvement and is detailed in the Consultation Statement (Regulation 22). These have built upon the Regulation 18 stages associated with the Core Startegy which has also been fully addressed in the regualtion 18 Consultation statement which is appended to the Regualtion 22 Consultaiton Statement.
2. Extensive and inclusive consultation has been carried out throughout all stages of the Local Plan preparation process in accordance with the Council's adopted Statement of Community Involvement and is detailed in the Consultation Statement (Regulation 22).
3. Document EV 51.1 Site Allocations Assessment Methodology - Publication Draft (2018) details the process the Council has followed in relation to the site assessment process. The document outlines the various stages of assessment from initial site identification to the implementation of the Sequential Approach.
Extensive and inclusive consultation has been carried out throughout all stages of the Local Plan preparation process in accordance with the Council's adopted Statement of Community Involvement and is detailed in the Consultation Statement (Regulation 22).
4. The Regulation 22 Statement shows how comments made at LPID were taken into account in preparing the Publication Local Plan. The site specific comments were circulated to consultees and used by them to help frame their responses to the Publication Local Plan. Individual responses to each comment were not made by the Planning Team given the need to progress the preparation of the Publication Local Plan in accordance with the agreed Local Development Scheme and the MHCLG Intervention Team.
5. Extensive and inclusive consultation has been carried out throughout all stages of the Local Plan preparation process in accordance with the Council's adopted Statement of Community Involvement and is detailed in the Consultation Statement (Regulation 22). The Council has applied the Regulations governing Local Plan preparation in a fair and reasonable manner in accordacne with the Statement of Community Involvement.

Test of Soundness

Main Issues:

1. Unsustainable spatial strategy. There is a disproportionate allocation of housing development land

across the borough.

2. Exceptional circumstances for Green Belt release have not been demonstrated.
3. Required infrastructure is not in place.
4. Inadequate brownfield land assessment.
5. The economic strategy does not adequately take account of demographic change.

Council's Response:

1. See Exceptional Circumstances for the Release of Green Belt 2018, specifically Appendix 2 (LPWP Report August 2016: Distribution of Growth).
2. Document EV 09 Exceptional Circumstances for the Release of Green Belt (2018) considers the process that the Council has followed in relation to the potential need to release land from the Green Belt. It can be seen that a methodical approach has been built into each stage of the process and that ultimately this process has dovetailed with the Government's emerging policy on exceptional circumstances. It is considered that the exceptional circumstances have been demonstrated to justify the proposed changes to the Calderdale Green Belt boundary.
3. The Infrastructure Delivery Plan 2018 is a compendium of projected infrastructure provision and it helps to ensure that this infrastructure is provided in a timely manner and in a coordinated and sustainable way. It sets out the infrastructure that will support the level of development that is proposed in the Calderdale Local Plan. It will also be updated on a regular basis to ensure appropriate infrastructure is delivered in the right place at the right time to support the growth envisaged in the Local Plan. Phasing of major developments will be planned in line with the provision of enabling infrastructure.
4. With regards to the site assessment process, in order to identify the most sustainable sites a 'sequential' approach to housing allocations has been adopted that prioritises brownfield sites in the urban area, only using the most sensitive Green Belt when all alternative sites were used. The Council has published a Brownfield Land Register, which will provide up-to-date and consistent information on sites that the local authority considers to be appropriate for residential development having regard to the criteria set out in regulation 4 of the Town and Country Planning (Brownfield Land Register) Regulations 2017.
5. The identification of the employment land requirement is based on employment forecasts which take into account projected demographic change (the Regional Econometric Model - West Yorkshire Combined Authority).

Duty to Co-operate

Main Issues:

1. There is no evidence to confirm that the cumulative impacts of traffic on congestion and air quality have been assessed across the boundaries of Calderdale, Bradford and Kirklees. The Council need to demonstrate that this has been fully considered to protect the South East of the borough.
2. Rastrick Neighbourhood Forum has received no unsolicited direct communication regarding the Local Plan from the Spatial Planning Team of the Council.

Council's Response:

1. The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'

To achieve these objectives the Council is developing a range of strategies and interventions, and the Local Plan has a role to play in supporting these, but also ensuring development proposals meet these objectives and contribute more widely to an integrated 'active mode' network.

Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.

In terms of air quality, the Council's response is set out in EV05 the Air Quality Technical Paper 2018 and EV04 the Calderdale Air quality Action Plan 2018.

2. Extensive and inclusive consultation has been carried out throughout all stages of the Local Plan preparation process in accordance with the Council's adopted Statement of Community Involvement and is detailed in the Consultation Statement (Regulation 22). The Rastrick Neighbourhood Forum has been informed in the same manner as other organisations in the district.

Suggested Modifications

1. More time should be given to consult in a meaningful way. It is unreasonable for the Council for both Regulation 18 and 19 to have scheduled this consultation over the summer holiday period and only given six weeks.

Council's Response:

1. Extensive and inclusive consultation has been carried out throughout all stages of the Local Plan preparation process in accordance with the Council's adopted Statement of Community Involvement and is detailed in the Consultation Statement (Regulation 22).

No modification required.

Document Section: 2 Spatial portrait

Representations

Comment ID **Lpp1298**

Site ref (if applicable):

Person ID: **1183599**

Name: **Mr Andrew Wood**

Organisation: **Consultant Planner CPRE**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment for context of comments. Introductory paragraph of Evidence Paper 2 states that: Please note that it was our intention to divide up this document and submit it in relevant sections using the representation form, but having downloaded the form we found that key entry fields were locked. Given that the representation system is in any case not well-suited to comments that develop a narrative and contain figures and tables, we have therefore reverted to submitting full documents. These are structured as carefully as possible to enable you to use them. It is our view that the Publication Draft is not positively prepared to deliver sustainable development. It is not justified by the most appropriate and up-to-date evidence of development needs. And it will not be effective in delivering sustainable development, due to fundamental internal contradictions between the scale and distribution of development and other key policies in the Plan. This evidence paper explains our position on these points, and we conclude that very substantial modifications will be needed to make the Plan sound.

2. Spatial Portrait It is important not to overlook this section of the Plan, as it contains a number of clues to the spatial interventions we should expect to see in the Plan. 2.11 Para 2.11 recognises that the Calderdale landscape "greatly constrains development potential within the Borough and limits the options for dealing with growth". 2.29, 2.35, Table 3.2 Paras 2.29, 2.35 and Table 3.2 illustrate the baseline situation in terms of travel patterns, particularly in terms of car dependency (64% of trips and 78% of distance travelled). If key sustainability objectives are to be achieved then the Plan must contain spatial interventions that reduce car dependency. In that context it is difficult to see how a proposed additional M62 junction 24A is justified "" especially given the established evidence that new and upgraded road capacity produces only a temporary relief from congestion, and quickly induces additional traffic. 2.42 - 2.62 Paras 2.42 to 2.62 provide a badly structured and almost impenetrable presentation of the demographic and household growth situation. National statistics are jumbled with local ones, and nearly every piece of data quoted has a different base-date, period or end-date. There also appear to be a number of mathematical anomalies. This means that it is virtually impossible for the reader to understand the specific growth challenges, and therefore to assess how well the Plan addresses them. In an attempt to cut through these opaque statistics, we have produced a simple graphic taking key information about workforce and demographics from Chapter 2, and analysed the implications for policy interventions. We begin with a 'policy-off' baseline which assumes that: The demographic changes will be as projected; The commuting ratios remain the same over the plan period; The vast majority of economically active people in 2018 are in the 15-64 age range, and that this remains the case over the plan period. Applying the net job growth target of 8,295, we find that the 'policy-off' baseline leaves a shortfall of available workforce for Calderdale of over 13,500 people by the end of the plan period. This represents a huge demographic challenge to the realism of the job growth target. Fig ure

1: Workforce shortage implied by the Spatial Portrait in attachment CPRE West Yorkshire Evidence Paper 2: CPRE Core Evidence (page 3) Our analysis therefore illustrates that either the job growth target is wildly ambitious, or that a very clear and structured package of demographic and spatial interventions is needed to make up the shortfall in workforce. The more the labour supply is dependent on increased in-commuting, the more unsustainable it is and the greater the employment strategy is at risk from competing jobs in nearby authorities. Clearly, significantly increasing economic activity rates across all age ranges should be a socio-economic priority, but there is limited scope for the Local Plan to influence this. The possible spatial interventions are therefore limited to reducing out-commuting, and encouraging a net in-migration of economically active people "" and /or reducing the job growth target. In theory, providing additional housing suitable for people wishing to move to Calderdale for work could help to make up the shortfall, but this carries the crucial risk that if the job growth does not happen at the right time and place relative to the housing, significant increases in out-commuting are likely, meaning that new housing provision will not, in reality, meet the needs of people in Calderdale. In our view, the overall spatial approach in the Plan must be considered unsound because it has not been properly justified by the evidence as summarised in Chapter 2. In particular, there is no discernible rationale to connect the projected demographic changes with the Plan's job growth target, nor to set out how spatial and policy interventions may be intending to produce different outcomes compared to those foreseen in the Spatial Portrait. Without this, it is impossible to assess what the Plan is aiming to deliver, and why, other than two apparently disconnected targets, one for housing growth and one for job growth.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5102830>; <http://calderdale-consult.objective.co.uk/file/5122736>

Comment ID **Lpp1415**

Site ref (if applicable): **LP1567**

Person ID: **1185901**

Name: **Avant Homes**

Organisation:

Agent ID: **1139514**

Name: **Nathan McLoughlin**

Organisation: **McLoughlin Planning**

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

See attachments

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachments for context of comment. Avant's position is that the Local Plan is unsound. In adopting this position, Avant is concerned that the Plan fundamentally fails to meet the objectively assessed needs of Calderdale Borough. In preparing the Local Plan, it is clear that the Plan has been compromised somewhat by the fact that Government guidance in the National Planning Policy Framework (NPPF) has been recently updated as well as the introduction of the standardised housing numbers. The relevance of this is that the Local Development Scheme makes it clear that the Local Plan is to be submitted to the

Secretary of State in 'late 2018' (Section 4.4). This has been expanded by the Council's website which reports the Plan will be submitted before the 24th January 2019. This is a significant date insofar as the January 2019 deadline is the last date by which a Plan can be submitted to the Secretary of State for that Plan to be considered under the 2012 Framework as per the transitional arrangements. In making the representations on Avant's behalf, these representations are prepared in the context of transitional arrangements set out in paragraph 214 in Annex 1 of the 2018 NPPF. This paragraph states that: 'The policies in the previous Framework will apply for the purposes of examining the Plan's'. This means that the emerging Local Plan will be examined under the provisions of the 2012 Framework including, and not exclusively limited to, the provisions of paragraph 47 of the Framework in terms of the need for Plans to be meet their objectively assessed needs. It is clear in the 2018 Framework, Annex 1, that there is no ability to utilise Framework 18 Policies when 2012 Framework Policies are required by the Transitional Arrangements. Avant's concern in this respect expressly relates to the fact that the Plan uses the standardised housing numbers methodology endorsed in the 2018 Framework to calculate the housing target for the plan period. Such an approach is fundamentally unsound as it is clearly contrary to the National Policy in the 2012 Framework, against which this Plan is to be examined. The various paragraphs and tables identified in the above heading clearly make reference to the fact that the Council is utilising the standardised housing numbers methodology in setting the Plans housing target. As a result, Avant seek the deletion of the standardised housing numbers methodology target and reference to it from the Plan and the reinstatement of references to the Council's previous Strategic Housing Market Assessment work which underpinned the September 2017 Draft Local Plan which was consulted on. This work clearly shows that the objectively assessed needs for housing development in the Borough are significantly higher than the target proposed in the Plan subjected to this consultation. Avant is extremely concerned that the under performance of the current Plan to meet the assessed requirements in the SHMA means the Plan is dangerously under providing when compared against the requirements of paragraph 47. In terms of a basic strategy point, the need for additional levels of housing over and above the standardised housing numbers methodology figure clearly necessitates the release of additional green field and Green Belt for development. Avant's site at Exley Lane is part of the solution to the housing numbers problem.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

See attachments

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5106733>;
<http://calderdale-consult.objective.co.uk/file/5106734>;
<http://calderdale-consult.objective.co.uk/file/5106736>

Comment ID **Lpp905**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Friends of the Earth have prepared the attached paper which brings together in one place an overview of the strategic arguments we're submitting on the Local Plan, that builds upon and aggregates the more detailed comments made on its individual sections that follow. It also summarises our position on the significant numbers underpinning the plan, and the accessibility of important information.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5074035>

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The Plan fails to meet the objectively assessed needs.
2. It is unsound to use the standard housing methodology as the Plan has been prepared under 2012 NPPF.
3. The Plan is not positively prepared, justified or effective and has contradictory sections.

Council's Response:

1. Following the Government's publication of the consultation on the standard housing methodology approach to calculating Local Housing Need in September 2017, in December 2017 the Council resolved to proceed with the Local Plan on the basis of this methodology. At a subsequent meeting of Cabinet in February 2018, Members considered a range of options to determining a level of housing need. "Option B" which had been calculated using the standard housing methodology, and excluded an uplift for undersupply, employment growth and flexibility of choice of sites was selected by Members; the Plan should meet the need for 12,600 homes over the Plan period, or 840 dwellings per annum. The Plan period is 2018/19 – 2032/33, reflecting the NPPF's preference to plan over a fifteen year period.
2. The Council's response to the Inspector's Pre-Hearing Note 1, Question 5, elaborates on the reasoning behind the Council's decision to base the housing requirement on the Standard Method (App 1.5 to PHN 1).
3. The Council considers that the evidence submitted supports and justifies the content of the Local Plan.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Deletion of the standard housing methodology target and reinstatement of references to the SHMA.
2. Additional levels of housing over and above the standardised housing numbers methodology figure required.

Council's Response:

- 1 The Council's response to the Inspector's Pre-Hearing Note 1, Question 5, elaborates on the reasoning behind the Council's decision to base the housing requirement on the Standard Method (App 1.5 to PHN 1). Given the Council's decision to use the standard method no modification is currently proposed by the Council.
No modification required.
2. On February 12th 2018, the Council's Cabinet resolved to set its housing requirement in accordance with what was then emerging national planning policy, i.e. the Proposed Standard National Method – no "undersupply". This reflected the Council's wish to align ourselves with the Government's direction of travel and also took on board the fact that Calderdale is tightly constrained by Green Belt and other physical constraints. See Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations.
No modification required.

Document Section: 2.1 Paragraph

Representations

Comment ID **Lpp131**

Site ref (if applicable):

Person ID: **1171108**

Name: **Mr Brian Crossley (SNLPP)**

Organisation: **Chairperson SNLPP**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This analysis does not go far enough. It should show what the population and jobs distribution is forecast to look like in 2032 as the focus of housing and employment development is concentrated in the east. There seems to be an increasing east-west divide with those in the west having less access to housing, jobs, services, transport links, infrastructure investment etc. The topography, environment and balance of infrastructure are not going to change significantly over the plan period so the same challenges will be faced by the next Local Plan. To face those challenges with the same solutions that are being proposed now is irresponsible and ultimately unsustainable. There is very little housing and employment development to the west of Halifax so what is to become of those areas. The east will become ever more crowded and choked with traffic whilst the west languishes in the doldrums as people move east to find housing and employment.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

It is unsustainable for future generations to put so much emphasis on creating jobs and housing in the east.

Additional Evidence Link:

Comment ID **Lpp281**

Site ref (if applicable):

Person ID: **1115638**

Name: **Mr Tony Perryman**

Organisation: **Chair Clifton Village
Neighbourhood Forum**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The local plan does not take sufficient account of the economic, social and housing needs of the most vulnerable and deprived areas in Calderdale. In fact as the following table illustrates it concentrates its housing and employment growth on an area which has the least vulnerability and deprivation in the Borough, Brighouse. Brighouse will have an Enterprise Zone and nearly fifty percent of the housing. The plan does not provide anything like this kind of development for areas like Park, Illingworth and Mixenden and Ovenden, the people of whom could ask the question why have they been so neglected by our political representatives. Table 4: Experian Financial vulnerability model (FVM) results by ward: May 2017 Ward FVM 10% most vulnerable FVM >10% to 20% most vulnerable FVM >20% to 30% most vulnerable Park 42% 31% 9% Ovenden 39% 18% 12% Town 17% 27% 15% Illingworth and Mixenden 24% 12% 12% Todmorden 7% 20% 16% Warley 13% 19% 10% Sowerby Bridge 8% 19% 15% Elland 9% 18% 14% Brighouse 7% 14% 11% Rastrick 12% 11% 8% Luddendenfoot 4% 6% 11% Greetland and Stainland 3% 8% 8% Ryburn 6% 6% 6% Calder 2% 7% 10% Hipperholme and Lightcliffe 5% 3% 8% Skircoat 2% 6% 8% Northowram and Shelf 1% 3% 5% Calderdale 12% 14% 11%

The plan has not sufficiently analysed the economic and social needs of each ward and developed practical solutions that would regenerate and address the real needs. The analysis of population growth and job's growth is at best cursory. The plan lacks detail, it does not fully take into account the issues surrounding an aging population, e.g. most of the housing development will be for working families, yet 28% of the population in Calderdale is currently over the age of 60 and will grow significantly by 2032. An analysis of suitable housing for this group and then its development, would release houses for working families, probably in more suitable places for work. the largest growth in population in the next ten years is expected to occur in the older age groups. The number of people aged 75-84 is expected to increase by 47% by 2026; The number of people aged 65 and over is expected to increase by 21%; There will be a small fall in the number of working age residents aged 18 "" 64 (-1.2%). Within that age group, there are sharp differences between the 45-54 age group (expected to fall by 15.1%) and the 55 to 64 age group (expected to increase by 19%). There is expected to be very little change in the number of children aged 0-14 years (0.1%). The Councils own figures on economic growth show that the Calderdale economy has shown resilience and consistent growth in the last five years. Since 2012 overall borough performance across a range of economic metrics has improved in line with national trends. These metrics show the economy is achieving strong results when compared with its 'Best Borough in the North' local authority neighbours and the Leeds City region. For example: Jobs "" employment rates Calderdale's employment rate has been higher than the average for Leeds City Region and England for five years in a row. In September 2017 it was 76.3%. This is the fourth highest rate within both the Best Borough in the North comparator group and third highest in the Leeds City Region. Jobs "" number of jobs The number of jobs in Calderdale increased from 97,000 in 2012 to 111,000 in 2016. The number of jobs per resident of working age has remained consistently higher than the average for the Leeds City region and Best Borough in the North comparator groups in the last five years. In 2016 there were 0.85 employee jobs per working age resident, a slight reduction on 0.86 for 2015. It was the fourth highest in the Leeds City Region and second highest in the Best Borough in the North comparator group Jobs "" private sector Calderdale's private sector has expanded in the last five years. There were 8,985 private sector work places in the borough in 2017 compared with 7,635 in 2012 "" an 18% increase. In 2016 there were 42.1 private sector work places per 1,000 residents, the fourth highest rate in the Leeds City Region and third highest within the Best Borough North comparator group. Percentage of working age population in employment (employment rate) Area Sep 2012 Sep 2013 Sep 2014 Sep 2015 Sep 2016 Sep 2017 Calderdale 70.2% 72.3% 74.6% 76.6% 76.1% 76.3% Best Borough in the North average 68.2% 69.2% 69.8% 71.9% 71.5% 72.3% Leeds City Region 69.0% 70.1% 70.0% 72.5% 73.0% 73.3% England 70.5% 71.2% 72.3% 73.5% 74.1% 74.7%

The unemployment rate in Calderdale is low recorded as 4% in September 2016 compared with a national

average of 5%. The argument is why build an Enterprise Zone in an area of low unemployment, would it not be better to build houses on this site. In fact taking Calderdale's own figures on population growth, why do we need the enterprise zone and why do we need to build the type of homes they have identified?

Age group	2016 Population	2026 Population	Rounded Population Difference	Percentage Difference
0 to 4 years	13,100	12,100	-1,000	-7.2%
5 to 14 years	25,500	26,400	900	3.6%
15 to 24 years	23,000	22,600	-400	-2.1%
25 to 34 years	25,300	24,200	-1,100	-4.3%
35 to 44 years	26,400	27,100	700	2.7%
45 to 54 years	32,000	27,100	-4,900	-15.1%
55 to 64 years	26,000	30,900	4,900	19.1%
65 to 74 years	21,700	23,400	1,700	7.7%
75 to 84 years	11,400	16,700	5,300	47.0%
85 years and over	4,700	5,700	1,000	20.3%
Total	209,100	216,300	7,200	3.5%

There is a net drop in the population 15 through to 55 years of age and a net increase over the age of 55. The plans assumptions need be questioned based upon their proposal to build in the areas they propose, where there really isn't a need for housing and their failure to consider economic and housing development in areas of greatest need. Building houses and an Enterprise Zone in an area which is already has poor air quality (Air Quality Management Zone), is potentially dangerous. The following is taken from the Times 19 September 2018. "Thousands of cases of the illness could be prevented every year by cutting traffic fumes, said researchers who have added to growing evidence that dirty urban air can damage the brain. Polluted air is known to cause lung and heart problems as tiny soot particles and chemicals such as nitrogen dioxide (NO₂) pass deep into the body. Research is also increasingly linking traffic fumes to thinking problems. Last year a Canadian study of 2.2 million people concluded that those who lived continuously near a busy road were 12 per cent more likely to get dementia. Scientists now say that Britain's higher pollution levels may make the risk even greater in this country after looking at data on 131,000 Londoners aged above 50, of whom 2,200 developed dementia over seven years. The research cannot prove a causal link but it found that people living in the fifth of areas with the highest levels of fine particulate matter (PM_{2.5}) were 20 per cent more likely to get dementia during the study. Those exposed to the highest fifth of NO₂ levels were 40 per cent more likely to get dementia even after adjusting for age, class and other health habits, according to results in the journal BMJ Open. Frank Kelly, of King's College London, senior author of the study, said that while the results were not conclusive 'it is increasingly appreciated that the impacts of air pollution on health are seen far beyond the lungs'. He said it was 'very likely that high air pollution alone does not cause dementia but rather it increases the risk of an individual developing it', adding: 'Air pollution is linked with many more conditions than dementia and therefore there is now overwhelming evidence that we should be improving air quality in cities to improve public health.' Traffic fumes, particularly from diesel, are the main sources of PM_{2.5} and NO₂ and Professor Kelly said that ministers had a responsibility to cut pollution. He advised people wanting to minimise their exposure to 'plan low-pollution routes and try to avoid rush hour'. Calderdale is one of 23 Councils that have failed to meet their air quality targets and are proposing to build 4500 additional homes and 29 Warehouses in air quality a management zone and have not adequately described in the local plan how they are going to deal with this issue. In fact Councillors in debate on the local plan in June 2018 seemed relieved it wasn't in their ward and it was going to be concentrated in the Brighouse area. This local plan is not sound and will have a negative impact upon on the people of Brighouse, which seems to be of little consequence to the majority of Councillors in Calderdale.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

The Council in its plan has not included sufficient information or analysis on what Kirklees is proposing or Bradford. A joint approach to this analysis would have been more productive.

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp664**

Site ref (if applicable):

Person ID: **1126037**

Name: **Mr Graham Maslen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp732**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The number of jobs identified is significantly different from the figures identified in Employment Technical Paper table 1, and the amount of jobs growth 8,900 also doesn't align with the amount of such growth in table 6.8. (The explanation is probably that the references in this paragraph are not FTEs, but instead all categories of jobs).

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Over concentration of housing and employment in the east of the Borough rather than the west resulting in overcrowding and increased traffic congestion.
2. The Plan does not fully take into account the issues surrounding an aging population.
3. The local plan does not take sufficient account of the economic, social and housing needs of its residents.
4. There is a lack of analysis of population and job growth in the Plan.
5. The main area of employment growth (Clifton) is situated in an area of the lowest unemployment.
6. Air Pollution - impact of development on air pollution.
7. The number of jobs identified in paragraph 2.1 is significantly different from the figures identified in Employment Technical Paper table 1 and growth figure does not align with the growth figure in table 6.8.

Council's Response:

1. See Exceptional Circumstances for the Release of Green Belt 2018, specifically Appendix 2 (LPWP Report August 2016: Distribution of Growth). Infrastructure considerations to include the impact of development on the local road network have been taken into consideration as part of the site assessment process.
2. Policies HS3 (Housing Mix) and HS4 (Housing for Independent Living) of the Local Plan address the needs of older people within the borough.
3. Environment, social and economic considerations are central themes to the Local Plan. They have therefore had an important influence on the drafting of policies and identification of potential sites.
4. The Council considers it has sufficient evidence to justify the rates of both housing and employment growth cited in the plan. The analysis has been carried out in accordance with national guidance.
5. Proposals in the Plan must seek a balance between the spatial and operational requirements of existing and new businesses, the encouragement and provision of local employment opportunities, and the availability of land.
6. The Council's response is set out in EV05 the Air Quality Technical Paper 2018 and EV04 the Calderdale Air quality Action Plan 2018.

7. The figures are not comparable. The figures in para.2.1 refer to the total number of jobs (i.e. including both full and part- time) and are based on the ONS 2016 population projections. These are included for illustration purposes only as the Plan evidence is based on ONS 2014 numbers.

The employment figures in Table 1 of the Employment Technical paper (EV.02) refer to Full Time Equivalent job numbers .

Duty to Co-operate

Main Issues:

1. No evidence of a joined up approach with neighbouring authorities.

Council's Response:

1. Calderdale is part of the Leeds City Region (LCR) and a member of the West Yorkshire Combined Authority (WYCA). The LCR has a well-established programme for joint working and cooperation at both member and officer levels – planning portfolio holders and heads of planning meeting regularly, and there is specific ‘duty to cooperate’ group attended by planning policy officers.

See Submission Document SD 13 Duty to Cooperate Statement Including Statements of Common Ground (January 2019).

Suggested Modifications

1. Modify the plan so there is less emphasis on creating jobs and housing in the east.

Council's Response:

1. See Exceptional Circumstances for the Release of Green Belt 2018, specifically Appendix 2 (LPWP Report August 2016: Distribution of Growth).

Given the Council’s reasoning for the distribution of growth no modification is proposed by the Council. However, if viable unconstrained large scale brownfield opportunities were proven to exist elsewhere these could assist in meeting development needs and may be explored during the Examination.

Document Section: 2.4 Paragraph

Representations

Comment ID **Lpp49**

Site ref (if applicable): **LP1232**

Person ID: **1115638**

Name: **Mr Tony Perryman**

Organisation: **Chair Clifton Village
Neighbourhood Forum**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Development on Green Belt land is supposed to be tightly controlled so that it can fulfil its main purpose: to serve as a buffer between towns, and between town and countryside. This gives the incentive to regenerate damaged and derelict land within the urban areas surrounded by Green Belt. At the same time, Green Belts bring social, environmental and economic benefits, while giving people a chance to tap into natural capital on their doorsteps. The proposed plan removes a significant area of Greenbelt around the village of Clifton and Brighouse. This removes an amenity enjoyed by all the people in the surrounding area. This land is used for farming and therefore makes a contribution to the sustainability of food supply to the UK. 48% of our food is imported to the UK, we are therefore not self sufficient in food production. Although, proportionately the loss of this land is small in comparison to all the farmland in the UK, it is nevertheless significant in as much that such reductions in farmland are occurring all over England. But it's also natural capital that helps protect high-risk areas from flooding, while plants, trees and grassland are great absorbers of carbon dioxide from the atmosphere, which helps combat the effects of climate change. I contend that this is not a sound proposal, because the Council has not fully considered the alternatives e.g. Brownfield sites in the area, It has not provided for the loss of amenity to the community and it has proposed to set the CIL at a low level to incentivise developers. Moreover, the economic argument for developing the Employment Zone is not sound and provides a more suitable site for housing development. International comparisons suggest that without the strong protection of Green Belt designation offers against most forms of development, the countryside around our largest towns and cities would long since have been lost. For example, the city of Los Angeles sprawls more than 50 miles eastwards from its centre. But the Green Belt has never before faced such serious threat as large sections of land disappear are proposed under new developments like Thornhill. The site area is 144.66 hectares of which 111.02 will be under development. This is significant loss to the people in the area. This is area used for rambling, horse riding, bird watching, model aircraft flying, cycle and much more. This would all be lost forever. Housing needs can be met while sustaining our Green Belts for future generations by using suitable brownfield land " previously developed land. The plan does not show how much of this sort of land has been identified in Calderdale and its development potential. An obvious pre-requisite before deciding to develop valuable greenbelt. This is in my opinion Protecting the Green Belt and it encourages the revitalisation of these sites. There are many sites in Calderdale where this would be possible. The proposal to build an Employment Zone is an example of where housing may be built. The Council's own consultants have identified within a

three mile radius of this site there are 1.5million square feet of vacant warehousing. The proposal is to build on this site warehousing. The rates from this site will go to the Yorkshire combined authority not directly to the people of Calderdale. Housing on this site would however provide the Community Infrastructure Level a direct benefit to the people of Calderdale. Moreover, the greenbelt in and around Thornhill would be protected. Furthermore there is land adjacent to that identified for the Thornhill development, which was landfill, this could also be developed. The question really is why has the Calderdale Council not considered these as tangible alternatives to building on valuable greenbelt. I believe they have taken the easy option, developing the Thornhill site is less costly for the developers and therefore more attractive. This is supported by their proposed Community Infrastructure Levy of only £40 per square, which is an incentive for the developers to build on this site. The developers on what is a high volume site will have a greater return on their investment at the expense of the people of Calderdale and the loss of greenbelt. Investment in the Green Belt also helps rejuvenate the land and make it even more valuable. Green Belts are an asset for communities "" a local countryside on their doorstep, with diverse local nature reserves, public footpaths and woodland.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp665**

Site ref (if applicable):

Person ID: **1126037**

Name: **Mr Graham Maslen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

1. The Plan is not legally compliant.

Council's Response:

1. The Council considers that the evidence submitted supports and justifies the content of the Local Plan.

Test of Soundness

Main Issues:

1. Green Belt Assessment is incorrect. Utilise brownfield sites first.
2. Flooding – Increased risk of flooding.
3. CIL rates are too low.

Council's Response:

1. With regards to the site assessment process, in order to identify the most sustainable sites a 'sequential' approach to housing allocations has been adopted that prioritises brownfield sites in the urban area, only using the most sensitive Green Belt when all alternative sites were used.

The Council has published a Brownfield Land Register, which will provide up-to-date and consistent information on sites that the local authority considers to be appropriate for residential development having regard to the criteria set out in regulation 4 of the Town and Country Planning (Brownfield Land Register) Regulations 2017.

2. The NPPF makes it clear that 'inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere'. Supported by the Calder Catchment Strategic Flood Risk Assessment 2016 (SFRA), the Local Plan is focused upon managing flood risk from all sources and applying a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change.

3. In setting the levy rates, Calderdale Council considers it has struck an appropriate balance between;
 - a. the desirability of funding from CIL in whole or in part the actual and estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding, and
 - b. the potential effects, taken as a whole, of the imposition of CIL on the economic viability of development across the Calderdale District.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 2.5 Paragraph

Representations

Comment ID **Lpp1448**

Site ref (if applicable):

Person ID: **11803**

Name: **Mr Abdul Gaffar
Environment Agency**

Organisation: **Environment Agency**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. Full submission attached Given the significance of flooding and flood risk in Calderdale, we are pleased to see this referenced in the introduction. We are pleased to see flood risk and "'Slowing the flow' highlighted in this section. However, we believe that reference to water quality and habitat and biodiversity protect should also feature in this section.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5109653>

Comment ID **Lpp733**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

This paragraph identifies the topographical constraints on the scale of development in Calderdale.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The section makes no reference to water quality and habitat and biodiversity protection.

Council's Response:

1. Policies within the Green Infrastructure and Natural Environment chapter of the Local Plan, specifically Policy GN3, set out a clear and positive strategy to ensure the Council effectively manages its natural environment. Further, there are policies within the Addressing Climate Change chapter that set out the Council's approach to water resource management.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Inclusion of water quality and habitat and biodiversity protection.

Council's Response:

1. Policies within the Green Infrastructure and Natural Environment chapter of the Local Plan, specifically Policy GN3, set out a clear and positive strategy to ensure the Council effectively manages its natural environment. Further, there are policies within the Addressing Climate Change chapter that set out the Council's approach to water resource management.
No modification required.

Document Section: 2.6 Paragraph

Representations

Comment ID **Lpp132**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPF)** Organisation: **Chairperson SNLPF**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

It is difficult to understand how the Greater Manchester Spatial Framework will influence the housing market in the west of the borough except to push up house prices. This is an inevitable consequence of an increased demand versus a lack of new housing in the west as a result of Calderdale's 'east is best, west is less' policy of new housing distribution.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Over concentration of housing and employment in the east of the Borough resulting in overcrowding and increased traffic congestion.

Council's Response:

1. See Exceptional Circumstances for the Release of Green Belt 2018, specifically Appendix 2 (LPWP Report

August 2016: Distribution of Growth).

The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'

To achieve these objectives the Council is developing a range of strategies and interventions, and the Local Plan has a role to play in supporting these, but also ensuring development proposals meet these objectives and contribute more widely to an integrated 'active mode' network.

Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 2.9 Paragraph

Representations

Comment ID **Lpp268**

Site ref (if applicable):

Person ID: **10978** Name: **Mr Ian Smith**

Organisation: **Historic England**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

We welcome the recognition of the important contribution that the historic environment of Calderdale makes to its distinctive character. The need to reconcile meeting the assessed development needs of the District with the appropriate conservation of its heritage is one of the challenges facing Calderdale and underlines the need for the Plan to set out a robust framework for the management of its historic environment.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 2.10 Paragraph

Representations

Comment ID **Lpp1449**

Site ref (if applicable):

Person ID: **11803** Name: **Mr Abdul Gaffar
Environment Agency**

Organisation: **Environment Agency**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. Full submission attached We agree that the lack of tree covering in Calderdale can contribute to flooding and increasing tree cover can help reduce flood risk. However there are other factors that cause flooding and the final sentence could include "'but not limited to' when discussing the role of increasing tree cover in reducing flood risk.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5109653>

Comment ID **Lpp623**

Site ref (if applicable):

Person ID: **1183504** Name: **Ms Penny Eastwood**

Organisation: **Co-ordinator SOURCE
Partnership**

Agent ID: **1183503** Name: **Ms Penny Eastwood** Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

For clarity, we suggest the following amendment to the wording:- 'Natural Flood Management (NFM)

Actions associated with "Slowing the Flow" of water from the hills and moors into the valley include increasing tree cover to help reduce flood risk, and provide additional Green Infrastructure (GI) benefits.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

For clarity, we suggest the following amendment to the wording:- 'Natural Flood Management (NFM) Actions associated with "Slowing the Flow" of water from the hills and moors into the valley include increasing tree cover to help reduce flood risk, and provide additional Green Infrastructure (GI) benefits.

Additional Evidence Link:

Comment ID **Lpp666**

Site ref (if applicable):

Person ID: **1126037**

Name: **Mr Graham Maslen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The impact of development and reduced tree cover on flood risk

Council's Response:

1. The NPPF makes it clear that 'inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere'. Supported by the Calder Catchment Strategic Flood Risk Assessment 2016 (SFRA), the Local Plan is focused upon managing flood risk from all sources and applying a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. the final sentence could include 'but not limited to' when discussing the role of increasing tree cover in reducing flood risk.
2. 'Natural Flood Management (NFM) Actions associated with "Slowing the Flow" of water from the hills and moors into the valley include increasing tree cover to help reduce flood risk, and provide additional Green Infrastructure (GI) benefits.

Council's Response:

1. Increasing tree cover is used as an example of an action - the list however is not intended to be exhaustive.
No modification required.
2. Catchment management and more specifically 'Slowing the Flow' are addressed in Section 10 (Addressing Climate Change) of the Local Plan.
No modification required.

Document Section: 2.15 Paragraph

Representations

Comment ID **Lpp133**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPP)** Organisation: **Chairperson SNLPP**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Shelf is unique in the Local Plan as the ONLY tier 4 settlement with significant proposed housing allocations. Shelf is similar to the other tier 4 settlements in that the Local Highway Network (LHN) consists of mainly quiet, narrow country lanes beyond the primary route (A6036). It is into this LHN that the level of development is proposed to be allocated. Despite the high level of proposed development, but perhaps because of its lowly tier 4 status, there is no evidence of proposed improvements to the LHN nor indeed to the Primary Route, which already suffers from significant congestion at peak times.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Local Road Network in the Shelf area is inadequate specifically relating to capacity, congestion, road safety issues, on-street parking and lack of consideration of cumulative effects.

Council's Response:

1. The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'

To achieve these objectives the Council is developing a range of strategies and interventions, and the Local Plan has a role to play in supporting these, but also ensuring development proposals meet these objectives and contribute more widely to an integrated 'active mode' network.

Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.

Infrastructure considerations to include the impact of development on the local road network have been taken into consideration as part of the site assessment process.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: Table 2.1 Settlement Hierarchy

Representations

Comment ID **Lpp1015**

Site ref (if applicable):

Person ID: **1121682**

Name: **Ms Carol Cosens**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Single track road through Stainland already at 96% capacity in 2014, it is already causing chaos at busy times of day & when there are accidents locally and on M62 from Sat Navs. Gridlocked. (96% in 2014 - as written on Calderdale Council's local village map) Stainland's road is restricted to single lane by historic buildings.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

None as we have many listed buildings and are surrounded by Greenbelt in Stainland - A separate Village.

Additional Evidence Link:

Comment ID **Lpp1020**

Site ref (if applicable):

Person ID: **512710**

Name: **Mrs Jane Moran**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Stainland Village has poor services and facilities which means residents have to travel for most things, The bus service is poor. The only main road through Stainland is restricted to Single Lane in the centre by historic buildings. The road gridlocks constantly and vehicles regularly mount tarmacked pavements to

pass. This is a safety hazard for pedestrians, especially at school times, which happens at both rush hour periods. There is a lack of pavements throughout Stainland.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp235**

Site ref (if applicable):

Person ID: **717677**

Name: **Mr Mark Dowson**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

I am supportive of the general distribution of the proposed housing growth within the Local Plan Publication Draft, which is more aligned to the Calderdale Settlement Hierarchy than previous drafts, with the majority of growth rightly focused towards Halifax and Brighouse as the most sustainable locations for growth, along with their ability to accommodate future growth in a sustainable manner, highlighted by their role as Sub-Regional Town and Principal Town respectively. These areas are also set to benefit from receiving the vast majority of planned infrastructure investment.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp395**

Site ref (if applicable):

Person ID: **1182962**

Name: **Stainland District Parish
Council**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Table 2.1 Stainland & District Parish Council makes the following objection. We do not consider the Local Plan to be sound, as there has not been an appropriate and accurate assessment of the suitability and sustainability of Stainland village to provide housing on Green Belt land. The Local Plan fails to identify in its documents that: Stainland's main road is single lane in the centre; there are pedestrian safety issues; and there is poor service and facility provision. Many comments on these important issues were made on the 2017 Draft Local Plan but these have not been properly addressed within the site assessments.

Roads/Pavements The only main road through Stainland (B6112) is restricted to single lane in the centre of the village by historic buildings (4.18 metres at 371 Stainland Road). The road is shown to be at 96% volume to capacity in 2014 in the eastward direction (source: WSP map - attached). The road gridlocks and vehicles regularly mount tarmacked pavements to pass, creating safety issues for pedestrians. Pedestrians have been clipped by cars. There is a lack of pavements throughout Stainland and the parish area. There is no continuous pavement route for wheelchairs and pushchairs through Stainland village. The pavement is too narrow for these users by '1885 The Pub' and there is no pavement on the opposite side. On-street parking is important to residents, as the historic buildings do not provide off-street parking. The Parish Council believe it is important to protect adequate road capacity and parking for existing residents. Photos of the above are attached.

Sustainability/Accessibility In the current Retail Hierarchy, both Stainland and Holywell Green are designated Neighbourhood Centres. However, the Local Plan adds Stainland village and Holywell Green village together and classifies them as a Local Centre. NPPF 2018 Glossary refers to Town Centres as follows: 'References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance.'

Stainland has no food shop selling day-to-day goods. It has no parade of shops. Within the site assessments, many of the accessibility to services and facilities assessments are based on journey times. This hides the poor service and facility provision in Stainland village itself. This means: Future developed Green Belt sites will create travel for most things, as they are poorly sustained in Stainland village Car usage will be high as cycling and walking are limited by steep topography and buses are infrequent. This in turn will create a greater impact on the single lane and pedestrian safety. We would be grateful if the Inspector would ensure that these important points are taken into account for any future decisions on developing Green Belt land around the village, either at this consultation or future reviews of the Local Plan. We hope that our comments have given the Inspector a clearer picture of our area. Further points

Stainland has no GP surgery. The current Infrastructure Delivery Plan incorrectly shows Stainland as still having a GP surgery, even though it moved to West Vale over 10 years ago (many comments have previously been made but not taken into account). Also, many comments on the poor services and facilities in the area have not been properly addressed within the current site assessments. There is 1 bus per hour to the GP surgery at West Vale (no service after 4.40pm). There is 1 bus per hour to a town centre within 15 minutes (Elland). The distance to the proposed new Elland rail station from Stainland and Holywell Green will be over 2km. Stainland is approximately 2 miles from Elland centre and importantly, along with Holywell Green, is separated from the urban area by Green Belt which retains the villages' status Stainland and Holywell Green had a 10% increase of dwellings between 2000 and 2010 but their services and facilities declined. Stainland has no brownfield land over 0.25ha, mainly because it is a small linear hilltop village. It (with Holywell Green) is the only Local Centre in Calderdale to have only Green Belt development. Any development now and in the future would be on Green Belt land. Stainland has the only sites in Calderdale on Green Belt land that are either within a Conservation Area boundary or directly adjacent to one. Unlike many of Calderdale's Conservation Areas, Stainland has no Conservation Area Character Appraisal. It was designated a Conservation Area 36 years ago. Policy HE1 of the Local Plan says 'Regard should be given to Conservation Area Character Appraisals where one exists'. An aim of the Parish Council

is to maintain its villages' status and the historic importance of the area, in particular, Stainland Conservation Area.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

We are sure the Inspector will be able to decide the best way forward based on the comments.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5067551>

Comment ID **Lpp578**

Site ref (if applicable):

Person ID: **1182866**

Name: **Fieldhouse**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

I object to how Stainland is classed as a local centre - Stainland does not have any services or facilities that support the basic day to day needs of residents - there is no food shop or doctors surgery and the bus service to reach these in near by areas are at a rate of 1 bus per hour. Walking and cycling are made extremely difficult by the steepness of the area The village has a single lane at its centre - with historic buildings on either side and only a single very narrow pavement which is frequently mounted by vehicles causing danger to pedestrians. Traffic frequently grid locks - the road (B6112) was shown to be at 96% capacity in 2014. see attached map Stainland has the only sites in Calderdale on Green Belt land that are either within a Conservation Area boundary or directly adjacent to one. Stainland and with Holywell Green is the only Local Centre in Calderdale to have only Green Belt development. Any development now and in the future would be on Green Belt land.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Green belt land and conservation area should be protected

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5071967>

Comment ID **Lpp607**

Site ref (if applicable):

Person ID: **11797**

Name: **Mr & Mrs Mark & Amanda
Tattersall**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We make the following objections and observations in relation to Stainland village. Stainland's historic setting Stainland is a Pennine linear hilltop village. The spine of its historic buildings climbs through and reaches out into open countryside, along the old packhorse route. It is narrow at its centre, being only around 150 metres in width, and its main road is restricted to single lane here, due to historic buildings. At its pinnacle it stops and does not encroach into the wide-open countryside, respecting this unspoilt area, which allows long-reaching views into its historic setting. Stainland is approximately 2 miles from Elland centre and, importantly, along with Holywell Green, is completely surrounded by, and separated from the urban area by, Green Belt, which retains the villages' status. Objection We do not consider the Local Plan to be sound, as there has not been an appropriate and accurate assessment of the suitability and sustainability of Stainland village to provide sustainable development on Green Belt land. The Local Plan fails to identify in its documents that: Stainland's main road is single lane in the centre; there are pedestrian safety issues; there is poor service and facility provision; and it has poor public transport accessibility Highways/Pedestrian Safety The only main road through Stainland (B6112) is restricted to single lane in the centre of the village by historic buildings (4.18 metres at 371 Stainland Road) (photos attached). This road is shown to be at 96% volume to capacity (210 vehicles) in 2014 in the eastbound direction (source: WSP map - attached) (however, this is not shown in WSP Transport Technical Note 10, Figure 3 and figure 7.) The road gridlocks and vehicles regularly mount tarmacked pavements to pass, creating safety issues for pedestrians. Pedestrians have been clipped by cars. There is a lack of pavements throughout Stainland. There is no continuous pavement route for wheelchairs and pushchairs through Stainland village. The pavement is too narrow for these users by '1885 The Pub' and there is no pavement on the opposite side (photo attached). The suitability/sustainability of Stainland to support more housing has not been adequately considered. It has not been shown whether the single lane can accommodate extra capacity (it being already at 96% V/C in 2014) or what the impact of further vehicles on pedestrian safety would be. Many comments have been made over the years. It is unclear why these important issues have not been addressed. Similar issues are addressed elsewhere, for example, the Council's assessment summary for filtered site LP1494 at Heptonstall states that Heptonstall Road is unsuited for intensified use on account of its single lane width. Sustainability/Accessibility In the current Retail Hierarchy, both Stainland and Holywell Green are designated Neighbourhood Centres. However, the Local Plan adds Stainland village and Holywell Green village together and classifies them as a Local Centre in the Settlement Hierarchy. But they both have poor service and facility provision. In 2011, both Stainland and Holywell Green were undesignated in the Local Plan Retail Hierarchy 'due to their limited retail and service provision offer'. The only additional shop in Stainland is a beauty salon. NPPF 2018 Glossary refers to Town Centres as: 'References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance.' Stainland has no food shop selling day-to-day goods. It has no parade of shops. Within the site assessments, many of the accessibility to services and facilities assessments are based on journey times. This hides the poor service and facility provision in Stainland village itself. This means newly-developed Green Belt sites will create travel for most things, as they are poorly sustained in Stainland village. Stainland has poor public transport accessibility (as does Holywell Green). Buses are infrequent: 1 bus per hour to the GP surgery at West Vale

(no service after 4.40pm, 1 bus per hour to a town centre within 15 minutes (Elland). This does not appear to meet certain criteria set out in the SAAM document. Stainland is over 2km from a rail station and will be over 2km from the new Elland rail station. Cycling and walking are limited by steep topography. Car usage will be high. This will create a greater impact on both the single lane and pedestrian safety. Neither Stainland nor Holywell Green has a GP surgery (unlike the other Local Centres). The current Infrastructure Delivery Plan incorrectly shows Stainland as still having a GP surgery, even though it moved to West Vale over 10 years ago (previous comments made). We disagree with the designation of Stainland as a high tier Local Centre, as the points above show its unsuitability. The Local Plan has not taken into account the negative constraints of the single lane, pedestrian safety issues, poor public transport accessibility and poor services and facilities when proving exceptional circumstances for the development of Green Belt land. On the basis of these points, we consider that the Local Plan is not sound. This is the basis of our objection.

Additional Points Green Belt

The 2016 Green Belt Review has not been consulted on, only its methodology. The Local Plan carries out 2 types of Green Belt Review. The first Review assesses large parcels of Green Belt around the settlements (Stainland's parcels are wider than the village itself). The second is a Green Belt Review of the site. There is no further stage/assessment of the impact new development has on the main parcel. The 2016 Green Belt Review results show the Green Belt parcels around Stainland (and also Holywell Green) as being 'most sensitive' parcels, with the recommendation to retain them in the Green Belt. However, even though the parcels performed strongly, of the 7 parcels around Stainland Conservation Area, only 1 parcel scored under Green Belt purpose 4 (by Holywell Green). One of the parcels, GB068-00, under Purpose 4 states 'No' for 'Is the land part of the setting of a historic place or settlement listed building or conservation area?' However, the parcel includes part of Stainland Conservation Area (and site LP0075) within it. We object to this failure to recognise the importance of Stainland Conservation Area within the Green Belt Review/Local Plan. We also disagree with certain judgements within the Green Belt Review site assessments. Unlike many of Calderdale's Conservation Areas, Stainland Conservation Area has no Character Appraisal. It was designated a Conservation Area 36 years ago. Policy HE1 of the Local Plan says 'Regard should be given to Conservation Area Character Appraisals where one exists'. We believe Policy HE1 leaves Stainland Conservation Area vulnerable. This has the effect that, when decisions on planning are being made, Stainland will not have the advantage other Conservation Areas have. Stainland's Conservation Area is largely surrounded by undeveloped Green Belt land. General The junctions of the B6112, which have been monitored in the transport assessment, are either below or above the restricted section through Stainland village. This main B-road is sub-standard and narrow, with several pinch points. The historical built nature of Stainland means on-street parking is high, due to a lack of off-street parking. This necessary parking further restricts the roads. All exit roads from the top of Stainland have narrow, restricted sections. Stainland and Holywell Green had a 10% increase of dwellings between 2000 and 2010 but their services and facilities declined. Stainland has no brownfield land over 0.25ha, mainly because it is a small linear hilltop village. It (with Holywell Green) is the only Local Centre in Calderdale to have only Green Belt development. The Local Plan has removed an overall large area of the wildlife corridor around Stainland and Holywell Green. No explanation for its removal is given in the Local Plan or Evidence Base. Part of the Special Landscape Area at Stainland Moor has been removed. Many of the filtered sites in Stainland are not proposed developments. They include school grounds, allotments and planning permissions. Currently, there are 2 sites proposed for development in Stainland, LP0075 and LP0146. This overall comment is also relevant to those 2 sites.

Local Plan document sections and the Public Examination

As we wish to participate at the Public Examination of the Local Plan, we would like to attend sessions where decisions are being made on the topics below, which relate to our objections and observations above.

Green Belt Historic environment
Housing requirement and sites
Settlement Hierarchy Sustainability
Transport We believe these are relevant to, but may not be limited to, Policies GB1, HE1, IM1, IM5, RT1, RT4, SD1, SD2, SD3, SD7 within the Local Plan document.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Before Stainland village is potentially considered as being able to support any exceptional circumstances for the removal and development of Green Belt land around it, there needs to be an accurate assessment of its suitability and sustainability. This includes addressing the points made in our objections.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5074005>

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Local Road Network - Inadequate local road network, specifically capacity, congestion, road safety issues, on-street parking and lack of consideration of cumulative effects.
2. Lack of local infrastructure.
3. Loss of Green Belt.
4. Historic importance of the Conservation Area and village status should be retained.
5. Stainland should not be classed as a Local Centre.
6. The results of the Council's Green Belt review is contested.
7. Loss of wildlife corridor.

Council's Response:

1. The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'
- To achieve these objectives the Council is developing a range of strategies and interventions, and the Local Plan has a role to play in supporting these, but also ensuring development proposals meet these objectives and contribute more widely to an integrated 'active mode' network.
- Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.
- Infrastructure considerations to include the impact of development on the local road network have been taken into consideration as part of the site assessment process.

2. The Infrastructure Delivery Plan is a compendium of projected infrastructure provision and it helps to ensure that this infrastructure is provided in a timely manner and in a coordinated and sustainable way. It sets out the infrastructure that will support the level of development that is proposed in the Calderdale Local Plan.

3. Document EV 09 Exceptional Circumstances for the Release of Green Belt (2018) considers the process that the Council has followed in relation to the potential need to release land from the Green Belt. It can be seen that a methodical approach has been built into each stage of the process and that ultimately this process has dovetailed with the Government's emerging policy on exceptional circumstances. The proposed changes to the Calderdale Green Belt are clearly a last resort and have been minimised. Furthermore, the boundary changes are essential to achieving a sustainable future for Calderdale – one that reconciles economic, social and environmental sustainability.

4. Policy HE1 of the Local Plan sets out a clear and positive strategy for the conservation, enjoyment and enhancement of Calderdale's historic environment and should be considered in conjunction with guidance provided in the National Planning Policy Framework, and planning policy guidance. It should be noted that this policy does not seek to unnecessarily or entirely prevent development which may affect a heritage asset. Instead, it aims to ensure that development proposals are sympathetic to heritage assets in that their significance and settings are understood, respected and either conserved or enhanced whilst safeguarding against their exploitation or endangerment. This will ensure a sustainable future for heritage assets, and for the historic environment as a whole.

5. In the Settlement Hierarchy Holywell Green and Stainland are combined as they are a continuous area of development with no separation between them. Whilst the majority of facilities/services are located in Holywell Green they serve both areas with Holywell Green/Stainland classified as a Local Centre. See "Settlement Hierarchy Results 2013" (particularly Table 2.4) on the Evidence page (Overall Planning Matters) of the Council's website. The distribution of land allocations in the Local Plan is not specifically settlement hierarchy based. This is a factual matter.
No modification required.

6. The Green Belt Review has been conducted in accordance with guidance contained within the NPPF and established best practice.

7. Wildlife Corridors have been superseded by Wildlife Habitat Networks in the Local Plan. The concept of Wildlife Habitat Networks will be used by the Council in assisting the integration of otherwise isolated areas of wildlife interest. Development will not be permitted in a Wildlife Habitat Network if it would damage the physical continuity of the Network; or impair the functioning of the Network by preventing movement of species; or harm the nature conservation value of the Network.
Policies within the Green Infrastructure and Natural Environment chapter of the Local Plan, specifically Policy GN3, set out a clear and positive strategy to ensure the Council effectively manages its natural environment.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. An accurate assessment of Stainland's suitability and sustainability to support any exceptional circumstances for the removal and development of Green Belt needs to be undertaken.

Council's Response:

1. Document EV 09 Exceptional Circumstances for the Release of Green Belt (2018) considers the process that the Council has followed in relation to the potential need to release land from the Green Belt. It can be seen that a methodical approach has been built into each stage of the process and that ultimately this process has dovetailed with the Government's emerging policy on exceptional circumstances. The proposed changes to the Calderdale Green Belt are clearly a last resort and have been minimised. Furthermore, the boundary changes are essential to achieving a sustainable future for Calderdale – one that reconciles economic, social and environmental sustainability. No modification required.

Document Section: 2.20 Paragraph

Representations

Comment ID **Lpp735**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID: Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

The fact that Calderdale has the highest productivity level in the LCR indicates a relatively well functioning economy, not therefore requiring particular or additional stimulus.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 2.21 Paragraph

Representations

Comment ID **Lpp736**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The economic issues that Calderdale needs to tackle are identified as 'We need to narrow the gap between different communities in the Borough by ensuring our worst performing neighbourhoods have the ability and ambition to achieve similar levels of success to our higher performing neighbourhoods.' This is accepted but in order to be properly followed through within the Plan would then require a spatial alignment between these worst performing neighbourhoods and the particular location of the employment land allocations to be demonstrated.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The Plan does not demonstrate a spatial alignment between the worst performing neighbourhoods and employment land allocations.

Council's Response:

1. Proposals in the Plan (Policy SD5) must seek a balance between the spatial and operational requirements of existing and new businesses, the encouragement and provision of local employment opportunities, and the availability of land.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. To adequately demonstrate the economic issues the Plan needs to demonstrate a spatial alignment between the worst performing neighbourhoods and employment land allocations.

Council's Response:

1. Proposals in the Plan (Policy SD5) must seek a balance between the spatial and operational requirements of existing and new businesses, the encouragement and provision of local employment opportunities, and the availability of land.

No modification required

Document Section: 2.29 Paragraph

Representations

Comment ID **Lpp1**

Site ref (if applicable):

Person ID: **855422**

Name: **Mr Phil Kelly**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

CMBC has quoted statistics regarding transport by car etc - based on 2014 figures. Local residents, however, are very much aware of an exponential increase in traffic and access issues arising in the Upper Calder Valley - with multiple road works and partial closures of the A646 occurring on a regular (if not daily) basis. Northern trains are already struggling to provide adequate services - especially at peak journey to/from work times and bus services are impacted by issues on the A646 - making any plans to increase significantly the number of residents in the Upper Calder Valley unrealistic and definitely not 'sound'.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Previous draft versions of the Local Plan for the Upper Calder Valley have been strongly opposed by the local community the local MP and local businesses.

Suggested Modifications:

Given the extreme flood risk issues arising especially in the Upper Calder Valley - the numbers of any additional housing development should be far less than proposed and should avoid any build on greenfield sites and the valley hillsides

Additional Evidence Link:

Comment ID **Lpp667**

Site ref (if applicable):

Person ID: **1126037**

Name: **Mr Graham Maslen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp737**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

The plan is right to emphasise the 'limits and constrains the routing, management and expansion of the transport network'.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The use of 2014 transport figures underplays the inadequate local road network along the A646 where traffic growth has been exponential and the inability of Northern rail and bus companies to provide reliable services.

Council's Response:

1. The Local Plan spatial portrait used the information available to it at the time. The section taken as a whole shows some of the challenges and it is not accepted that they are underplayed.

Duty to Co-operate

Main Issues:

1. Previous iterations of the Local Plan have been strongly opposed by the local community.

Council's Response:

1. Extensive and inclusive consultation has been carried out throughout all stages of the Local Plan preparation process in accordance with the Council's adopted Statement of Community Involvement and is detailed in the Consultation Statement (Regulation 22).

Suggested Modifications

1. In the Upper Calder Valley, the number of houses proposed should be reduced and building on greenfield sites and valley hillsides should be avoided.

Council's Response:

1. The Council has limited options for development within the Upper Calder Valley and has chosen to mainly distribute development towards Halifax and the eastern side of the District. See Exceptional Circumstances for the Release of Green Belt 2018, specifically Appendix 2 (LPWP Report August 2016: Distribution of Growth).

Given the Council's reasoning for the distribution of growth no modification is proposed by the Council. However, if viable unconstrained large scale brownfield opportunities were proven to exist elsewhere these could assist in meeting development needs and may be explored during the Examination.

Neighbourhood Plans (particularly that for Hebden Royd and the Hill Top Parishes) are exploring the opportunities for small scale development opportunities beyond those identified in the Local Plan, and reinforcing policy requirements for a brownfield first approach.

No modification required.

Document Section: 2.30 Paragraph

Representations

Comment ID **Lpp134**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPF)** Organisation: **Chairperson SNLPF**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Shelf is unique in the Local Plan as the ONLY tier 4 settlement with significant proposed housing allocations that DOES NOT have easily accessible links to a railway station and; as identified in both the 'Calderdale Core Strategy Transport Study, 2010 by Steer Davies Gleave' and the June 2016 'Calderdale Local Plan Transport Evidence Technical Note 1: Future Network Baseline' by WSP/Parsons/Brinckerhoff, nor does it have any north/south public transport links to Brighouse or Queensbury.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Shelf is not supported as a development area in the evidence put forward.

Council's Response:

1. The Council considers that the evidence submitted supports and justifies the content of the Local Plan.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Remove reference to Junction 24A from the paragraph and elsewhere in the Plan.

Council's Response:

1. Junction 24A is an aspirational strategic transport intervention.
The Local Plan is not predicated on the delivery of Junction 24A. The intervention is not a critical to the delivery of the growth scenarios proposed in the Local Plan.
No modification required.

Document Section: 2.31 Paragraph

Representations

Comment ID **Lpp738**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

The plan is right to identify the widespread and systemic congestion on the strategic highway network.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp925**

Site ref (if applicable):

Person ID: **717690**

Name: **Mr Jason Carlton**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

The statements concerning Junction 24a are aspirational - Kirklees Metropolitan Borough Council (the 'lead authority' for the scheme) submitted evidence during the Public Examination of their plan stating 24a was not required to deliver their Local Plan. West Yorkshire Combined Authority only allocated £15,500 budget in current financial year Highways England - no budget for the junction, no discernable benefit for the strategic road network

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Based on the evidence presented (that this plan will be examined against) Paragraph 2.31 does not demonstrate a serious and credible attempt to satisfy a Duty to Co-operate with neighbouring Councils and Highways England. Furthermore, the Plan does not identify how Calderdale Council will mitigate the issues already highlighted by Highways England in their 2017 Local Plan submission

Suggested Modifications:

Remove the references to Junction 24a in the draft plan

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5074065>

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Reference to Junction 24A is aspirational and not supported by Kirklees Council or Highways England.

Council's Response:

1. Junction 24A is an aspirational strategic transport intervention.
The Local Plan is not predicated on the delivery of Junction 24A. The intervention is not a critical to the delivery of the growth scenarios proposed in the Local Plan.

Duty to Co-operate

Main Issues:

1. Junction 24a considered by KMBC/WYCA/HE but no evidence provided to demonstrate a need for further transport interventions.

Council's Response:

1. Junction 24A is an aspirational strategic transport intervention.
The Local Plan is not predicated on the delivery of Junction 24A. The intervention is not a critical to the delivery of the growth scenarios proposed in the Local Plan.

Suggested Modifications

1. Remove reference to Junction 24A in this paragraph and elsewhere in the Plan.

Council's Response:

1. Junction 24A is an aspirational strategic transport intervention.

The Local Plan is not predicated on the delivery of Junction 24A. The intervention is not a critical to the delivery of the growth scenarios proposed in the Local Plan.
No modification required.

Document Section: 2.32 Paragraph

Representations

Comment ID **Lpp739**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID: Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

The plan is also right to identify the widespread and systemic congestion on the local highway network.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 2.33 Paragraph

Representations

Comment ID **Lpp135**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPF)** Organisation: **Chairperson SNLPF**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Quote ' Feasibility work will be undertaken in the short to medium term to understand the level of interventions required to deliver the Local Plan growth, sustainably.' This is meaningless. Regarding the congestion on the A58 corridor through Godley/Stump Cross/Hipperholme, these locations are congested NOW and are set to become much worse in the SHORT TERM with the level of proposed development in Shelf and Northowram. What does 'short to medium term' mean and how long will it take to turn such a study into improvements on the ground, if indeed such improvements can be funded and carried out at all. The inescapable message from this statement is that these interventions are required to make the Plan sustainable in the future, giving the lie to the claim in the various Site Assessments and Policy statements that it is sustainable now.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp265**

Site ref (if applicable):

Person ID: **1115624** Name: **Mr Peter Lord** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Only vague reference is made to the congestion at Hipperholme Crossroads. Serious consideration should be given to driving a "link" road (or by-pass) from Brighouse Road - A 644 - starting at around Broad Oak & going North-west to link with Shibden Hall Road, south of the railway line. Shibden Hall Road should then be widened to accommodate the increased traffic & an adequate entry point made into Godley Road to the west of the bridge at the top of Godley Lane. This would clearly present some engineering challenges & be expensive, but, at a stroke, would take 25% of traffic off Hipperholme crossroads by removing all traffic to/from Halifax/Brighouse. There would doubtless be opposition from those few people living in Sutcliffe Wood Lane, but they currently have, effectively, their own "private" road though Sunny Vale. Another, possibly cheaper, option would be to drive a newly expanded road along the line of Half House Lane (at Hove Edge)/Sutcliffe Wood Lane & create a link to Shibden Hall Road which would then be widened along the lines suggested in the paragraph above. These are bold proposals which may well be controversial, but bold thinking is required - no amount of tinkering with the present junction at Hipperholme will make much difference to traffic flow which is bound to increase substantially once the new houses are built.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp740**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

The plan is also right to identify the widespread and systemic congestion on the local highway network.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. There is only vague reference to the issues along the A58 from Halifax to Hipperholme Cross Roads.
2. A new link road from A644 is suggested between the A644 at Brighouse Road and Shibden Hall Road along with other interventions to relieve the congestion.

Council's Response:

1. The 'Hipperholme Sensitivity Test' undertaken by WSP Transport Consultants, has established an exclusion zone for Hipperholme where land outside the urban area should not be considered for allocation. Sites which fall within Green Belt within the Hipperholme exclusion zone have been filtered and not allocated within the Local Plan. The in-combination effects of additional land released from the Green Belt within the Hipperholme area will have a significant and demonstrable detrimental impact on the A58 / A644 junction, outweighing the benefits attributable to the additional housing. Future allocation of the sites will be dependent on mitigation which will relieve the pressure of congestion on this junction.
2. The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'
To achieve these objectives the Council is developing a range of strategies and interventions, and the Local Plan has a role to play in supporting these, but also ensuring development proposals meet these objectives and contribute more widely to an integrated 'active mode' network.
Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. The plan needs to include specific proposals to relieve Hipperholme Cross Roads.

Council's Response:

1. The 'Hipperholme Sensitivity Test' undertaken by WSP Transport Consultants, has established an exclusion zone for Hipperholme where land outside the urban area should not be considered for allocation. Sites which fall within Green Belt within the Hipperholme exclusion zone have been filtered and not

allocated within the Local Plan. The in-combination effects of additional land released from the Green Belt within the Hipperholme area will have a significant and demonstrable detrimental impact on the A58 / A644 junction, outweighing the benefits attributable to the additional housing. Future allocation of the sites will be dependent on mitigation which will relieve the pressure of congestion on this junction. No modification needed.

Document Section: 2.35 Paragraph

Representations

Comment ID **Lpp741**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The extent of commuting into and out of Calderdale, which must contribute significantly to road traffic congestion, is correctly identified as significant, as is the context demonstrated with other West Yorkshire districts. It suggests that this issue cannot be resolved at the level of an individual district, but would require first analysis, and then proposed intervention at the higher level of the Leeds City Region spatial and transport strategies. But this has not been done.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The Plan is not sound.
2. The extent of commuting into and out of Calderdale cannot be resolved at the District level but needs

consideration at the Leeds City Region level. This has not been done.

Council's Response:

1. The Council considers it has submitted a plan for examination which is sound, namely it is positively prepared, justified, effective and consistent with national policy.
2. See Submission Document SD 13 Duty to Cooperate Statement Including Statements of Common Ground (January 2019).
Calderdale is part of the Leeds City Region (LCR) and a member of the West Yorkshire Combined Authority (WYCA). The LCR has a well-established programme for joint working and cooperation at both member and officer levels – planning portfolio holders and heads of planning meeting regularly, and there is specific 'duty to cooperate' group attended by planning policy officers.

Duty to Co-operate

Main Issues:

1. Lack of co-operation between Leeds City Region and neighbouring Councils addressing deficiencies in the local road network.

Council's Response:

1. See Submission Document SD 13 Duty to Cooperate Statement Including Statements of Common Ground (January 2019).
Calderdale is part of the Leeds City Region (LCR) and a member of the West Yorkshire Combined Authority (WYCA). The LCR has a well-established programme for joint working and cooperation at both member and officer levels – planning portfolio holders and heads of planning meeting regularly, and there is specific 'duty to cooperate' group attended by planning policy officers.

Suggested Modifications

Council's Response:

Document Section: 2.36 Paragraph

Representations

Comment ID **Lpp742**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID: Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

The plan is right to identify congestion on the local rail network.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 2.38 Paragraph

Representations

Comment ID **Lpp743**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID: Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

The plan is right to identify difficulties with local bus network.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 2.39 Paragraph

Representations

Comment ID **Lpp136**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPF)** Organisation: **Chairperson SNLPF**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Surely another reason for lack of private investment in the Upper Calder Valley is the lack of employment opportunities and the lack of housing for people who might fill the jobs. Both issues that this plan does nothing to address.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp668**

Site ref (if applicable):

Person ID: **1126037** Name: **Mr Graham Maslen** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp744**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

The plan is right to identify overall problems with transport congestion.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The Plan does not address the lack of employment and housing opportunities in the Upper Calder Valley.

Council's Response:

1. Proposals in the Plan (Policy SD5) must seek a balance between the spatial and operational requirements of existing and new businesses, the encouragement and provision of local employment opportunities, and the availability of land. Policy EE1 seeks to safeguard existing employment areas, land and premises

Duty to Co-operate:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 2.40 Paragraph

Representations

Comment ID **Lpp137**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPF)** Organisation: **Chairperson SNLPF**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

As we have identified in our comments on the various proposed allocations in Shelf and Northowram, those sites are located well away from bus routes (ref: SteerDaviesGleave report 2010) and in the case of LP0782 and LP1543, pedestrian/cycling access will be along a narrow lane, with no footway, that will have to be shared with traffic up to 60mph. Such a scenario cannot be considered sustainable or even safe.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp701**

Site ref (if applicable):

Person ID: **1183577** Name: **Mr Graham Foster** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The topography of the majority of Calderdale makes walking and cycling very difficult, and it is likely that people will continue to make journeys by public transport or private car.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Local Road Network - Inadequate local road network, specifically capacity, congestion, road safety issues, on-street parking and lack of consideration of cumulative effects.

Council's Response:

1. The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'
To achieve these objectives the Council is developing a range of strategies and interventions, and the Local Plan has a role to play in supporting these, but also ensuring development proposals meet these objectives and contribute more widely to an integrated 'active mode' network.
Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.
Infrastructure considerations to include the impact of development on the local road network have been taken into consideration as part of the site assessment process.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 2.41 Paragraph

Representations

Comment ID **Lpp745**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The implication of the statement that 'significant investment in corridor improvements along the A629 and A641 are planned as part of the West Yorkshire+ Transport Fund' is that these interventions are somehow an effective response to previously demonstrated transport congestion. But in fact, as our later comments will illustrate, Calderdale's strategic transport model demonstrates that these schemes actually result in additional traffic generation, creating the conditions for renewed future congestion spreading more broadly across the local highway network.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The proposed interventions will not reduce the amount of congestion.

Council's Response:

1. The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'

To achieve these objectives the Council is developing a range of strategies and interventions, and the Local Plan has a role to play in supporting these, but also ensuring development proposals meet these objectives and contribute more widely to an integrated 'active mode' network.

Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.

Infrastructure considerations to include the impact of development on the local road network have been taken into consideration as part of the site assessment process.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 2.42 Paragraph

Representations

Comment ID **Lpp746**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We support the use of 2016-based population projections, and the statement that 'This is a significant reduction in the growth projected in the previous Sub National Projections (2014) which indicated growth about 19,000 or 9%.' This establishes a consistent reduction in the trend rate for the year 2032 projection over the last five projections; see the appendix on 'LP data sources and analysis' in the Friends of the Earth overview note. The trend established would seem to indicate that the 2018 based population projections available in May 2020 will continue that downward trend. By contrast, the modelling of the May 2018 updated SHMA remains based on the preceding 2014-based SNPP.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The modelling included in the 2018 SHMA update is based on 2014 ONS population projections, but the

2016 based projections should be used which indicate a reduction in projected growth.

Council's Response:

1. The 2018 SHMA was published in May 2018 whilst the 2016 based ONS population projections were released following completion of the SHMA, on 24th May 2018. These underpin the 2016 based household projections published on 20th September 2018 but subsequently withdrawn by Government. The housing requirement figure is derived using the Standard method and based on the 2014-based household projections published in 2016 as required by NPPG (paras. 4 and 5). See CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.4.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. The 2016 population projections should be used rather than the 2014 projections.

Council's Response:

1.1 The 2016-based ONS population projections released on 24th May 2018 underpin the 2016 based household projections published on 20th September 2018. These were subsequently withdrawn by Government. NPPG (paras. 4 and 5) require use of the 2014-based household projections. See CC01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.4. No modification required.

Document Section: 2.43 Paragraph

Representations

Comment ID **Lpp747**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We support both statements that Calderdale's population is continuing to grow 'but at a significantly slower rate than was indicated in previous projections, the growth is also projected be be slower than that of England as a whole.' However, the 2016-based household projections were published on 20th September and these need to be substituted for the ones used in the plan. And see the appendix on 'LP data sources and analysis' in the Friends of the Earth overview note.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The latest housing number predictions from the Office for National Statistics [ONS] indicate that previous predictions were over optimistic.

2. The 2016-based household projections need to be substituted for the ones used in the plan.

Council's Response:

1. The Council's response to the Inspector's Pre-Hearing Note 1, Question 5, elaborates on the reasoning behind the Council's decision to base the housing requirement on the Standard Method (App 1.5 to PHN 1).

2. The 2016-based ONS population projections released on 24th May 2018 underpin the 2016 based household projections published on 20th September 2018. These were subsequently withdrawn by Government. NPPG (paras. 4 and 5) require use of the 2014-based household projections. See CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.4.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. The 2016 population projections should be used rather than the 2014 projections.

Council's Response:

1 The 2016-based ONS population projections released on 24th May 2018 underpin the 2016 based household projections published on 20th September 2018. These were subsequently withdrawn by Government. NPPG (paras. 4 and 5) require use of the 2014-based household projections. See CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.4.

No modification required.

Document Section: 2.44 Paragraph

Representations

Comment ID **Lpp138**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPP)** Organisation: **Chairperson SNLPP**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

It is clear from the table that by 2032 the working age population, which must form the majority of people who wish to buy houses and look for employment, will have reduced considerably. The age group that shows an increase is 65+ who, it is safe to assume are already housed and, in most cases are or have been in employment, possibly about to retire thus freeing up employment places. It seems therefore that Calderdale is providing houses and jobs for people who will not exist by 2032. We know from other Local Plans that surrounding authorities are making provision for housing and employment for their own residents, so there will not be a pool of people from outside the borough waiting to fill the surplus housing and jobs. The Council must explain just who the Plan is providing houses and jobs for.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp702**

Site ref (if applicable):

Person ID: **1183577** Name: **Mr Graham Foster** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Calderdale's housing needs must reflect the population trends over the plan period. Data shows an increasing aged population. Meeting their needs with appropriate housing would free up current housing stock and reduce the need to duplicate properties for younger age groups.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp748**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We support the fact that table 2.5 recognises that the cohort trends within Calderdale's population projection are diverging markedly, and the statement that 'the largest growth is projected to be in the over 65's. By the end of the Plan period there are projected to be over 14,200 people over 65 year of age, with over 9,300 additional people over 75 years. Of significant concern must be the reduction in population between 25 and 64 amounting to 5,200 of the potential working age population.' This has significant implications for both the housing and employment land allocations, which have however not flowed through into a series of subsequent policies in both areas. And see the appendix on 'LP data sources and analysis' in the Friends of the Earth overview note.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Lack of clarity in the Plan as to who it is providing for.
2. Lack of appropriate housing to accommodate a range of age groups. A reduction in the working age population requires less housing and employment land to be allocated.

Council's Response:

- 1 There are three strands to sustainable development. These are considered to be economic, social, and environmental. For sustainable development, the Local Plan, provides a framework to support growth and innovation, socially, the plan reflects Calderdale's needs and supports the population's, health and well being, whilst the environmental aspect of the plan protects and enhances Calderdale's natural, built and historic environment.
2. Policy HS3 of the Local Plan establishes an approach to ensure the delivery of a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. The Council must explain just who the Plan is providing houses and jobs for.

Council's Response:

1. There are three strands to sustainable development. These are considered to be economic, social, and environmental. For sustainable development, the Local Plan, provides a framework to support growth and innovation, socially, the plan reflects Calderdale's needs and supports the population's, health and well being, whilst the environmental aspect of the plan protects and enhances Calderdale's natural, built and historic environment.
No modification required.

Document Section: Table 2.5 Population change by age group

Representations

Comment ID **Lpp714**

Site ref (if applicable):

Person ID: **368488**

Name: **Mr & Mrs E Archbold**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The table detailed in section 2.5 doesn't add up, therefore the projections for population growth are incorrect. The 2018 total should be 210,800 and the 2033 total should be 219,100. Therefore the difference is only 8300 NOT 8600. Less population surely results in less housing need - so lets NOT build on the Greenbelt!

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Please ensure the plan is updated to detail accurate population growth figures, and that all planned developments are critical to meet the true figures.

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The figures in this table are incorrect and may result in an over supply of housing.
2. Loss of Green Belt.

Council's Response:

1. The level of housing need in Calderdale has been derived using the Government's standard housing methodology, and used the most recent datasets published by the Office of National Statistics in 2016. The Plan will meet the housing need of the Borough for a period of 15 years. The Plan period is therefore 2018/19 - 2032/33. As the most up to date figures relating to the affordability factor were being used, these take into account any under supply over recent years.

The Council's response to the Inspector's Pre-Hearing Note 1, Question 5, elaborates on the reasoning behind the Council's decision to base the housing requirement on the Standard Method (App 1.5 to PHN 1).

2. Document EV 09 Exceptional Circumstances for the Release of Green Belt (2018) considers the process that the Council has followed in relation to the potential need to release land from the Green Belt. It can be seen that a methodical approach has been built into each stage of the process and that ultimately this process has dovetailed with the Government's emerging policy on exceptional circumstances.

The proposed changes to the Calderdale Green Belt are clearly a last resort and have been minimised. Furthermore, the boundary changes are essential to achieving a sustainable future for Calderdale – one that reconciles economic, social and environmental sustainability.

It is considered that the exceptional circumstances have been demonstrated to justify the proposed changes to the Calderdale Green Belt boundary.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Update the data in the plan to reflect accurate population growth figures.

Council's Response:

1. The level of housing need in Calderdale has been derived using the Government's standard housing methodology, and used the most recent datasets published by the Office of National Statistics in 2016. The Plan will meet the housing need of the Borough for a period of 15 years. The Plan period is therefore 2018/19 - 2032/33. As the most up to date figures relating to the affordability factor were being used, these take into account any under supply over recent years.

The Council's response to the Inspector's Pre-Hearing Note 1, Question 5, elaborates on the reasoning behind the Council's decision to base the housing requirement on the Standard Method (App 1.5 to PHN 1). No modification required.

Document Section: 2.45 Paragraph

Representations

Comment ID **Lpp715**

Site ref (if applicable):

Person ID: **368488**

Name: **Mr & Mrs E Archbold**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This contradicts with 2.68 that states "The population of children and young people is set to rise, with the greatest increase in the 0 to 15 year-old age group".

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Check throughout the plan to ensure that accurate (not conflicting) statements are made regarding population growth and the impact this has on the need for housing and schooling etc.

Additional Evidence Link:

Comment ID **Lpp749**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

We support the recognition that there might be a potential reduction on school infrastructure requirements consequent to the previously demonstrated changed demographic profile.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. This paragraph contradicts with paragraph 2.68 that states "The population of children and young people is set to rise, with the greatest increase in the 0 to 15 year-old age group".

Council's Response:

1. This discrepancy is due to the fact that the two sets of data are potentially based on different population projections, whilst the figure in Table 2.5 refers to the 0 - 14 age group unlike paragraph 2.45 which refers to the under 16 age group. This generalisation is due to the ONS population data only being readily available in 5 year age cohorts. As this paragraph does not add anything to the Local Plan it should be deleted.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. The content of the Plan in relation to population growth should be checked to ensure there is no conflicting information.

Council's Response:

1. This discrepancy is due to the fact that the two sets of data are based on different population projections, whilst the figure in Table 2.5 refers to the 0 - 14 age group unlike paragraph 2.45 which refers to the under 16 age group. This generalisation is due to the ONS population data only being readily available in 5 year age cohorts. As this paragraph does not add anything to the Local Plan it could be deleted. Furthermore, Table 2.5 and paragraph 2.44 are based on the now withdrawn 2016-based sub-national population projections, as is Row 1 of Table 2.4 along with references in paragraph 2.42. This information should also be removed from the Local Plan. Adding figures from the 2014-based population

projections for age cohorts to the Spatial Portrait is not considered necessary.

MODIFICATION:

Delete all references to the 2016-based ONS sub-national population projections from paragraphs 2.42 and 2.43 and Tables 2.4 and 2.5 of the Local Plan.

Delete paragraphs 2.44 and 2.45 of the Local Plan.

Document Section: 2.46 Paragraph

Representations

Comment ID **Lpp170**

Site ref (if applicable):

Person ID: **1125251**

Name: **Dr Andrew McElligott**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The Local Plan Housing Requirement is currently based on the Government's 2014-based Household Projections. Updated projections are due imminently and may be lower, given that assumed net migration accounts for 37 per cent of projected household growth. According to government targets assumed net migration is set to fall significantly so any overall housing requirement should be based on the 2018 projections, not the 2014 ones.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Await 2018 projections before agreeing household growth figures

Additional Evidence Link:

Comment ID **Lpp669**

Site ref (if applicable):

Person ID: **1126037**

Name: **Mr Graham Maslen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Housing requirement figures should be based on 2018 figures not 2014.

Council's Response:

1. The level of housing need in Calderdale has been derived using the Government's standard housing methodology, and used the most recent datasets published by the Office of National Statistics in 2016. The Plan will meet the housing need of the Borough for a period of 15 years. The Plan period is therefore 2018/19 - 2032/33. As the most up to date figures relating to the affordability factor were being used, these take into account any under supply over recent years.

The Council's response to the Inspector's Pre-Hearing Note 1, Question 5, elaborates on the reasoning behind the Council's decision to base the housing requirement on the Standard Method (App 1.5 to PHN 1).

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Prior to updating the household growth figures, await 2018 projections.

Council's Response:

1. The level of housing need in Calderdale has been derived using the Government's standard housing methodology, and used the most recent datasets published by the Office of National Statistics in 2016. The Plan will meet the housing need of the Borough for a period of 15 years. The Plan period is therefore 2018/19 - 2032/33. As the most up to date figures relating to the affordability factor were being used, these take into account any under supply over recent years.

The Council's response to the Inspector's Pre-Hearing Note 1, Question 5, elaborates on the reasoning behind the Council's decision to base the housing requirement on the Standard Method (App 1.5 to PHN 1). No modification required.

Document Section: 2.47 Paragraph

Representations

Comment ID **Lpp752**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

In fact the 2016 based household projections released on 20 September 2018 show that the number of households has decreased further to 100,000 in 2032, continuing the trend downwards from the 2008 based number of 112,000. See the appendix on 'LP data sources and analysis' in the Friends of the Earth overview note.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Household growth has continued a downward trend rather than as stated.

Council's Response:

1. The figures quoted were the latest available when the Local Plan was drafted and provide context as part

of the Spatial Portrait. Whilst the later 2016-based household projections (published after the Publication version of the Plan was completed) do show lower growth these have been withdrawn by Government.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 2.49 Paragraph

Representations

Comment ID **Lpp751**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The 2016 based household projections released on 20 September 2018 show that the number of households has decreased further to 100,000 in 2032, continuing the trend downwards from the 2008 based number of 112,000. So the long-term trend for household numbers is also consistently downwards, but at a slower rate because of the counterbalancing growth of single person households. See the appendix on 'LP data sources and analysis' in the Friends of the Earth overview note. This revised and lower number will now flow through into the Standard Method for assessing housing need, presumably, resulting in a lower figure for Calderdale. According to Barton Willmore's initial calculation this would result in the previous base number of 840 reducing to 566 - www.bartonwillmore.co.uk/Knowledge/Intelligence/2018/Housing-need-will-fall-in-light-of-new-household-p Also note that the 2016 based Household population projection in 2032 is 217,000, compared to the 2016 main population projection of 219,000 Household projections table 426

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Current trend indicates that 2018 based population projections will continue downwards resulting in a lower housing need figure in the standard methodology.

Council's Response:

1. The most recent 2016-based household projections derived from the 2016-based population projections were published on 20th September 2018. Whilst they do lower the housing requirement nationally, including within Calderdale, they have been withdrawn by the Government in advance of refining the standard method to achieve higher levels of housing growth in line with Government Policy. The 2018-based population and subsequent household projections are not due for release by ONS before 2020.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: Table 2.6 ONS : Sub National Household Projections

Representations

Comment ID **Lpp713**

Site ref (if applicable):

Person ID: **368488**

Name: **Mr & Mrs E Archbold**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Due to the massive reduction in population growth predicted in 2016 versus those predicted in 2014, surely it is critical that these are factored in to the Household Projections so that we are not planning to build more houses than are necessary.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Ensure the plan incorporates the impact of the latest population projections on household requirements.

Additional Evidence Link:

Comment ID **Lpp753**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The 2014 based household projections used in this table should be substituted by the 2016 projections released on 20 September 2018, showing that the number of households has decreased further to 100,000 in 2032. And see the appendix on 'LP data sources and analysis' in the Friends of the Earth overview note.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The 2016 household projections should be used instead of the 2014 figures.

Council's Response:

1. The level of housing need in Calderdale has been derived using the Government's standard housing methodology, and used the most recent datasets published by the Office of National Statistics in 2016. The Plan will meet the housing need of the Borough for a period of 15 years. The Plan period is therefore 2018/19 - 2032/33. As the most up to date figures relating to the affordability factor were being used, these take into account any under supply over recent years.

The Council's response to the Inspector's Pre-Hearing Note 1, Question 5, elaborates on the reasoning behind the Council's decision to base the housing requirement on the Standard Method (App 1.5 to PHN 1).

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. The 2016 population projections should be used rather than the 2014 projections.

Council's Response:

1. The level of housing need in Calderdale has been derived using the Government's standard housing methodology, and used the most recent datasets published by the Office of National Statistics in 2016. The Plan will meet the housing need of the Borough for a period of 15 years. The Plan period is therefore 2018/19 - 2032/33. As the most up to date figures relating to the affordability factor were being used, these take into account any under supply over recent years.

The Council's response to the Inspector's Pre-Hearing Note 1, Question 5, elaborates on the reasoning behind the Council's decision to base the housing requirement on the Standard Method (App 1.5 to PHN 1). No modification required.

Document Section: 2.56 Paragraph

Representations

Comment ID **Lpp754**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID: Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

We support the plan's recognition that a considerable number of affordable homes need to be provided annually in its early years, in contrast to say higher-priced market homes.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 2.60 Paragraph

Representations

Comment ID **Lpp755**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The statement that 'the Council must meet the objectively assessed housing needs of the Borough with the number and type of households being key factors determining the level and type of housing required' is both i) supported in its recognition that the type of household should be a key factor in determining the type of housing to be provided; but ii) needs to be qualified because NPPF provides that the OAN does not have to be met in defined circumstances "" 2012 NPPF paragraph 14/ 2018 NPPF paragraph 11

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Neighbouring authority plans impact upon housing distribution.
2. Reduction in population growth should be reflected in supply of housing.

Council's Response:

1. Calderdale is part of the Leeds City Region (LCR) and a member of the West Yorkshire Combined Authority (WYCA). The LCR has a well-established programme for joint working and cooperation at both member and officer levels – planning portfolio holders and heads of planning meeting regularly, and there is specific 'duty to cooperate' group attended by planning policy officers.

2. The level of housing need in Calderdale has been derived using the Government's standard housing methodology, and used the most recent datasets published by the Office of National Statistics in 2016. The Plan will meet the housing need of the Borough for a period of 15 years. The Plan period is therefore 2018/19 - 2032/33. As the most up to date figures relating to the affordability factor were being used, these take into account any under supply over recent years.

The Council's response to the Inspector's Pre-Hearing Note 1, Question 5, elaborates on the reasoning behind the Council's decision to base the housing requirement on the Standard Method (App 1.5 to PHN 1).

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Ensure the plan incorporates the impact of the latest population projections on household requirements.

Council's Response:

1. The level of housing need in Calderdale has been derived using the Government's standard housing methodology, and used the most recent datasets published by the Office of National Statistics in 2016. The Plan will meet the housing need of the Borough for a period of 15 years. The Plan period is therefore 2018/19 - 2032/33. As the most up to date figures relating to the affordability factor were being used, these take into account any under supply over recent years.

The Council's response to the Inspector's Pre-Hearing Note 1, Question 5, elaborates on the reasoning behind the Council's decision to base the housing requirement on the Standard Method (App 1.5 to PHN 1). No modification required.

Document Section: 2.63 Paragraph

Representations

Comment ID **Lpp756**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The implication of the statement that 'There are around 28,200 of Calderdale's residents living in neighbourhoods ranked by the Indices of Multiple Deprivation 2015 survey as being within the 10% most deprived in England' is that aspects of the overall spatial strategy should explicitly respond to the location of these deprived neighbourhoods - likely to be in e.g. particular parts of Halifax - by seeking to concentrate and attract flows of regeneration investment to them. This could take the form of a housing distribution approach focused on the master planning and then renewal of brownfield urban areas; as against one that instead ends up directing housing investment flows into Greenbelt areas.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The Spatial Strategy should encourage development particularly in deprived areas and attract

investment into them.

Council's Response:

1. See Exceptional Circumstances for the Release of Green Belt 2018, specifically Appendix 2 (LPWP Report August 2016: Distribution of Growth).

Evidence document EV40 establishes the justification for the development of the Garden Suburbs, the Habitats Regulations Assessment (EV12.1; and EV12.4) helps to understand why the Council has chosen to promote more development away from the protected areas of the SPA and SAC.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. The Spatial Strategy should encourage development particularly in deprived areas and attract investment into them.

Council's Response:

1. Given the Council's reasoning for the distribution of growth no modification is currently proposed by the Council, although if viable unconstrained/surmountable constraints large scale brownfield opportunities were proven to exist the Council would reconsider the distribution to take advantage of these.

Document Section: 2.68 Paragraph

Representations

Comment ID **Lpp716**

Site ref (if applicable):

Person ID: **368488**

Name: **Mr & Mrs E Archbold**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This contradicts with 2.45 which states "Figures show that there is a projected decline in the under 16 age group population of about 2,200 during the 15 years to the end of the plan period". It also contradicts with the projected population growth table 2.5.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Please remove contradictions & ensure the plan clearly and accurately details the projected population growth and the impact this has on housing and schooling needs.

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. This paragraph contradicts with paragraph 2.45 and also contradicts the projected population growth table 2.5.

Council's Response:

1 ACTION

modification potentially necessary - bullet point 8 of para 2.68

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Ensure the Plan clearly and accurately details the projected population growth and accurately reflects the number of houses and schools required.

Council's Response:

1. The Local Plan and its supporting evidence (including the Infrastructure Delivery Plan) details the borough's housing need and infrastructure required to facilitate the growth. The Infrastructure Delivery Plan is a compendium of projected infrastructure provision and it helps to ensure that this infrastructure (including school places) is provided in a timely manner and in a coordinated and sustainable way. It sets out the infrastructure that will support the level of development that is proposed in the Calderdale Local Plan.
No modification required.

Document Section: 2.69 Paragraph

Representations

Comment ID **Lpp172**

Site ref (if applicable): **LP1232**

Person ID: **1125251**

Name: **Dr Andrew McElligott**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Calderdale's economy is performing well however there is a high level of vulnerability due to its dependence on the manufacturing and financial services sectors. More knowledge intensive businesses, especially Creative and Digital Industries, need to be encouraged into the area. If that statement is true (and I believe it is), then why is the proposed land use designation for the largest proposed employment zone (LP1232) B2/ B8 (general industrial, storage and distribution)? Surely, if the Local Authority wishes to attract creative and digital industries they should be 'creative' themselves and designate employment zones accordingly. If LP1232 were designated B1 only there would likely be far less local opposition plus the opportunity to create a thriving digital enterprise zone. The plan, as it stands, is not justified and is, therefore, unsound.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

If LP1232 is to remain a proposed employment zone then it should be reserved for B1 use only

Additional Evidence Link:

Comment ID **Lpp269**

Site ref (if applicable):

Person ID: **10978**

Name: **Mr Ian Smith**

Organisation: **Historic England**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The historic environment makes a significant contribution to the distinctive character of Calderdale, to its economic well-being, and to the quality of life of its communities. In a Paragraph which purports to set out a profile of the environment of the District, the lack of any reference to the historic environment is a significant omission.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Add a section on the historic environment of Calderdale to this Paragraph.

Additional Evidence Link:

Comment ID **Lpp570**

Site ref (if applicable): **LP1463**

Person ID: **1125815**

Name: **Mrs K Boothroyd**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

No meaningful consultation. Residents in the 'Thornhills' area of Clifton prevented by Calderdale from being a part of Clifton Neighbourhood Forum.

Do you consider the plan to be Sound?: **No**

Sound Reason:

Calderdale claim that 'The environment has been a key priority for the Council since it was established in 1974, and remains so today.' However: Paragraphs 79 to 92 National Planning Policy Framework clearly set out that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. How does the local plan meet this clear importance placed on green belts? Moreover paragraph 80 states Green Belt serves five purposes: to check the unrestricted sprawl of large built-up areas to prevent neighbouring towns merging into one another to assist in safeguarding the countryside from encroachment to preserve the setting and special character of historic towns to assist in urban regeneration, by encouraging the recycling of derelict and other urban land The local plan is in clear violation of this framework. How will this be addressed?

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

The plan contravenes the 'National Planning Policy Framework'

Suggested Modifications:

Brownfield land should be utilised instead of Green Belt land.

Additional Evidence Link:

Comment ID **Lpp757**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

The fact that Greenbelt + 'Area around Todmorden' (31,589 ha) constitutes 82.5% of Calderdale's total area, with by contrast the formal urban areas only representing 12.6% of the district, is another recognition by the plan of the topographical, landscape and biodiversity constraints on the scale of development in Calderdale.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Unduly restrictive employment uses proposed.

Council's Response:

1. New Employment sites are allocated for B class use, and a range of the appropriate B uses is indicated but not specified, to allow for flexibility and response to the market during the Plan period. The Council does not consider that the land allocation policy is unduly restrictive.

Duty to Co-operate

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. If LP1232 is to remain a proposed employment zone then it should be reserved for B1 use only.

Council's Response:

1. New Employment sites are allocated for a range of B class uses, but are not specified in order to allow for flexibility and response to the market during the Plan period.
No modification required.

Document Section: 2.71 Paragraph

Representations

Comment ID **Lpp1450**

Site ref (if applicable):

Person ID: **11803**

Name: **Mr Abdul Gaffar
Environment Agency**

Organisation: **Environment Agency**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. Full submission attached The document is a Local Flood Risk Management Strategy rather than "Flood Risk Strategy"

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5109653>

Comment ID **Lpp1451**

Site ref (if applicable):

Person ID: **11803**

Name: **Mr Abdul Gaffar
Environment Agency**

Organisation: **Environment Agency**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. Full submission attached £35m of HM Treasury Grant has been allocated to contribute towards flood alleviation projects such as Mytholmroyd, Hebden Bridge and Brighouse. The additional funding is administered and agreed by the Calderdale Flood Partnership Board chaired by the leader of CMBC, Cllr Tim Swift. The paragraph needs

amending to take this into account.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5109653>

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Incorrect reference to the Local Flood Risk Management Strategy.

Council's Response:

1. The correct title of the strategy referred to in para 2.71 is "Local Flood Risk Management Strategy". The title could be amended as a minor editorial correction to read:
"2.71 Since the recent flooding in December 2015, the Council adopted a Local Flood Risk Strategy in June 2016..."
Modification proposed.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Change 'Flood Risk Strategy' to 'Local Flood Risk Management Strategy'.

Council's Response:

1. The correct title of the strategy referred to in para 2.71 is "Local Flood Risk Management Strategy". The title could be amended as a minor editorial correction to read:
"2.71 Since the recent flooding in December 2015, the Council adopted a Local Flood Risk Strategy in June 2016..."
Modification proposed.

Document Section: 2.76 Paragraph

Representations

Comment ID **Lpp866**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

When considering the need for increased energy efficiency in the housing stock it's important to remember, as this paragraph states, that 'Fuel poverty is still affecting a quarter of all households in Calderdale'. Unfortunately the local plan is prevented from prescribing a local initiative and solution to this problem because of the government stipulation preventing measures that exceed building regulations.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The local plan does not include a local initiative and solution to fuel poverty because of government legislation preventing measures that exceed building regulations.

Council's Response:

1. For housing development energy efficiency is regulated by Building Regulations. The Council will encourage (rather than require) energy efficiency that exceeds those minimum standards set out in national standards and take that into account where proposed in support of a planning application. The issue is addressed in the Built Environment section (chapter 17), specifically BT1 - High Quality, Inclusive Design.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 3 Vision

Representations

Comment ID **Lpp1142**

Site ref (if applicable):

Person ID: **1184942**

Name: **Mr Mark Bullen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

See attached

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attached

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

See attached

Suggested Modifications:

See attached

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5084622>

Comment ID **Lpp1168**

Site ref (if applicable):

Person ID: **1069334**

Name: **Ms Megan Pashley**

Organisation: **Gladman Developments Ltd**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

The vision for Calderdale in 2033 is set out at section 3 of the publication draft. It is key that this positive vision remains within the Calderdale Local Plan and that it seeks to provide for economic growth and housing to meet the full needs of the Borough. Alongside this, it is fundamental that the associated infrastructure is planned for and delivered at the appropriate time.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5089285>

Comment ID **Lpp139**

Site ref (if applicable):

Person ID: **1171108**

Name: **Mr Brian Crossley (SNLPP)**

Organisation: **Chairperson SNLPP**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This section of the Local Plan contains fine words and lofty ideals regurgitated yet again for a vision of Utopia. It is trite, overambitious and formulaic and reads more like something generated at a team building away day, rather than a serious attempt to plan development in the borough over the Plan period and beyond. I can only think that, having set out their 'vision', the planners quietly put it away in a drawer and got on with the real work of destroying our greenbelt, open spaces and wildlife corridors in the East of the borough. The real work of forcing the roads in the East into gridlock and chaos. The real work of destroying vast swathes of diverse habitat. The real work of forcing the western villages into decline due to a lack of housing and employment and the investment these would bring. I am staggered at the absolute hypocrisy of the Council in putting forward a 'vision' that is so utterly at odds with the reality of their proposals, every single statement in their 'vision' is a contradiction. Does anyone, least of all the Council, actually believe this claptrap. They should be ashamed of themselves.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp1428**

Site ref (if applicable):

Person ID: **1182876**

Name: **Mr Craig Whittaker MP**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

See attached

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5107475>

Comment ID **Lpp1460**

Site ref (if applicable):

Person ID: **11803**

Name: **Mr Abdul Gaffar
Environment Agency**

Organisation: **Environment Agency**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. Full submission attached As previous "" see comments from Initial Draft stage (below). Para 4 of Calderdale in 2032 "" a narrative description - Calderdale has ensured development takes place and meets high environmental and design standards. In the Calder Valley Towns of Todmorden, Hebden Bridge, Mytholmroyd, and Sowerby Bridge this means also ensuring the risks of flooding are significantly reduced and that new development is not exposed to this risk nor bring increased risk to other areas. In Elland and Brighouse too flood risk is a managed problem. . . We consider some clarity over what is meant by a ""managed problem' would be beneficial. Para 5 - reference to development which safeguards the environment . . . Para 6"" reference to biodiversity being improved and the value of the Pennine Moors for carbon storage and flood-mitigation. Para 7 "" reference to "" action to "slow the flow" of water from the river catchments into the primary river has been successful in helping to reduce flood risk. Significant numbers of new trees have helped reduce run-off and flood risk, whilst action has also been taken to address specific flood risk problems up and down the Calder Valley and its tributaries.' Para 7 of Calderdale in 2032 "" a narrative description: assuming that the ""primary river' referenced is the Calder, we suggest this should be changed to say the River Calder. Para 8 "" reference to improved surface water drainage, use of sustainable urban drainage schemes and the introduction of fish passes and the facilitation of passage of migrating fish to their spawning grounds Para 3.2 - We note the reference to Calderdale and partner organisations working together to ensure Calderdale is a place where people are safe. We support this and consider it links to the

consideration of flood risk in the Local Plan. Para 3.4 - We particularly support the inclusion of bullet points 2, 3 and 5: The natural environment and biodiversity of Calderdale will be protected and improved . . . Calderdale will be a place that delivers sustainable development in the right place, at the right time. Calderdale will have responded to the causes of and adapted to the consequences of climate change, reduced our greenhouse gas emissions, become more energy conscious and efficient in its use of resources.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5109653>

Comment ID **Lpp1533**

Site ref (if applicable):

Person ID: **960869**

Name: **Stonebridge Homes**

Organisation:

Agent ID: **691692**

Name: **Ms Lucie Jowett**

Organisation: **Senior Planner Barton Willmore**

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

See attachment

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

See attachment

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5086522>

Comment ID **Lpp247**

Site ref (if applicable):

Person ID: **1182147**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Agent ID: **1182144**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Halifax Civic Trust, which has around 80 members endorses the importance of having an up to date local plan but does have some concerns which are detailed in this and subsequent sections. These are mainly around soundness but in one area, waste, touches on the duty to cooperate. we do not wish to hold up the adoption of the plan but feel it can be improved. Aspects of the plan we will want to support include the overall vision, sustainable development objectives, balanced approach taken on housing growth, health and well being, the overall approach to infrastructure and master planning, town centres generally, the built and historic environment and green belt. We believe it is essential the balanced approach of the plan is maintained. In respect of the vision, we would welcome a stronger statement on improving the quality of design, respecting the unique character of the area, being sympathetic to it , but producing good design appropriate to the context. we recognise there are some good modern buildings as well as traditional ones. we feel it is essential to give maximum consideration to design life and building for the long term, which is a characteristic of the area. Quality landscaping of new developments is essential, helping to integrate old and new dwellings and commercial buildings. As the Civic Trust for Halifax (our area is the same as the former County Borough) we aim to encourage civic pride, promote high standards of planning and architecture and secure the preservation, protection, development and improvement of features of historic or public interest.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Further emphasis should be placed on housing delivery and providing for a mix of house types and sizes.
2. This section is weak on quality of design.
3. What is meant by a 'managed problem' in para 4 of the Vision?

Council's Response:

1. Policy HS3 of the Local Plan establishes an approach to ensure the delivery of a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.
2. The Built Environment chapter of the Local Plan, specifically policy BT1 - High Quality Inclusive Design addresses design in more detail. The policy ensures new development will achieve high quality, inclusive design and will demonstrate a holistic approach to design quality. Applicants will demonstrate consideration of the aesthetics, function and sustainability of proposals over the lifetime of the development.
3. 'Managed problem' refers to flood risk management.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. A stronger statement on improving the quality of design, respecting the unique character of the area, being sympathetic to it , but producing good design appropriate to the context is required
2. Clarity over what is meant by a 'managed problem' in para 4 of the Vision would be beneficial.
3. In para 7 of the Vision "primary river" should be changed to "River Calder".

Council's Response:

1. The Built Environment chapter of the Local Plan, specifically policy BT1 - High Quality Inclusive Design addresses design in more detail. The policy ensures new development will achieve high quality, inclusive design and will demonstrate a holistic approach to design quality. Applicants will demonstrate consideration of the aesthetics, function and sustainability of proposals over the lifetime of the development.
No modification required.
2. 'Managed problem' refers to flood risk management.
No modification required.
3. Modification considered unnecessary. Council deems wording is adequate as wording is contained within the narrative description rather than specific policy.

Document Section: 3.3 Paragraph

Representations

Comment ID **Lpp248**

Site ref (if applicable):

Person ID: **1182147**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Agent ID: **1182144**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Need to provide a stronger statement on improving the quality of design, respecting the unique character of the area, being sympathetic but producing good design appropriate to the context - there are good modern buildings as well as traditional ones. Building should be for the long term which is a characteristic of the area, Quality landscaping in new developments is also important, helping to integrate the old and the new.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

3.3 Add bullet: A place where good design is encouraged and the built and natural heritage is respected

Additional Evidence Link:

Comment ID **Lpp761**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The last bullet point should be amended to ' A place where environmental sustainability is protected and

enhanced' in order to place greater emphasis on the dual value of environmental sustainability: not just to contribute to human well-being but in its own right as a result of the careful stewardship of the ecosystem services it provides.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. More emphasis on environmental sustainability is required.
2. Stronger emphasis on improving the quality of design is required.

Council's Response:

1. There are three strands to sustainable development. These are considered to be economic, social, and environmental. For sustainable economic development, the Local Plan, provides a framework to support growth and innovation, socially, the plan reflects Calderdale's needs and support the population's, health and well being, whilst the environmental aspect of the plan protects and enhances Calderdale's natural, built and historic environment.

It is considered that the plan provides sufficient detail regarding the Council's approach to the various dimensions of sustainable development.

2. The Built Environment chapter of the Local Plan, specifically policy BT1 - High Quality Inclusive Design addresses design in more detail. The policy ensures new development will achieve high quality, inclusive design and will demonstrate a holistic approach to design quality. Applicants will demonstrate consideration of the aesthetics, function and sustainability of proposals over the lifetime of the development.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. The last bullet point should be amended to 'A place where environmental sustainability is protected and enhanced'
2. Add bullet point: 'A place where good design is encouraged and the built and natural heritage is respected'.

Council's Response:

1. There are three strands to sustainable development. These are considered to be economic, social, and environmental. For sustainable economic development, the Local Plan, provides a framework to support growth and innovation, socially, the plan reflects Calderdale's needs and support the population's, health and well being, whilst the environmental aspect of the plan protects and enhances Calderdale's natural, built and historic environment.

It is considered that the plan provides sufficient detail regarding the Council's approach to the various dimensions of sustainable development.

No modification required.

2. The Built Environment chapter of the Local Plan, specifically policy BT1 - High Quality Inclusive Design addresses design in more detail. The policy ensures new development will achieve high quality, inclusive design and will demonstrate a holistic approach to design quality. Applicants will demonstrate consideration of the aesthetics, function and sustainability of proposals over the lifetime of the development.

No modification required.

Document Section: 3.4 Paragraph

Representations

Comment ID **Lpp140**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPP)** Organisation: **Chairperson SNLPP**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

How can we argue against such a utopian vision? Well, that's all it is, just a vision that will not be borne out by reality for the residents of Shelf and Northowram if the housing allocations contained in the plan are implemented. Quote ' The natural environment and biodiversity of Calderdale will be protected and improved, and new development has not spoilt the features that are treasured;' The Green Belt, Wildlife Corridors, Wildlife Habitat and Open Spaces in Shelf and Northowram are treasured by residents who don't want to see them disappear. How can development on such areas, on Priority Habitats and open grazing fields, NOT destroy these treasured features. These are just words that will be forgotten as soon as the first planning application comes in. Quote ' Calderdale will be a place that delivers sustainable development in the right place, at the right time to meet the needs and vision of the people who live here and those wanting to invest;' The needs and vision of the residents of Shelf and Northowram is that they want to live in a quiet rural area where they do not have to fight against traffic for space on narrow country lanes. They want to be able to walk in the fields and meadows that have been part of their villages for generations. They want those lanes, fields and meadows to still be there for their children, not covered over with tarmac and concrete. That is OUR vision but the Local Plan is hell bent on ignoring it. The only people who will 'invest' in our villages are the developers who will soon move on to other profitable locations, leaving the residents with an unsustainable reality for the future.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp249**

Site ref (if applicable):

Person ID: **1182147** Name: **Mr Alan Goodrum** Organisation: **Halifax Civic Trust**

Agent ID: **1182144** Name: **Mr Alan Goodrum** Organisation: **Halifax Civic Trust**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See general comment 3.0. need to encourage good design

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Add bullet: Calderdale's unique built heritage is respected and quality new design and landscaping is encouraged.

Additional Evidence Link:

Comment ID **Lpp434**

Site ref (if applicable): **LP1232**

Person ID: **717694**

Name: **Mr Edward Spivey**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

The Vision clearly states: "The natural environment and biodiversity of Calderdale will be protected and improved, so how can building over green fields comply with it. The Employment Zone was designated as Greenbelt before it became designated as Employment land (in 1996, I think). Since then, it has remained in the same condition it was - so it is continuing to perform a de facto Greenbelt role. it cannot be lawful to have a published "vision" and then act directly contrary to it.

Do you consider the plan to be Sound?: **No**

Sound Reason:

see above

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Remove this allocation from Employment land and return it to Greenbelt.

Additional Evidence Link:

Comment ID **Lpp758**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We agree with BPs 1-5 but object to BP6 because it's not true that 'The profound links between development and transport demand will be managed to ensure Calderdale has a balanced transport system' because even at the present moment the relationship between development and transport demand is becoming unbalanced - as demonstrated by the concerns about traffic congestion that the plan itself recognises; whilst the development proposals of the plan will in fact make it still more so by encouraging the generation of additional road traffic onto existing corridors of essentially fixed physical capacity. So this statement is fundamentally untrue.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp97**

Site ref (if applicable):

Person ID: **1024937**

Name: **Mr Ian Sanderson**

Organisation: **Principal Archaeologist
West Yorks Archaeology
Advisory Service**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The Vision is too restrictive in that no mention is made of a desire to protect and enhance the built and historic environment (only the natural environment is mentioned). The NPPF (July 2018) makes clear that the environmental strand of achieving sustainable development includes the need "to contribute to protecting and enhancing our natural, built and historic environment" (Section 2, para.8 sub-paragraph c.)

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

The Vision needs to include reference to protecting and enhancing the built and historic environment.

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Objection to bullet point 6. Relationship between development and transport is unbalanced.
2. Building on Green Belt is contradictory to the vision statement: "The natural environment and biodiversity of Calderdale will be protected and improved".
3. Need to encourage good design.
4. Vision will not be achieved if the sites in Shelf and Northowram are implemented.
5. The vision does not protect Green Belt, Wildlife Corridors, Habitats and Open Space.
6. There is no mention of the desire to protect and enhance the built and historic environment.

Council's Response:

1. The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'

To achieve these objectives the Council is developing a range of strategies and interventions, and the Local Plan has a role to play in supporting these, but also ensuring development proposals meet these objectives and contribute more widely to an integrated 'active mode' network.

Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.

2. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the Council has examined fully all other reasonable options for meeting its identified need for development. Document EV 09 Exceptional Circumstances for the Release of Green Belt (2018) considers the process that

the Council has followed in relation to the potential need to release land from the Green Belt. Policies within the Green Infrastructure and Natural Environment chapter of the Local Plan, specifically Policy GN3, set out a clear and positive strategy to ensure the Council effectively manages its natural environment.

3. The Built Environment chapter of the Local Plan, specifically policy BT1 - High Quality Inclusive Design addresses design in more detail. The policy ensures new development will achieve high quality, inclusive design and will demonstrate a holistic approach to design quality. Applicants will demonstrate consideration of the aesthetics, function and sustainability of proposals over the lifetime of the development.

4. The Council considers it has submitted a Local Plan which will support the Council, partners and communities over the next 15 to 20 years in delivering its vision of sustainable growth and development.

5. The various subjects referred to in the main issue are addressed in detail in the corresponding sections of the Local Plan.

6. The Built Environment chapter of the Local Plan, specifically policy BT1 - High Quality Inclusive Design addresses design in more detail. The policy ensures new development will achieve high quality, inclusive design and will demonstrate a holistic approach to design quality. Applicants will demonstrate consideration of the aesthetics, function and sustainability of proposals over the lifetime of the development.

Policy HE1 of the Local Plan sets out a clear and positive strategy for the conservation, enjoyment and enhancement of Calderdale's historic environment and should be considered in conjunction with guidance provided in the National Planning Policy Framework, and planning policy guidance. It should be noted that this policy does not seek to unnecessarily or entirely prevent development which may affect a heritage asset. Instead, it aims to ensure that development proposals are sympathetic to heritage assets in that their significance and settings are understood, respected and either conserved or enhanced whilst safeguarding against their exploitation or endangerment. This will ensure a sustainable future for heritage assets, and for the historic environment as a whole.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Add bullet point: "Calderdale's unique built heritage is respected and quality new design and landscaping is encouraged." The Vision needs to include reference to protecting and enhancing the built and historic environment.

Council's Response:

1. The Built Environment chapter of the Local Plan, specifically policy BT1 - High Quality Inclusive Design addresses design in more detail. The policy ensures new development will achieve high quality, inclusive design and will demonstrate a holistic approach to design quality. Applicants will demonstrate consideration of the aesthetics, function and sustainability of proposals over the lifetime of the development.

Policy HE1 of the Local Plan sets out a clear and positive strategy for the conservation, enjoyment and

enhancement of Calderdale's historic environment and should be considered in conjunction with guidance provided in the National Planning Policy Framework, and planning policy guidance. It should be noted that this policy does not seek to unnecessarily or entirely prevent development which may affect a heritage asset. Instead, it aims to ensure that development proposals are sympathetic to heritage assets in that their significance and settings are understood, respected and either conserved or enhanced whilst safeguarding against their exploitation or endangerment. This will ensure a sustainable future for heritage assets, and for the historic environment as a whole.

No modification required.

Document Section: 3.5 Paragraph

Representations

Comment ID **Lpp582**

Site ref (if applicable): **LP1463**

Person ID: **717694**

Name: **Mr Edward Spivey**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The Vision includes the words: The natural environment and biodiversity of Calderdale will be protected and improved, and new development has not spoilt the features that are treasured . I do not see how taking acres of Greenbelt at Thornhills, and re-shaping it into a housing development - however it is called, "Garden Suburb" or whatever - does not spoil the natural environment, biodiversity and spoil features that are treasured!. A normal planning application has to show "very special circumstances" to develop in Greenbelt. No very special circumstances have been put forward for this Housing Allocation in Greenbelt. It is not the only method of providing the numbers of houses required - the Council's own committee report contained one option which did not include the "garden suburbs". The majority of housing need is shown (by the Council's own documentation) to be in and around Halifax. There is no evidence-based reasoning to take Greenbelt in Brighouse on such a scale as LP1463. Moreover, the plan states it will " reduced car usage increased use of public transport, walking and cycling". Again the allocation does none of that. Residents will have to drive everywhere. There is no Public Transport - any buses on Bradford Road are not accessible to these future residents - they are too far away to be viable (IHT recommends no more than 400m from a bus stop to make it any use) and the height difference between the site and Bradford Road makes it impossible to consider it suitable to walk - and the only alternative is Clifton Common, which has virtually no buses and also, the walk back from Brighouse is up a 1 in 10 hill. Again not actually viable for pedestrians or cyclists. Hence, this allocation does not fulfil the criteria set out in the Plan. The Plan is unsound.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

This allocation must be removed from the Plan.

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. No very special circumstances have been demonstrated to remove sites from the Green Belt.

Council's Response:

1. Document EV 09 Exceptional Circumstances for the Release of Green Belt (2018) considers the process that the Council has followed in relation to the potential need to release land from the Green Belt. It can be seen that a methodical approach has been built into each stage of the process and that ultimately this process has dovetailed with the Government's emerging policy on exceptional circumstances.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: Table 3.1 Council Priorities for Action

Representations

Comment ID **Lpp98**

Site ref (if applicable):

Person ID: **1024937**

Name: **Mr Ian Sanderson**

Organisation: **Principal Archaeologist
West Yorks Archaeology
Advisory Service**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The Council's priority should include the need to promote sustainable development , given that is the purpose of the planning system (NPPF, July 2018 para. 7). There is no mention of this being a Council priority.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

The Council's priorities should include the need to promote sustainable development.

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The need to promote sustainable development is not one of the Council's priorities.

Council's Response:

1 The National Planning Policy Framework (NPPF) states that "the purpose of the planning system is to

contribute to the achievement of sustainable development". As such, the delivery of 'Sustainable Development' is central to the aims of the Local Plan. This approach is established in Policy SD1.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. The Council's priorities should include the need to promote sustainable development.

Council's Response:

1. The National Planning Policy Framework (NPPF) states that "the purpose of the planning system is to contribute to the achievement of sustainable development". As such, the delivery of 'Sustainable Development' is central to the aims of the Local Plan. This approach is established in Policy SD1.

Document Section: 3.7 Paragraph

Representations

Comment ID **Lpp250**

Site ref (if applicable):

Person ID: **1182147**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Agent ID: **1182144**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See general comment 3.0, encouraging building for the long term which is intrinsic to the quality of the area

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Add after first para of 3.7, green box: Building is for the long term, which is a characteristic of the area

Additional Evidence Link:

Comment ID **Lpp274**

Site ref (if applicable):

Person ID: **10978**

Name: **Mr Ian Smith**

Organisation: **Historic England**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

Vision - narrative description: Subject to the change below, we support the narrative description of the proposed Vision for Calderdale, especially those aspects which relate to the conservation of its heritage assets and the reinforcement of the distinctive character of its settlements and landscapes.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp283**

Site ref (if applicable):

Person ID: **10978**

Name: **Mr Ian Smith**

Organisation: **Historic England**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Vision - narrative description, first Paragraph: One of the outcomes from the Plan should be that that the development needs of its communities have been achieved in a manner which has reinforced those elements which make Calderdale such a distinctive place. At the moment, this aspect is not particularly clearly expressed.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Vision "" narrative description, first Paragraph line 3 amend to read:- '.. managed change in a way which has managed to reinforce those elements which make Calderdale such a distinctive place, and which has improved people's quality of life...etc"

Additional Evidence Link:

Comment ID **Lpp569**

Site ref (if applicable):

Person ID: **924266**

Name: **Mr Bob Pritchard**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

I would endorse the vision for Calderdale which recognises its role in the Leeds City Region, the need to promote growth whilst preserving its considerable environmental assets. I would particularly endorse the garden suburb proposals and hope that Calderdale ensures that they are delivered in a locally distinct way so that they in future become another example of Calderdale's unique built heritage.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp625**

Site ref (if applicable):

Person ID: **1183504**

Name: **Ms Penny Eastwood**

Organisation: **Co-ordinator SOURCE Partnership**

Agent ID: **1183503**

Name: **Ms Penny Eastwood**

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Clarify sentence 'Action to "slow the flow" of water from the river catchments into the primary river has been successful in helping to reduce flood risk.' to 'Action to "slow the flow" of water from the river catchments into the primary river, using Natural Flood Management techniques, has been successful in helping to reduce flood risk.' Re-word phrase 'sustainable urban drainage systems' to 'urban sustainable drainage systems' (i.e. the former is outdated, the contemporary acceptance is that SuDS is an acronym for Sustainable Drainage Systems, which can be urban or rural.) Pleased to see this terminology being used in the vision, concerned that there must be a real commitment to the principles of catchment-level NFM (Natural Flood Management) and an understanding of what is meant by terminology used.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Clarify sentence 'Action to "slow the flow" of water from the river catchments into the primary river has been successful in helping to reduce flood risk.' to 'Action to "slow the flow" of water from the river catchments into the primary river, using Natural Flood Management techniques, has been successful in helping to reduce flood risk.' Re-word phrase 'sustainable urban drainage systems' to 'urban sustainable drainage systems' (i.e. the former is outdated, the contemporary acceptance is that SuDS is an acronym for Sustainable Drainage Systems, which can be urban or rural.) Pleased to see this terminology being used in the vision, concerned that there must be a real commitment to the principles of catchment-level NFM (Natural Flood Management) and an understanding of what is meant by terminology used.

Additional Evidence Link:

Comment ID **Lpp759**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The Vision Statement should be amended by the addition of the words "' managing growth, change and the needs of its people within the environmental limits of its precious Pennine setting ' in order to acknowledge i) the extent of the constraint on development placed by topography and landscape designations, and ii) that, as the Plan is seeking to do, it must promote at landscape and catchment level a response to the existential threat that flooding poses to many of its settlements. Then we disagree with the following statements in the narrative description, for the reasons stated: "' ' Investment on the road network through Halifax and Brighouse has help reduce air pollution and congestion, whilst changes in travel behaviour have helped reduce the impact of growth too' - because there is no evidence to support these claims. In fact the most likely impacts of its proposals are that they will have the opposite effect. - 'New homes have been created in sustainable locations helping to produce greatly reduced carbon footprints' - because there is no evidence to support this claim; whilst locations would have been more sustainable if they were based on an urban location/brownfield prioritisation. - 'It is clear that reducing CO2 emissions is an overarching theme that significant strides are being made to meet the Government's 80% reduction by 2050.' - because this needs to be amended to refer to a 2030 local carbon reduction target, rather than a 2050 national one. - Almost the entire 14th paragraph 'The impact of cars and traffic has been well managed as effective use of planning and transportation policy has secured accessibility by a wide range of modes for all new development and ensured improved public transport and traffic management. This has also meant that the need to travel by car has been reduced which has also helped air quality. "' It is clear that travel choices have been embraced and has improved air pollution associated with traffic at the designated Air Quality Management Areas with significant improvements in air quality being achieved' - because there is no evidence within the plan or its evidence base to support this statement; indeed its proposals are likely to have the opposite effect.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The Plan doesn't acknowledge enough the extent of the constraint on development placed by topography and landscape designations.

Council's Response:

1. Document EV 51.1 Site Allocations Assessment Methodology - Publication Draft (2018) details the process the Council has followed in relation to the site assessment process. The document outlines the various stages of assessment from initial site identification to the implementation of the Sequential Approach and the way in which constraints such as topography and landscape designation were considered.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. The Vision Statement should be amended by the addition of the words '... managing growth, change and the needs of its people within the environmental limits of its precious Pennine setting'.
2. Amend sentence 'Action to "slow the flow" of water from the river catchments into the primary river has been successful in helping to reduce flood risk.' to 'Action to "slow the flow" of water from the river catchments into the primary river, using Natural Flood Management techniques, has been successful in helping to reduce flood risk'.
3. Re-word phrase 'sustainable urban drainage systems' to 'urban sustainable drainage systems'.
4. Vision – narrative description, first Paragraph line 3 amend to read:- “.. Managed change in a way which has managed to reinforce those elements which make Calderdale such a distinctive place, and which has improved people's quality of life...etc.”.
5. Add after first para of the vision narrative: Building is for the long term, which is a characteristic of the area.

Council's Response:

1. Modification considered unnecessary. Council deems wording is adequate.
2. Modification considered unnecessary. Unnecessary description.

3. No modification required. Wording considered accurate.
4. No modification required. Unnecessary description.
5. No modification required. Unnecessary description.

Document Section: 4 Objectives

Representations

Comment ID **Lpp1280**

Site ref (if applicable):

Person ID: **1183599**

Name: **Mr Andrew Wood**

Organisation: **Consultant Planner CPRE**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachments Introductory paragraph of Evidence Paper 2 states that: It is our view that the Publication Draft is not positively prepared to deliver sustainable development. It is not justified by the most appropriate and up-to-date evidence of development needs. And it will not be effective in delivering sustainable development, due to fundamental internal contradictions between the scale and distribution of development and other key policies in the Plan. This evidence paper explains our position on these points, and we conclude that very substantial modifications will be needed to make the Plan sound.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5102830>; <http://calderdale-consult.objective.co.uk/file/5122736>

Comment ID **Lpp1310**

Site ref (if applicable):

Person ID: **1183599**

Name: **Mr Andrew Wood**

Organisation: **Consultant Planner CPRE**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment for context of comments. Introductory paragraph of Evidence Paper 2 states that: Please

note that it was our intention to divide up this document and submit it in relevant sections using the representation form, but having downloaded the form we found that key entry fields were locked. Given that the representation system is in any case not well-suited to comments that develop a narrative and contain figures and tables, we have therefore reverted to submitting full documents. These are structured as carefully as possible to enable you to use them. It is our view that the Publication Draft is not positively prepared to deliver sustainable development. It is not justified by the most appropriate and up-to-date evidence of development needs. And it will not be effective in delivering sustainable development, due to fundamental internal contradictions between the scale and distribution of development and other key policies in the Plan. This evidence paper explains our position on these points, and we conclude that very substantial modifications will be needed to make the Plan sound. Chapter 4: Objectives 4.8, SO2, SO4, SO7 In principle, all the Strategic Objectives are laudable and worthy of support. The difficulty arises in monitoring the progress being made against those objectives, and establishing the effectiveness of Local Plan policies in securing that progress. In particular: Para 4.8 and SO2 place an responsibility on the Plan to reduce greenhouse gas emissions and address the causes of climate change, and this follows through into Policy CC1. However, the two most significant interventions to deliver that objective would be reducing energy consumption in the existing building stock, and reducing total road traffic by distance travelled. Since the Plan does not have policies that would implement either of those outcomes, and doesn't have its own carbon reduction target, then the net outcome of the Plan is likely to be to increase carbon emissions through the additional road traffic associated with new development. SO4 aims for a 'range of good quality dwellings of varying types, sizes and prices in sustainable locations utilising sustainable building methods and maximising the use of brownfield land' ; yet the effectiveness of Policy HS3 in securing the right housing mix is likely to be compromised by viability arguments on a scheme-by-scheme basis; and the Plan has no policy for maximum the use of brownfield land, largely ruling it out as a source of land supply. Nor is there any basis provided, beyond the Building Regulations, with which to implement Policy SD2 in terms of requiring sustainable construction methods. SO7 seeks a transport system which reduces car dependency, yet substantial chunks of the housing allocations are on sites for which the car will inevitably be the principal mode of travel. Considering the existing, high levels of car dependence, the Plan needs to be making spatial interventions that can effect change in existing travel patterns; ie new development should reduce car dependence in existing development. No solution is offered to achieve this. We must question the soundness of these objectives, however much we welcome their intent, if there are no means to ensure or monitor their effectiveness.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5102830>; <http://calderdale-consult.objective.co.uk/file/5122736>

Comment ID **Lpp1354**

Site ref (if applicable):

Person ID: **855708**

Name: **Barratt Homes & David
Wilson Homes**

Organisation: **Barratt Homes & David
Wilson Homes**

Agent ID: **1185784**

Name: **Chris Atkinson**

Organisation: **Barton Willmore**

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Please refer to attached report prepared by Barton Willmore The opening chapters of the Council's draft Local Plan provide useful background and context to Calderdale, as well as outlining an overall vision for the area over the plan period. These matters are then taken into account in section 4, where a series of key objectives are set out. It is important to note the content of some of the objectives set out by the Council within the draft CLP as these provide important context to comments which are raised within our representations. For example, Strategic Objective 3: Economy and Enterprise states that the Council aim to 'create a resilient sustainable economy founded upon innovation and enterprise; building upon the exceptional character of Calderdale and our location within Leeds City Region and proximity to Manchester'. In the supporting text there are statements such as 'the aspirations that the Council has to be 'the Best Borough in the North' with priorities relating to Growing the Economy'. With regards to housing, Strategic Objective 4: Housing states as follows 'to meet the Borough's housing needs through the provision of a range of good quality dwellings of varying types, sizes and prices in sustainable locations utilising sustainable building methods and maximising the use of brownfield land'. Within the supporting text the Council note it is 'a fundamental aim of Government policy as exemplified through the NPPF is to significantly boost the supply of housing'. Whilst the positive aspirations are welcomed there are genuine concerns that the Council have not prepared a suitable Plan that will achieve any of these aspirations and this is demonstrated with these representations, together with our report regarding the objectively assessed need and the site-specific representations prepared by PB Planning.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Please refer to attached report prepare by Barton Willmore

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5104850>

Comment ID **Lpp1461**

Site ref (if applicable):

Person ID: **11803**

Name: **Mr Abdul Gaffar
Environment Agency**

Organisation: **Environment Agency**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. Full submission attached Objectives - as previous "" see comments from Initial Draft stage (see below) Para 4.4 "" Strategic

Objective 1 " Sustainable Development. We support this strategic objective and the consideration of location and design in new and refurbished development and associated infrastructure. Para 4.5 " We support the reference to "Environmental impacts are predicted to include extreme weather events, rising temperatures, changes in biodiversity and flooding.' Para 4.9 " we support the text in this paragraph. Para 4.11 " Strategic Objective 2 " Climate Change " we support this objective. Para 4.17 " Strategic Objective 4: Housing " we support the reference to sustainable locations and maximising the use of brownfield land. Green infrastructure and the Natural Environment (para 4.18-4.20) " we support the explanation of Green Infrastructure, including the NPPF reference and also references to Leeds City Region Infrastructure Strategy. However the River Basin Management Plan and the Aire and Calder Catchment Partnership Actionable Plan 2016 should also be referenced in this section.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5109653>

Comment ID **Lpp1534**

Site ref (if applicable):

Person ID: **960869**

Name: **Stonebridge Homes**

Organisation:

Agent ID: **691692**

Name: **Ms Lucie Jowett**

Organisation: **Senior Planner Barton Willmore**

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

See attachment

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

See attachment

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5086522>

Comment ID **Lpp253**

Site ref (if applicable):

Person ID: **1182147**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Agent ID: **1182144**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Halifax Civic trust are supportive of the objectives in general, but wish to see the good quality design, enhancement of conservation areas and reuse of listed buildings carried through to the objectives. This gives rise to soundness concerns on the detail. We believe there are greater opportunities for cooperation in the waste area.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

see detail in subsequent paragraphs

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Good quality design, enhancement of conservation areas and reuse of listed buildings should be carried through to the objectives.
2. There are greater opportunities for co-operation in the waste area.

Council's Response:

1. The Built Environment chapter of the Local Plan, specifically policy BT1 - High Quality Inclusive Design addresses design in more detail. The policy ensures new development will achieve high quality, inclusive design and will demonstrate a holistic approach to design quality. Applicants will demonstrate consideration of the aesthetics, function and sustainability of proposals over the lifetime of the development.
Policy HE1 of the Local Plan sets out a clear and positive strategy for the conservation, enjoyment and

enhancement of Calderdale’s historic environment and should be considered in conjunction with guidance provided in the National Planning Policy Framework, and planning policy guidance. It should be noted that this policy does not seek to unnecessarily or entirely prevent development which may affect a heritage asset. Instead, it aims to ensure that development proposals are sympathetic to heritage assets in that their significance and settings are understood, respected and either conserved or enhanced whilst safeguarding against their exploitation or endangerment. This will ensure a sustainable future for heritage assets, and for the historic environment as a whole.

2. The co-operation between West Yorkshire Authorities is ongoing and includes monitoring of waste arisings and processing.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 4.4 Paragraph

Representations

Comment ID **Lpp141**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPP)** Organisation: **Chairperson SNLPP**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We strongly support the aspirations of SO1 however we find it UNSOUND in relation to the proposed developments in Shelf and Northowram. 'Sustainable' development does not destroy open grazing pasture, build over public footpaths, destroy Green Belt, Priority Habitats and Wildlife Networks such that they are not available for future generations. 'Sustainable' development does not put high volumes of development and residential traffic onto narrow, winding country lanes making them unsafe for people to walk on. Yet that is exactly what the proposals for Shelf and Northowram will do. It is NOT sustainable and it DOES NOT meet the aims and objectives of SO1.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp583**

Site ref (if applicable): **LP1463**

Person ID: **717694** Name: **Mr Edward Spivey** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

the plan will seek to protect and enhance Calderdale's natural, built and historic environment. How is

taking acres of Greenbelt for residential development "protecting" the environment? Habitats will be lost. natural features will be lost. Any "garden suburb" will be a false environment created to develop the houses. It does not matter if "green infrastructure" is created, it will still involve the loss of the natural features currently there. The natural environment will be destroyed for ever. And what about the "historic environment" of Clifton? The Thornhills settlement is the western end of the Clifton area. It is a scattering of dwellings and farm buildings separated from the village centre of Clifton by arable, green fields. The whole of this historic setting will be lost. The Plan cannot be sound if it includes this allocation.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

The Thornhills development should be removed.

Additional Evidence Link:

Comment ID **Lpp760**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This should be amended to "To follow the principles of sustainable development in the location, design and connectivity of all new and refurbished development and associated infrastructure" to ensure that the transport impacts of spatial choices and decisions are not omitted .

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Plan omits transport impacts of spatial choices and decisions.
2. Loss of Green Belt and open grazing pasture.
3. Loss of Priority habitats and wildlife networks.
4. Even if garden suburbs incorporate green infrastructure, the existing natural environment will be lost forever.
5. Historic environment of Clifton will be lost forever.
6. Increasing volumes of traffic on limited local road network (reference to Shelf and Northowram).

Council's Response:

1. The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'
To achieve these objectives the Council is developing a range of strategies and interventions, and the Local Plan has a role to play in supporting these, but also ensuring development proposals meet these objectives and contribute more widely to an integrated 'active mode' network. Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.
2. Document EV 09 Exceptional Circumstances for the Release of Green Belt (2018) considers the process that the Council has followed in relation to the potential need to release land from the Green Belt. It can be seen that a methodical approach has been built into each stage of the process and that ultimately this process has dovetailed with the Government's emerging policy on exceptional circumstances.
The proposed changes to the Calderdale Green Belt are clearly a last resort and have been minimised. Furthermore, the boundary changes are essential to achieving a sustainable future for Calderdale – one that reconciles economic, social and environmental sustainability.
3. Wildlife Corridors have been superseded by Wildlife Habitat Networks in the Local Plan. The concept of Wildlife Habitat Networks will be used by the Council in assisting the integration of otherwise isolated areas of wildlife interest. Development will not be permitted in a Wildlife Habitat Network if it would damage the physical continuity of the Network; or impair the functioning of the Network by preventing movement of species; or harm the nature conservation value of the Network.
4. Policies within the Green Infrastructure and Natural Environment chapter of the Local Plan, specifically Policy GN3, set out a clear and positive strategy to ensure the Council effectively manages its natural environment.
5. Policy HE1 of the Local Plan sets out a clear and positive strategy for the conservation, enjoyment and

enhancement of Calderdale's historic environment and should be considered in conjunction with guidance provided in the National Planning Policy Framework, and planning policy guidance. It should be noted that this policy does not seek to unnecessarily or entirely prevent development which may affect a heritage asset. Instead, it aims to ensure that development proposals are sympathetic to heritage assets in that their significance and settings are understood, respected and either conserved or enhanced whilst safeguarding against their exploitation or endangerment. This will ensure a sustainable future for heritage assets, and for the historic environment as a whole.

6. The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'

To achieve these objectives the Council is developing a range of strategies and interventions, and the Local Plan has a role to play in supporting these, but also ensuring development proposals meet these objectives and contribute more widely to an integrated 'active mode' network.

Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Suggested modification: "To follow the principles of sustainable development in the location, design and connectivity of all new and refurbished development and associated infrastructure".

2. Removal of Thornhills garden suburb from plan.

Council's Response:

1. No modification required, existing wording considered necessary.

2. The justification for the garden suburbs is detailed in Evidence Document EV40 – Justification for the Garden Suburbs (2018).

Document Section: 4.8 Paragraph

Representations

Comment ID **Lpp173**

Site ref (if applicable):

Person ID: **1125251**

Name: **Dr Andrew McElligott**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Much of the proposed development in the Plan does nothing to reduce greenhouse gas emissions; quite the opposite. Mass housing developments and general industrial employment zones will increase greenhouse gas emissions. The plan does not describe how these opposing requirements can be met.

Do you consider the plan to be Sound?: **No**

Sound Reason:

There is no clear strategy for reducing greenhouse gas emissions at the same time as undertaking major developments and destroying greenfield sites; as such the plan is not effective and is, therefore, not sound.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

A clear and unambiguous description of the actions which will be taken to reduce greenhouse gas emissions (not just an aspirant strategy) should be set out alongside a clear and unambiguous timeline with associated reduced levels.

Additional Evidence Link:

Comment ID **Lpp588**

Site ref (if applicable): **LP1463**

Person ID: **717694**

Name: **Mr Edward Spivey**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The Plan states that it will "increase the journeys made through sustainable travel." The Thornhills proposals have no public transport provisions - the few buses which pass along Bradford Road are too far from the proposed housing to be of any use. Also, the odd bus which uses Walton Lane is so infrequent it is of little benefit. Then there is the topography. Given the steepness of the large changes in level between Bradford Road and the site, and between Brighouse and the site, there is little actual utility for pedestrians and cyclists. There will actually be very little use of these modes. Hence, no public transport; too steep for walking and cycling; and so everyone will use their car. Contrary to the stated aims of the Plan.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Keep the Thornhills site as Greenbelt.

Additional Evidence Link:

Comment ID **Lpp762**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

In connection with 'The Local Plan is required to plan for 'new development in locations and ways which reduce greenhouse gas emissions', there is however no evidence, and certainly no quantifiable evidence, to support the implication that this NPPF requirement has been met.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. No evidence to suggest the plan allocates new development in locations and in ways which reduce greenhouse gas emissions.
2. Garden suburbs have no (or inadequate) public transport provisions.
3. Topography of garden suburbs will reduce likelihood of walking and cycling as travel modes.
4. Development will be car dependant.

Council's Response:

1. By concentrating significant amounts of development in specific locations as is the case for example with the Garden Suburbs opportunities to provide the infrastructure to encourage non-car based means of travel can be pursued. Additionally by locating development in proximity to existing facilities and services will reduce the need to travel and in particular by car. Accessibility formed part of the site assessment process – see Evidence Document EV 51.1 (Site Allocations Assessment Methodology – Publication Draft 2018). The Sustainability Appraisal also assessed the Plan against Sustainability Appraisal Objective 10 “To Reduce Pollution Levels and CO2 Emissions to Target Levels” (See Submission Documents SD 02 - Policies Map(s) (Publication Draft), SD 03.2 - Sustainability Appraisal Update (2018) and SD 03.1 Sustainability Appraisal (2017).

No modification required.

2. Phasing of major developments will be planned in line with the provision of enabling infrastructure.

3. Document EV 51.1 Site Allocations Assessment Methodology - Publication Draft (2018) details the process the Council has followed in relation to the site assessment process. The document outlines the various stages of assessment from initial site identification to the implementation of the Sequential Approach.

4. The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Council's Response:

Document Section: 4.10 Paragraph

Representations

Comment ID **Lpp142**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPF)** Organisation: **Chairperson SNLPF**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We wonder particularly how the plan will preserve and enhance natural landscape when the proposals are to build on vast swathes of land that includes Green Belt, agricultural land, Open Space, Priority Habitat and Wildlife Network/Corridors.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp350**

Site ref (if applicable): **LP0397**

Person ID: **1139667** Name: **Mr and Mrs Alexander and Claire Tosh** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Preserved and Enhanced Natural Landscape; building more houses on this site directly seems to contradict this aim of the Plan.

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Development directly contradicts the aim of preserving and enhancing the Natural Landscape.

Council's Response:

1. Policies within the Green Infrastructure and Natural Environment chapter of the Local Plan, specifically Policy GN3, set out a clear and positive strategy to ensure the Council effectively manages its natural environment.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 4.11 Paragraph

Representations

Comment ID **Lpp763**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

This strategic objective is strongly supported.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 4.12 Paragraph

Representations

Comment ID **Lpp2**

Site ref (if applicable):

Person ID: **1176547**

Name: **Mr Conrad Thwaites**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

CMBC's plan (an the whole thrust of CMBC's work over recent years) is unrealistic. CMBC considers that tourism can be a significant driver for the economy of Calderdale, but it cannot. It can be a useful add-on to the less glamorous businesses of the area, but not a major driver. There needs to be an acceptance that town centres are going to change dramatically in the near future, away from retail t more mixed uses if possible, and CMBC's policies need to facilitate this. VERY many more people need to live in the town centres, most especially Halifax, to bring life and money into the centres. This will require a change in planning aims to allow offices etc to be re-purposed as housing, and money to be used for refurbishments of disused buildings, which means diverting away from expensive, ambitious projects such as the Piece Hall redevelopment (which was a laudable aim, just done too expensively). To move towards sustainable development, the following aims should be given a high priority : 1. Encourage re-use of existing buildings 2. Particularly encourage building re-use in town centres (which requires changes to planning rules) 3. Encourage non-car transport, eg provision of bicycle storage "garages" in re-purposed town centre buildings 4. Encourage replacement of old, dirty public transport vehicles with clean vehicles (LPG or electrically powered) 5. Stop car parking in bus lanes 6.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Such a high emphasis should not be placed on tourism.
2. Policies should facilitate more mixed use development (including residential) in town centres as opposed to retail.
3. As written the plan does not effectively deliver sustainable development.

Council's Response:

1. Paragraph 4.12 details the importance of promoting sustainable economic growth. The paragraph states that the Borough's Economy and Enterprise Strategy is focused upon achieving its ambitions by strengthening the performance of a number of factors to include employment, enterprise, skills, innovation, business growth, economic diversity, tourism and culture, inward investment and connectivity. Tourism is one of several factors listed in paragraph 4.12 and the Council considers that appropriate emphasis is placed on this along with the other listed factors.
2. In line with the NPPF (2012) the Council has proposed a number of policies to ensure town centres have a mix of uses. Primary Shopping Areas will continue to be the focus for retail development whereas the remainder of the town centre will have other town centre uses. Residential Use in town centres is supported through Policy RT7.
3. The National Planning Policy Framework (NPPF) requires the Local Plan to reflect the presumption in favour of sustainable development, which is a "golden thread" which runs throughout the NPPF. The Planning Inspectorate (PINS) have created a 'model policy', which they suggest will be an appropriate way to meet the expectation of the NPPF. This policy, along with SD2 is contained within chapter 5 of the Local Plan titled Presumption in Favour of Sustainable Development. The chapter details the Council's approach to the various dimensions of sustainable development.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. To move towards sustainable development, the following aims should be given a high priority :
 - a). Encourage re-use of existing buildings
 - b). Encourage building re-use in town centres (which requires changes to planning rules)
 - c). Encourage non-car transport, e.g. provision of bicycle storage "garages" in re-purposed town centre buildings
 - d). Encourage replacement of old, dirty public transport vehicles with clean vehicles (LPG or electrically powered)
 - e). Stop car parking in bus lanes

Council's Response:

1. With reference to points a)-c), the National Planning Policy Framework (NPPF) requires the Local Plan to

reflect the presumption in favour of sustainable development, which is a "golden thread" which runs throughout the NPPF. The Planning Inspectorate (PINS) have created a 'model policy', which they suggest will be an appropriate way to meet the expectation of the NPPF. This policy, along with SD2 is contained within chapter 5 of the Local Plan titled Presumption in Favour of Sustainable Development. The chapter details the Council's approach to the various dimensions of sustainable development. Points d) and e) are outside the control of the Local Plan.

No modification required.

Document Section: 4.14 Paragraph

Representations

Comment ID **Lpp764**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID: Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This strategic objective should be amended to "Create a resilient sustainable economy founded upon innovation and enterprise; building upon the exceptional character of Calderdale and our location within Leeds City Region and proximity to Manchester, and transitioning to a low carbon future " - in order to align with the low carbon theme of the LCR Strategic Economic Plan.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Plan fails to align with the low carbon theme of the LCR Strategic Economic Plan.

Council's Response:

1. Whilst other objectives such as Strategic Objective 2 Climate Change and policies within the Local Plan

seek to address the issue of Climate Change, the addition of the words '...and transitioning to a low carbon future' to the end of Strategic Objective 3 Economy and Enterprise is supported by the Council in order to make the Council's approach to Climate Change issues clear and to demonstrate alignment with the Leeds City Region Strategic Economic Plan.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. This strategic objective should be amended to "Create a resilient sustainable economy founded upon innovation and enterprise; building upon the exceptional character of Calderdale and our location within Leeds City Region and proximity to Manchester, and transitioning to a low carbon future"

Council's Response:

1. Council open to potential modification.
Add the words '...and transitioning to a low carbon future' to the end of Strategic Objective 3 Economy and Enterprise.

Document Section: 4.15 Paragraph

Representations

Comment ID **Lpp1169**

Site ref (if applicable):

Person ID: **1069334** Name: **Ms Megan Pashley**

Organisation: **Gladman Developments Ltd**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

The publication draft Calderdale Local Plan outlines 10 Plan Objectives which will be used to guide and monitor the delivery of the vision. It is important that the vision is capable of being delivered and that the Plan Objectives and Policies in the plan reflect the need to make the vision a reality. Broadly speaking, Gladman support the objectives set out in the draft Calderdale Plan. We do however consider that Plan Objective 4 requires rewording to reflect the need to meet the development needs in full over the plan period.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5089285>

Comment ID **Lpp590**

Site ref (if applicable): **LP1463**

Person ID: **717694** Name: **Mr Edward Spivey**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

The Plan notes " local planning authorities are to take account of current and future demographic trends and the needs of different groups in the community". The increase in housing required by the demographics identified by the Council's own studies show that the majority of new housing is required in Halifax - very little is actually required in Brighouse. Therefore, the Council's proposals to build on Thornhills is directly contrary to Government advice on how to create a Local Plan.

Do you consider the plan to be Sound?: **No**

Sound Reason:

see above

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Remove this housing allocation.

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

1. New housing is required in Halifax, rather than Brighouse. Proposals to build on Thornhills is directly contrary to Government advice on how to create a Local Plan.

Council's Response:

1. The Council has followed the guidance on Plan preparation throughout the process, and does not agree that development of the Thornhills Garden suburb is contrary to government advice. Given the Council's reasoning for the distribution of growth no modification is currently proposed by the Council, although if viable unconstrained/surmountable constraints large scale brownfield opportunities were proven to exist the Council would reconsider the distribution to take advantage of these. The justification for the garden suburbs is detailed in Evidence Document EV40 – Justification for the Garden Suburbs (2018).

Test of Soundness

Main Issues:

1. New housing is required in Halifax, rather than Brighouse. Proposals to build on Thornhills is directly contrary to Government advice on how to create a Local Plan.

Council's Response:

1. Given the Council's reasoning for the distribution of growth no modification is currently proposed by the Council, although if viable unconstrained/surmountable constraints large scale brownfield opportunities were proven to exist the Council would reconsider the distribution to take advantage of these. The justification for the garden suburbs is detailed in Evidence Document EV40 – Justification for the Garden Suburbs (2018).

Duty to Co-operate

Main Issues:

- ... -

Council's Response:

Suggested Modifications

1. Objective 4 should be reworded to reflect the need to meet needs in full over the Plan period.

Council's Response:

1. The Council's response to the Inspector's Pre-Hearing Note 1, Question 5, elaborates on the reasoning behind the Council's decision to base the housing requirement on the Standard Method (App 1.5 to PHN 1). Given the Council's decision to use the standard method no modification is currently proposed by the Council.

Document Section: 4.16 Paragraph

Representations

Comment ID **Lpp584**

Site ref (if applicable): **LP1463**

Person ID: **717694**

Name: **Mr Edward Spivey**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

In planning for housing, local planning authorities are to take account of current and future demographic trends. The Council's own data clearly shows that the future demographic trends are that additional housing is required in Halifax - with very little required in Brighouse. The allocation of almost 2,000 houses at Thornhills is contrary to the Council's own evidence. Brighouse should have only its share of the houses required - as should Halifax. It is illegal to "prove" that the majority of housing need is going to be in Halifax, and then seek to satisfy that need by building houses in Brighouse.

Do you consider the plan to be Sound?: **No**

Sound Reason:

see above

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

This allocation should be removed. Housing need should be satisfied in the locations where it has been identified.

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

1. New housing is required in Halifax, rather than Brighouse. Proposals to build on Thornhills is directly contrary to Government advice on how to create a Local Plan.

Council's Response:

1. Given the Council's reasoning for the distribution of growth no modification is currently proposed by the Council, although if viable unconstrained/surmountable constraints large scale brownfield opportunities

were proven to exist the Council would reconsider the distribution to take advantage of these. The justification for the garden suburbs is detailed in Evidence Document EV40 – Justification for the Garden Suburbs (2018).

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Remove this housing allocation (LP1463)

Council's Response:

1. Site specific comment. No modification required.

Document Section: 4.17 Paragraph

Representations

Comment ID **Lpp586**

Site ref (if applicable): **LP1463**

Person ID: **717694**

Name: **Mr Edward Spivey**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

This allocation is contrary to this proposed policy.

Do you consider the plan to be Sound?: **No**

Sound Reason:

The proposed Policy states " maximising the use of brownfield land ". No-where has the Council demonstrated any attempts to use Brownfield land instead of the Greenbelt at Thornhills. No rigorous assessment has been made of Brownfield sites, the Council has just opted for the easy route - use Greenbelt.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Remove this allocation.

Additional Evidence Link:

Comment ID **Lpp765**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

This strategic objective is supported.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Council has failed to demonstrate how it has attempted to use brownfield land rather than the Green Belt land of the garden suburbs.

Council's Response:

1. With regards to the site assessment process, in order to identify the most sustainable sites a 'sequential' approach to housing allocations has been adopted that prioritises brownfield sites in the urban area, only using the most sensitive Green Belt when all alternative sites were used.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 4.21 Paragraph

Representations

Comment ID **Lpp143**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPF)** Organisation: **Chairperson SNLPF**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We support this aspiration but find it UNSOUND in the context of the Local Plan proposals to build on Green Belt, agricultural land, Open Space, Priority Habitat and Wildlife Network/Corridors.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp351**

Site ref (if applicable): **LP0397**

Person ID: **1139667** Name: **Mr and Mrs Alexander and Claire Tosh** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Strategic Objective 5: Green Infrastructure and the Natural Environment "To protect and enhance green infrastructure and the natural environment in Calderdale for its contribution to landscape, biodiversity, sport and recreation and its value for well being and health" To build houses on this site seems to completely contradict the Strategic Objective.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp435**

Site ref (if applicable): **LP1232**

Person ID: **717694**

Name: **Mr Edward Spivey**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

The Policy states: "To protect and enhance green infrastructure and the natural environment in Calderdale for its contribution to landscape, biodiversity" The allocation of this land for Employment use is totally contrary to the Policy. It will remove land which is performing a de facto Greenbelt function - and has been for many years (30+). The Council's stated proposals, to include "green corridors" within the development, cannot be anything but a diminution on the current provisions - and therefore, contrary to the Policy. I watch Deer cross Coal Pit Lane and use the site as part of their route - will they use "green corridors"? No. The so called green corridors will be no more than a bit of token landscaping between tin sheds, car parking and roads. I watch Buzzards wheeling and thermalling as they hunt over the site. Will they be able to do this in the green corridors? No - they probably won't be able to see the green corridors, they will be so insignificant.

Do you consider the plan to be Sound?: **No**

Sound Reason:

see above

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Return this land to Greenbelt.

Additional Evidence Link:

Comment ID **Lpp587**

Site ref (if applicable): **LP1463**

Person ID: **717694**

Name: **Mr Edward Spivey**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

This allocation is directly contrary to the Policy

Do you consider the plan to be Sound?: **No**

Sound Reason:

The Policy states " To protect and enhance green infrastructure and the natural environment in Calderdale ". How can building over Greenbelt not be anything but contrary to this policy.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Remove this allocation

Additional Evidence Link:

Comment ID **Lpp662**

Site ref (if applicable): **LP1463**

Person ID: **1125815**

Name: **Mrs K Boothroyd**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

How can the plan be legally compliant if its proposals are in direct contravention of this objective?

Do you consider the plan to be Sound?: **No**

Sound Reason:

In the Council's Local Green Space report 2017, it clearly states: 'To protect or enhance the local environment, including wildlife habitats, trees and woodland parks and gardens.' The local plan is in direct contravention of this objective. Bats habitat All bat species in the U.K. are protected by law because their numbers have declined so dramatically. The decline is due to loss of feeding habitats and flight lines, loss of insects to feed on, and development affecting roosts. Along Thornhills Lane, Cliftonthere is clear evidence of Bats and this is indeed referred to in the local plan. Bats have a low reproductive rate and are particularly vulnerable to a range of threats. To protect bats against further population declines all UK bats and their roosts are protected by law. In England and Wales, the relevant legislation is the Wildlife and Countryside Act (1981) (as amended); the Countryside and Rights of Way Act, 2000; the Natural Environment and Rural Communities Act (NERC, 2006); and by the Conservation of Habitats and Species Regulations (2010). How will any proposed development affect the natural habitat of the bats? The Bat Conservation Trust (<http://www.bats.org.uk/pages/landscapes.html>) states it 'is not just looking to protect bats and roosts but also improving and enhancing the broader landscape for bats. Bats rely on many aspects of the landscape, different sites to roost in, hedgerows to commute along and good foraging areas. For our highly mobile bat population these bat friendly features must be in the wider countryside

rather than solely within protected areas, such as nature reserves.' It is clear our Green Belt must remain in its entirety not lost to this endangered species, amongst other wildlife. Deer "" there is a family of deer that live within the area of the lower field at the start of Thornhills Lane, Clifton by Cockwalk Farm. It is important to remember that there is a very delicate balance with nature. Humans continue to move into territory that deer once had to themselves. As a result it is becoming harder and harder for them to survive. The fact that their habitat and food supplies can be limited can result in drastically low numbers in certain areas. What will be done to protect this species?

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

There have been inadequate studies performed into the ecological effect of the plan.

Suggested Modifications:

Retain Green Belt land to preserve endangered species and their natural habitats. Build on Brownfield land, explain why this land has been rejected.

Additional Evidence Link:

Comment ID **Lpp766**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae** Organisation: **Coordinator Calderdale Friends of the Earth**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

This strategic objective is supported.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The River Basin Management Plan and the Aire and Calder Catchment Partnership Actionable Plan 2016 should also be referenced in this section.
2. The Plan fails to protect or enhance the local environment, including wildlife habitats, trees and woodland parks and gardens. The Plan fails to improve and enhance the broader landscape for bats.
3. Allocation of garden suburbs (loss of Green Belt) will have a detrimental affect on the natural habitat of bats, deer and buzzards. Building on Green Belt land fails to "protect and enhance green infrastructure and the natural environment in Calderdale".
4. Proposals, to include "green corridors" within the development are a diminution on the current provisions.

Council's Response:

1. It is not possible to include references to all flood management plans relevant to the Calder Catchment within the Local Plan itself. The Flood Risk and Drainage Supplementary Planning Guidance document (EV21) should be referred to for additional background information on flooding matters to include relevant flood management plans.
2. Policies within the Green Infrastructure and Natural Environment chapter of the Local Plan, specifically Policy GN3, set out a clear and positive strategy to ensure the Council effectively manages its natural environment.
3. Document EV 09 Exceptional Circumstances for the Release of Green Belt (2018) considers the process that the Council has followed in relation to the potential need to release land from the Green Belt. It can be seen that a methodical approach has been built into each stage of the process and that ultimately this process has dovetailed with the Government's emerging policy on exceptional circumstances. The proposed changes to the Calderdale Green Belt are clearly a last resort and have been minimised. Furthermore, the boundary changes are essential to achieving a sustainable future for Calderdale – one that reconciles economic, social and environmental sustainability. It is considered that the exceptional circumstances have been demonstrated to justify the proposed changes to the Calderdale Green Belt boundary.
4. Whilst it is acknowledged that the provision of green corridors within the Garden Suburb developments is a diminution on the existing green space provision at these sites, the Council has a duty to plan for housing need otherwise its plan will be found unsound. The level of housing need in Calderdale has been derived using the Government's standard housing methodology, and used the most recent datasets published by the Office of National Statistics in 2016.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Retain Green Belt land to preserve endangered species and their natural habitats.
2. Prioritise Brownfield land.
3. The River Basin Management Plan and the Aire and Calder Catchment Partnership Actionable Plan 2016 should also be referenced in this section.

Council's Response:

1. Document EV 09 Exceptional Circumstances for the Release of Green Belt (2018) considers the process that the Council has followed in relation to the potential need to release land from the Green Belt. It can be seen that a methodical approach has been built into each stage of the process and that ultimately this process has dovetailed with the Government's emerging policy on exceptional circumstances. The proposed changes to the Calderdale Green Belt are clearly a last resort and have been minimised. Furthermore, the boundary changes are essential to achieving a sustainable future for Calderdale – one that reconciles economic, social and environmental sustainability. It is considered that the exceptional circumstances have been demonstrated to justify the proposed changes to the Calderdale Green Belt boundary.
No modification required.
2. With regards to the site assessment process, in order to identify the most sustainable sites a 'sequential' approach to housing allocations has been adopted that prioritises brownfield sites in the urban area, only using the most sensitive Green Belt when all alternative sites were used.
No modification required.
3. It is not possible to include references to all flood management plans relevant to the Calder Catchment within the Local Plan itself. The Flood Risk and Drainage Supplementary Planning Guidance document (EV21) should be referred to for additional background information on flooding matters to include relevant flood management plans.
No modification required.

Document Section: 4.25 Paragraph

Representations

Comment ID **Lpp254**

Site ref (if applicable):

Person ID: **1182147**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Agent ID: **1182144**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See general comment in 4.1. HCT want to see the overall vision and aspirations fully reflected in the objectives. We are unclear why there is an apparent disconnect with Historic England.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Add to 4.25 Historic England have their own vision for Calderdale which the Council share After more fully exploited. As well as the historic aspects and formal descriptions in listing and conservation areas, the intrinsic quality of buildings and relationship to the landscape is recognised. New paragraph between 4.25 and 4.26: Calderdale's approach encompasses good quality design, enhancement of conservation areas and securing the productive and appropriate use of listed buildings, good quality landscaping and a well resourced development management function

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The overall vision and aspirations should be fully reflected in the objectives.

Council's Response:

1. Comment noted. Response not required.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Add to 4.25 Historic England have their own vision for Calderdale "which the Council share"
2. After "...more fully exploited.", add: "As well as the historic aspects and formal descriptions in listing and conservation areas, the intrinsic quality of buildings and relationship to the landscape is recognised".
3. New paragraph between 4.25 and 4.26: "Calderdale's approach encompasses good quality design, enhancement of conservation areas and securing the productive and appropriate use of listed buildings, good quality landscaping and a well resourced development management function"

Council's Response:

1. The Council would be open to amending the paragraph wording to reflect the suggested change. This would demonstrate the Council's support for Historic England's vision.
2. No change required. The wider environment and relationship to design is encompassed in the preceding paragraphs.
3. No change required. This is covered in the wider text of Objective 6.

Document Section: 4.26 Paragraph

Representations

Comment ID **Lpp767**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

This strategic objective is supported.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 4.28 Paragraph

Representations

Comment ID **Lpp144**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPF)** Organisation: **Chairperson SNLPF**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We support this aspiration but find it UNSOUND in the context of the Local Plan proposals for Shelf and Northowram which would see development taking place on sites remote from accessible public transport, thereby increasing car dependency. These sites will generate huge amounts of extra traffic, both development and residential, on narrow, quiet country lanes making them unsafe for pedestrians.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp591**

Site ref (if applicable): **LP1232**

Person ID: **717694** Name: **Mr Edward Spivey** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

The Policy states "To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life". This proposal will funnel additional traffic onto the M62. The M62 is already over-loaded. Highways England noted during the Article 18 consultation that they could not support the Council's proposals as the M62 could not accommodate the additional traffic. Indeed, Highways England submitted a report to the Kirklees Examination in Public which showed that the M62 could not cope with the envisaged levels of development - no matter what road improvements (to junctions and to the main line) were constructed - the M62 continued to become slower and slower - with, of course, consequent increases in pollution. The Council have done nothing to mitigate this effect,

therefore, their envisage transport system is not "sustainable" (by any definition); it is not "safe" due to the increased congestion and delays; and it is not "efficient" with traffic getting slower and slower.

Do you consider the plan to be Sound?: **No**

Sound Reason:

see above

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

The Kirklees proposals and the Calderdale proposals when considered together, overload the M62, as shown by Highways England. If the two local authorities had co-operated properly, this would not have happened.

Suggested Modifications:

Return this land to Greenbelt

Additional Evidence Link:

Comment ID **Lpp592**

Site ref (if applicable): **LP1463**

Person ID: **717694**

Name: **Mr Edward Spivey**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

The Policy states "To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life". This proposal will funnel additional traffic onto the M62. The M62 is already over-loaded. Highways England noted during the Article 18 consultation that they could not support the Council's proposals as the M62 could not accommodate the additional traffic. Indeed, Highways England submitted a report to the Kirklees Examination in Public which showed that the M62 could not cope with the envisaged levels of development - no matter what road improvements (to junctions and to the main line) were constructed - the M62 continued to become slower and slower - with, of course, consequent increases in pollution. The Council have done nothing to mitigate this effect, therefore, their envisage transport system is not "sustainable" (by any definition); it is not "safe" due to the increased congestion and delays; and it is not "efficient" with traffic getting slower and slower.

Do you consider the plan to be Sound?: **No**

Sound Reason:

see above

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

The Kirklees proposals and the Calderdale proposals when considered together, overload the M62, as

shown by Highways England. If the two local authorities had co-operated properly, this would not have happened.

Suggested Modifications:

Do not remove this land form the Greenbelt.

Additional Evidence Link:

Comment ID **Lpp768**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This strategic objective should be amended to "To ensure the provision of a sustainable, safe and efficient transport system which constrains road traffic growth and" ' in order to respond to the clear evidence of widespread road traffic growth revealed by an interrogation the Calderdale transport model, but which is not disclosed within the text of the local plan. And see the appendix on 'LP data sources and analysis' in the Friends of the Earth overview note.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Plan does not respond to the clear evidence of widespread road traffic growth revealed by the Calderdale transport model.
2. Proposals within the plan will funnel additional traffic onto the M62, which is already operating beyond capacity.
3. No mitigation to the impact on the M62. The transport system is not sustainable, safe or efficient.
4. Sites in Shelf and Northowram are remote from accessible public transport, thereby increasing car dependency.

Council's Response:

1. The traffic modelling has informed the Council about the implications of the development strategy and has helped with the identification of interventions within the IDP and the Transport Strategy. The Council does not accept that the Local Plan does not respond to the clear evidence relating to road traffic growth.
2. Assumptions regarding the future planning of the district and West Yorkshire generally assume that commuting patterns will remain reasonably constant. As a result all agencies and partners are planning for growth, and Highway England are aware of and planning for the growth that will derive from Calderdale in their forward expenditure plans.
3. The Council does not accept the need to modify the Strategic Objective relating to transport. It is appropriate for the Local Plan to constrain road traffic growth, but rather to manage the growth in a sustainable manner to the benefit of Calderdale's residents, economy and environment. Working alongside the Council's Transport Strategy, and West Yorkshire Combined Authority (WYCA) Single Transport Plan the Local Plan attempts the address these issues in a holistic manner.
4. The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'.
To achieve these objectives the Council is developing a range of strategies and interventions, and the Local Plan has a role to play in supporting these, but also ensuring development proposals meet these objectives and contribute more widely to an integrated 'active mode' network.
Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.

Duty to Co-operate

Main Issues:

1. If Kirklees and Calderdale had cooperated properly, the M62 would not be being overloaded.

Council's Response:

1. It is appropriate for the Local Plan to constrain road traffic growth, but rather to manage the growth in a sustainable manner to the benefit of Calderdale's residents, economy and environment. Working alongside the Council's Transport Strategy, and West Yorkshire Combined Authority (WYCA) Single Transport Plan the Local Plan attempts the address these issues in a holistic manner.

Suggested Modifications

Suggested Modifications

1. SO objective amended to "To ensure the provision of a sustainable, safe and efficient transport system which constrains road traffic growth and..." in order to respond to the clear evidence of widespread road traffic growth revealed by an interrogation the Calderdale transport model, but which is not disclosed within the text of the local plan. And see the appendix on 'LP data sources and analysis' in the Friends of the Earth overview note.

Council's Response:

1. It is appropriate for the Local Plan to constrain road traffic growth, but rather to manage the growth in a sustainable manner to the benefit of Calderdale's residents, economy and environment. The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'. To achieve these objectives the Council is developing a range of strategies and interventions, and the Local Plan has a role to play in supporting these, but also ensuring development proposals meet these objectives and contribute more widely to an integrated 'active mode' network. Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.

Document Section: 4.32 Paragraph

Representations

Comment ID **Lpp769**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID: Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

This strategic objective is supported.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 4.33 Paragraph

Representations

Comment ID **Lpp307**

Site ref (if applicable):

Person ID: **10978** Name: **Mr Ian Smith**

Organisation: **Historic England**

Agent ID: Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

We welcome the inclusion of a StrategicObjective to ensure a sustainable supply of minerals from the plan area. Calderdale has been, and continues to be, a major supplier of building stone which has been used for the construction and repair of many historic buildings and structures not just in the immediate locality but far further afield.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 4.37 Paragraph

Representations

Comment ID **Lpp770**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID: Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

This strategic objective is supported.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 4.38 Paragraph

Representations

Comment ID **Lpp255**

Site ref (if applicable):

Person ID: **1182147**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Agent ID: **1182144**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

The plan as written does not bring out the full extent of the need for cooperation or indeed the likely extent of the inter authority work taking place. It is important Calderdale is not seen as an island in what are often complex waste flows and it is certainly not necessary for it always to be self sufficient. It is debateable whether these are soundness points or duty to cooperate and as previously stated we would not wish to hold the plan up. We believe the plan is capable of modification to overcome our concerns.

Suggested Modifications:

Add to paragraph 4.38: The Council will identify opportunities for cooperation and sharing services and plant to maximise economies and minimise the impact on the local environment.

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

1. The plan does not bring out the full extent of the need for cooperation or indeed the likely extent of the inter authority work taking place.

Council's Response:

1. Calderdale is part of the Leeds City Region (LCR) and a member of the West Yorkshire Combined Authority (WYCA). The LCR has a well-established programme for joint working and cooperation at both member and officer levels – planning portfolio holders and heads of planning meeting regularly, and there is specific 'duty to cooperate' group attended by planning policy officers. See Submission Document SD 13 Duty to Cooperate Statement Including Statements of Common Ground (January 2019) for further information.

In terms of waste, the LPA cannot through policy or otherwise control where waste is managed or processed this is a market function that responds to national waste policy. The co-operation between West Yorkshire Authorities is ongoing and includes monitoring of waste arisings and processing.

Suggested Modifications

1. Add to paragraph 4.38: The Council will identify opportunities for cooperation and sharing services and plant to maximise economies and minimise the impact on the local environment.

Council's Response:

1. Calderdale is part of the Leeds City Region (LCR) and a member of the West Yorkshire Combined Authority (WYCA). The LCR has a well-established programme for joint working and cooperation at both member and officer levels – planning portfolio holders and heads of planning meeting regularly, and there is specific 'duty to cooperate' group attended by planning policy officers.

No modification required.

Document Section: 4.41 Paragraph

Representations

Comment ID **Lpp256**

Site ref (if applicable):

Person ID: **1182147**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Agent ID: **1182144**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

See 4.38 , need to emphasize the importance of regional context.

Suggested Modifications:

Para 4.41 Amend SO 10 after sustainable locations within the region and surrounds

Additional Evidence Link:

Comment ID **Lpp771**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This strategic objective should be amended to 'To plan for sufficient waste management facilities in sustainable locations, minimising transport impacts; to reduce the amount of waste being generated, and to manage what is as a resource in order to minimise the amount sent to landfill' in order to properly contribute to supporting the waste hierarchy.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The plan fails to adequately contribute to supporting the waste hierarchy.

Council's Response:

1. The LPA cannot through policy or otherwise control where waste is managed or processed this is a market function that responds to national waste policy. The co-operation between West Yorkshire Authorities is ongoing and includes monitoring of waste arisings and processing. The importance of the Waste Hierarchy is expressed in Policy WA1.

Duty to Co-operate

Main Issues:

1. Plan should emphasize the importance of the regional context.

Council's Response:

1. The LPA cannot through policy or otherwise control where waste is managed or processed this is a market function that responds to national waste policy. The co-operation between West Yorkshire Authorities is ongoing and includes monitoring of waste arisings and processing.

Suggested Modifications

1. SO should be amended "To plan for sufficient waste management facilities in sustainable locations, minimising transport impacts; to reduce the amount of waste being generated, and to manage what is as a resource in order to minimise the amount sent to landfill" in order to properly contribute to supporting the waste hierarchy.
2. Para 4.41 Amend SO 10 after sustainable locations "within the region and surrounds".

Council's Response:

1. The LPA cannot through policy or otherwise control where waste is managed or processed this is a

market function that responds to national waste policy. The co-operation between West Yorkshire Authorities is ongoing and includes monitoring of waste arisings and processing. The importance of the Waste Hierarchy is expressed in Policy WA1.

No modification required.

2. The LPA cannot through policy or otherwise control where waste is managed or processed this is a market function that responds to national waste policy. The co-operation between West Yorkshire Authorities is ongoing and includes monitoring of waste arisings and processing.

No modification required.

Document Section: 4.42 Paragraph

Representations

Comment ID **Lpp772**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID: Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

It is not immediately clear to consultees whether they should be responding to Local Plan proposals on the basis of the original 2012 edition of NPPF or the revised 2018 version. Friends of the Earth is aware of the adjudication of NPPF 2018 annex 1 paragraph 214, but the local plan consultation process should have provided prominent information and guidance on this point, which has a significant bearing on the approach that comments about individual paragraph/policies should take. Despite the ruling in paragraph 214 we will nonetheless be on occasions also making reference to revised 2018 NPPF when this is indicated or reinforcing a direction of travel for national policy, or when particular provisions will be in force when planning applications will be determined under the eventually adopted plan.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Uncertainty over which NPPF the plan is based on.

Council's Response:

1. The Council has prepared the Plan in accordance with NPPF 2012 because the revised NPPF with its transitional arrangements was not published until July 2018, after the Council took the formal decision in June 2018 to publish the Plan in August.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 4.43 Paragraph

Representations

Comment ID **Lpp145**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPF)** Organisation: **Chairperson SNLPF**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

empowering local people to shape their surroundings,' Residents of Shelf and Northowram have made it quite clear over several years that we do not want the level of development that is proposed for our villages but we are being ignored by the council in favour of their own agenda. Where is the 'empowerment' in that? 'Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area' . Where is the evidence that Shelf and Northowram need over 500 new houses in our area? The distribution of housing does not consider areas, it simply considers the borough, irrespective of the needs of individual areas. That is why the east and south east is being over developed whilst areas in the west; that may need some development and investment are being left to languish. 'take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them,' Protecting the Green Belt around urban areas "" really! The residents of Shelf and Northowram have made it quite clear what we think of the Council's proposals to protect our Green Belt.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp352**

Site ref (if applicable):

Person ID: **1139667** Name: **Mr and Mrs Alexander and Claire Tosh** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

empowering local people to shape their surroundings,' Most residents of Savile Park Gardens and surrounding streets have made it clear over several years that they do not want this development to proceed. The fact it is still in the Local Plan could be construed to show that they are being ignored by the council. 'Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area' . There is no evidence to show that Savile Park needs more housing.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. No evidence to suggest Savile Park requires more housing.
2. Shelf and Northowram residents are opposed to the proposed level of development.
3. No evidence to suggest Shelf and Northowram require more housing.
4. Spatial distribution is unjustified.

Council's Response:

1. On 17th August 2017, the Local Plan Working Party considered various notions for the distribution of development in the borough. Further, the Council considers that the evidence submitted supports and justifies the content of the Local Plan.
2. Given the Council's reasoning for the distribution of growth no modification is currently proposed by the Council, although if viable unconstrained/surmountable constraints large scale brownfield opportunities were proven to exist the Council would reconsider the distribution to take advantage of these.
3. On 17th August 2017, the Local Plan Working Party considered various notions for the distribution of

development in the borough. Further, the Council considers that the evidence submitted supports and justifies the content of the Local Plan.

4. Given the Council's reasoning for the distribution of growth no modification is currently proposed by the Council, although if viable unconstrained/surmountable constraints large scale brownfield opportunities were proven to exist the Council would reconsider the distribution to take advantage of these.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 5.1 Paragraph

Representations

Comment ID **Lpp146**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPF)** Organisation: **Chairperson SNLPF**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We would support the council's policy of 'sustainable development' were they not proposing the destruction of huge swathes of Greenbelt and Green Infrastructure in Shelf and Northowram in order to release land on which to then promote 'sustainable development'. We find this approach completely illogical and hypocritical.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp273**

Site ref (if applicable): **LP1451**

Person ID: **1181961** Name: **Mrs Julie Bullen** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

I object to the plan because it is not legally compliant in terms of sustainable development It is unclear from the evidence how sustainable development requirements and the need to promote sustainable patterns of development have been taken into account in decisions on the site options in the Green Belt, in accordance with paragraphs 84 and 85 in the NPPF. There should be an overview of the assessment results and a summary of why each site was selected over others. The sustainability appraisal does not properly assess the sustainability of individual sites. There are discrepancies within information provided "" the Woodhouse site (LP1451) is identified as scoring poorly in terms of access on the first site assessment "" this is at odds with the council saying it is sustainable? Additionally, the accessibility criteria on the Site

Assessment Main Report (Accessibility) has also been modified between the initial and publication drafts to make it score better. Access to a secondary school changes from red to amber for instance between the two and distance to the town also changes. why is this "" this requires further investigation? The Council should be asked to explain the variation in assessment scores that has occurred throughout the process and why there has been some changing of data. For the above reasons the validity of the spatial strategy, garden suburb policy and appraisal process which indicates that these are sustainable is questioned. The local plan is intended to create a vision for the sustainable future of Calderdale which it falls a long way short of. The plan therefore fails its legal test.

Do you consider the plan to be Sound?:

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Sustainability scores should be verified

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Sustainable development requirements have not been taken into consideration and is not in accordance with paragraphs 84 and 85 of the NPPF.
2. The Sustainability Appraisal does not properly assess the sustainability of individual sites.
3. Building on Green Belt and Green Infrastructure goes against the principle of Sustainable Development.

Council's Response:

1. The proposed changes to the Calderdale Green Belt are clearly a last resort and have been minimised. Furthermore, the boundary changes are essential to achieving a sustainable future for Calderdale – one that reconciles economic, social and environmental sustainability.
2. The SA is part of the Local Plan preparation process and it's purpose is to inform the development of the plan; it is not the sole contributor to proposing or rejecting site allocations. The methodology for assessing the impacts was part of the SA Framework that has been developed over a number of years. The SA

Framework has been subject to a number of public consultations.

3. The proposed changes to the Calderdale Green Belt are clearly a last resort and have been minimised. Furthermore, the boundary changes are essential to achieving a sustainable future for Calderdale – one that reconciles economic, social and environmental sustainability.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Sustainability scores should be verified.

Council's Response:

1. The Council considers that the supporting text contained within the Sustainability Appraisal adequately explains the approach utilised and the credibility of its results.
No modification required.

Document Section: Policy SD1 Presumption in Favour of Sustainable Development

Representations

Comment ID **Lpp1171**

Site ref (if applicable):

Person ID: **1069334** Name: **Ms Megan Pashley** Organisation: **Gladman Developments Ltd**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

As previously stated Gladman are fully supportive of the inclusion of the policy on Sustainable Development. The ethos of sustainable development is key to assessing planning proposals. This policy should provide assurance of a local approach to planning that will actively seek to improve the social, environmental and economic wellbeing of the area by ensuring that development demonstrably contributes to the specific strategy, local vision and objectives of the CLP. The ethos of achieving the delivery of sustainable development is key to assessing planning proposals and should also be reflected in the policy wording, as it is the golden ethos running throughout the previous and indeed revised Framework.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5089285>

Comment ID **Lpp1258**

Site ref (if applicable):

Person ID: **1183427** Name: **C/O Agent DPP .** Organisation: **Northowram Stone LLP**

Agent ID: **965602** Name: **Matt Rhodes** Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Please see section 9.0 of the accompanying report for full details This policy simply repeats guidance contained in the NPPF. The NPPG notes at Paragraph 010 Reference ID: 12"010"20140306 that: "In drafting policies the local planning authority should avoid undue repetition, for example by using generic policies to set out principles that may be common to different types of development. There should be no need to reiterate policies that are already set out in the National Planning Policy Framework.' This policy is not in accordance with national advice and is therefore unsound. This policy is inconsistent with national guidance and therefore the policy is unsound.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

As this policy simply repeats the NPPF it, in accordance with the above guidance, is not required and as such it should be deleted.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5101980>

Comment ID **Lpp1320**

Site ref (if applicable):

Person ID: **855708**

Name: **Barratt Homes & David
Wilson Homes**

Organisation: **Barratt Homes & David
Wilson Homes**

Agent ID: **1185784**

Name: **Chris Atkinson**

Organisation: **Barton Willmore**

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Please refer to attached report prepared by Barton Willmore Our Client welcomes the inclusion of a policy that sets out the presumption in favour of sustainable development. However, Policy SD1 is unsound as currently drafted as it is not in accordance with national guidance, thus failing the tests of soundness set out in paragraph 35 of the Revised Framework. Our Clients objection relates to the reference to material considerations in the following sentence "" 'planning applications that accord with the policies in this Local Plan (an, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise ' (our emphasis). The final sentence, which we have underlined does not align with national guidance and has been added in by the Council and goes above and beyond national requirements. The whole purpose of the presumption in favour of development is to ensure that suitable and sustainable development is approved without delay and seeks to ensure that development is not unnecessarily held up through the planning system. A development which fully accords with all policies in a Local Plan and therefore constitutes acceptable development, would not be subject to material considerations. Given the broad nature of material considerations, the addition of this paragraph opens up potential debate and delays on developments which are fully in accordance with local planning policies. This is in turn will have the opposite effect on development proposals than is intended by the Government in the presumption in favour of sustainable development. Policy SD1 is unsound as currently drafted as it fails to accord with national guidance and it is not positively prepared as it will delay acceptable

development from coming forward. As such, our Client objects to the policy and they advise that the reference to material considerations is deleted.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Please refer to attached report prepare by Barton Willmore

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5104850>

Comment ID **Lpp1416**

Site ref (if applicable): **LP1567**

Person ID: **1185901**

Name: **Avant Homes**

Organisation:

Agent ID: **1139514**

Name: **Nathan McLoughlin**

Organisation: **McLoughlin Planning**

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

See attachments

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachments for context of comment. Avant Homes makes the following observations about Section 5 of the Plan. In terms of the inclusion of the presumption in favour of sustainable development in Policy SD1, Avant question the need to include this Policy as it is basically a reiteration of the paragraph 14 of the 2012 Framework. Turning to Policy SD2, Avant's position is that this Policy is unsound in that the Policy requires the needs of the Borough to be met and clearly given the failure of the Plan to provide the appropriate level of housing as informed by the Strategic Housing Market Assessment, it remains to be seen as to how the Plan and Policy can function in this space.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

See attachments

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5106733>;
<http://calderdale-consult.objective.co.uk/file/5106734>;
<http://calderdale-consult.objective.co.uk/file/5106736>

Comment ID **Lpp530**

Site ref (if applicable):

Person ID: **1183364** Name: **Mr Christopher GALE** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The National Planning Policy Framework (NPPF) requires the Local Plan to reflect the presumption in favour of sustainable development, which is a "golden thread" which runs throughout the NPPF. Given the above philosophy, what safeguards are in place to avoid conflict between Policy SD1 of the proposed Local Plan and clauses 12.9, 1.10, 12.11 and 12.13 specifically in respect of local public houses. Explicitly, the nomination of a public house as an Asset of Community Value in line with the Localism Act 2011. Unless the nominees have the appropriate funds to procure the premises, the building is potentially blighted and a blot on the landscape for a minimum of 5 years, or even 7 years and longer as in the case of the Holywell Inn. This is clearly a contradiction of the term 'sustainable' identified under the NPPF. What protocol will the Authority have in place to ensure that any potential nominees invoking the aforementioned Act have the fiscal wherewithal to demonstrate they have the necessary funds to actually produce a meaningful bid?

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

The Council have implemented the Asset of Community Value in line with the Localism Act 2011 on numerous occasions since its inception. Given the magnitude, impact and subsequent consequences of executing this Act, it seems irrational that it's not even been mentioned in the plan.

Suggested Modifications:

A thorough backed up cost analysis of any nominees applying for Asset of Community status in registering a property should be a pre requisite on the application. Without this, the system is open to abuse and vexatious actions.

Additional Evidence Link:

Comment ID **Lpp593**

Site ref (if applicable): **LP1463**

Person ID: **717694** Name: **Mr Edward Spivey** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

The Policy states that it will accept sustainable development which "improves the economic, social and environmental conditions in the area." The Thornhills proposals does not "improve the environmental conditions of the area". It clearly destroys the local environment by building over green fields. It would be

different if the Policy was worded "or", but it is worded "and". Therefore, to be sustainable by the Council's own definition, any proposals must improve all three of the economic, social and environmental conditions of the area. This allocation is clearly contrary to the Policy

Do you consider the plan to be Sound?: **No**

Sound Reason:

see above

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Remove this allocation and leave the site as Greenbelt

Additional Evidence Link:

Comment ID **Lpp604**

Site ref (if applicable):

Person ID: **11797**

Name: **Mr & Mrs Mark & Amanda
Tattersall**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We make the following objections and observations in relation to Stainland village. Stainland's historic setting Stainland is a Pennine linear hilltop village. The spine of its historic buildings climbs through and reaches out into open countryside, along the old packhorse route. It is narrow at its centre, being only around 150 metres in width, and its main road is restricted to single lane here, due to historic buildings. At its pinnacle it stops and does not encroach into the wide-open countryside, respecting this unspoilt area, which allows long-reaching views into its historic setting. Stainland is approximately 2 miles from Elland centre and, importantly, along with Holywell Green, is completely surrounded by, and separated from the urban area by, Green Belt, which retains the villages' status. Objection We do not consider the Local Plan to be sound, as there has not been an appropriate and accurate assessment of the suitability and sustainability of Stainland village to provide sustainable development on Green Belt land. The Local Plan fails to identify in its documents that: Stainland's main road is single lane in the centre; there are pedestrian safety issues; there is poor service and facility provision; and it has poor public transport accessibility Highways/Pedestrian Safety The only main road through Stainland (B6112) is restricted to single lane in the centre of the village by historic buildings (4.18 metres at 371 Stainland Road) (photos attached). This road is shown to be at 96% volume to capacity (210 vehicles) in 2014 in the eastbound direction (source: WSP map - attached) (however, this is not shown in WSP Transport Technical Note 10, Figure 3 and figure 7.) The road gridlocks and vehicles regularly mount tarmacked pavements to pass,

creating safety issues for pedestrians. Pedestrians have been clipped by cars. There is a lack of pavements throughout Stainland. There is no continuous pavement route for wheelchairs and pushchairs through Stainland village. The pavement is too narrow for these users by '1885 The Pub' and there is no pavement on the opposite side (photo attached). The suitability/sustainability of Stainland to support more housing has not been adequately considered. It has not been shown whether the single lane can accommodate extra capacity (it being already at 96% V/C in 2014) or what the impact of further vehicles on pedestrian safety would be. Many comments have been made over the years. It is unclear why these important issues have not been addressed. Similar issues are addressed elsewhere, for example, the Council's assessment summary for filtered site LP1494 at Heptonstall states that Heptonstall Road is unsuited for intensified use on account of its single lane width. Sustainability/Accessibility In the current Retail Hierarchy, both Stainland and Holywell Green are designated Neighbourhood Centres. However, the Local Plan adds Stainland village and Holywell Green village together and classifies them as a Local Centre in the Settlement Hierarchy. But they both have poor service and facility provision. In 2011, both Stainland and Holywell Green were undesignated in the Local Plan Retail Hierarchy 'due to their limited retail and service provision offer'. The only additional shop in Stainland is a beauty salon. NPPF 2018 Glossary refers to Town Centres as: 'References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance.' Stainland has no food shop selling day-to-day goods. It has no parade of shops. Within the site assessments, many of the accessibility to services and facilities assessments are based on journey times. This hides the poor service and facility provision in Stainland village itself. This means newly-developed Green Belt sites will create travel for most things, as they are poorly sustained in Stainland village. Stainland has poor public transport accessibility (as does Holywell Green). Buses are infrequent: 1 bus per hour to the GP surgery at West Vale (no service after 4.40pm, 1 bus per hour to a town centre within 15 minutes (Elland). This does not appear to meet certain criteria set out in the SAAM document. Stainland is over 2km from a rail station and will be over 2km from the new Elland rail station. Cycling and walking are limited by steep topography. Car usage will be high. This will create a greater impact on both the single lane and pedestrian safety. Neither Stainland nor Holywell Green has a GP surgery (unlike the other Local Centres). The current Infrastructure Delivery Plan incorrectly shows Stainland as still having a GP surgery, even though it moved to West Vale over 10 years ago (previous comments made). We disagree with the designation of Stainland as a high tier Local Centre, as the points above show its unsuitability. The Local Plan has not taken into account the negative constraints of the single lane, pedestrian safety issues, poor public transport accessibility and poor services and facilities when proving exceptional circumstances for the development of Green Belt land. On the basis of these points, we consider that the Local Plan is not sound. This is the basis of our objection.

Additional Points Green Belt The 2016 Green Belt Review has not been consulted on, only its methodology. The Local Plan carries out 2 types of Green Belt Review. The first Review assesses large parcels of Green Belt around the settlements (Stainland's parcels are wider than the village itself). The second is a Green Belt Review of the site. There is no further stage/assessment of the impact new development has on the main parcel. The 2016 Green Belt Review results show the Green Belt parcels around Stainland (and also Holywell Green) as being 'most sensitive' parcels, with the recommendation to retain them in the Green Belt. However, even though the parcels performed strongly, of the 7 parcels around Stainland Conservation Area, only 1 parcel scored under Green Belt purpose 4 (by Holywell Green). One of the parcels, GB068-00, under Purpose 4 states 'No' for 'Is the land part of the setting of a historic place or settlement listed building or conservation area?' However, the parcel includes part of Stainland Conservation Area (and site LP0075) within it. We object to this failure to recognise the importance of Stainland Conservation Area within the Green Belt Review/Local Plan. We also disagree with certain judgements within the Green Belt Review site assessments.

Historic Unlike many of Calderdale's Conservation Areas, Stainland Conservation Area has no Character Appraisal. It was designated a Conservation Area 36 years ago. Policy HE1 of the Local Plan says 'Regard should be given to Conservation Area Character Appraisals where one exists'. We believe Policy HE1 leaves Stainland Conservation Area vulnerable. This has the effect that, when decisions on planning are being made, Stainland will not have

the advantage other Conservation Areas have. Stainland's Conservation Area is largely surrounded by undeveloped Green Belt land. General The junctions of the B6112, which have been monitored in the transport assessment, are either below or above the restricted section through Stainland village. This main B-road is sub-standard and narrow, with several pinch points. The historical built nature of Stainland means on-street parking is high, due to a lack of off-street parking. This necessary parking further restricts the roads. All exit roads from the top of Stainland have narrow, restricted sections. Stainland and Holywell Green had a 10% increase of dwellings between 2000 and 2010 but their services and facilities declined. Stainland has no brownfield land over 0.25ha, mainly because it is a small linear hilltop village. It (with Holywell Green) is the only Local Centre in Calderdale to have only Green Belt development. The Local Plan has removed an overall large area of the wildlife corridor around Stainland and Holywell Green. No explanation for its removal is given in the Local Plan or Evidence Base. Part of the Special Landscape Area at Stainland Moor has been removed. Many of the filtered sites in Stainland are not proposed developments. They include school grounds, allotments and planning permissions. Currently, there are 2 sites proposed for development in Stainland, LP0075 and LP0146. This overall comment is also relevant to those 2 sites. Local Plan document sections and the Public Examination As we wish to participate at the Public Examination of the Local Plan, we would like to attend sessions where decisions are being made on the topics below, which relate to our objections and observations above. Green Belt Historic environment Housing requirement and sites Settlement Hierarchy Sustainability Transport We believe these are relevant to, but may not be limited to, Policies GB1, HE1, IM1, IM5, RT1, RT4, SD1, SD2, SD3, SD7 within the Local Plan document.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Before Stainland village is potentially considered as being able to support any exceptional circumstances for the removal and development of Green Belt land around it, there needs to be an accurate assessment of its suitability and sustainability. This includes addressing the points made in our objections.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5073998>

Comment ID **Lpp968**

Site ref (if applicable):

Person ID: **1183426**

Name: **DPP on behalf of Mr Kevin Whittam**

Organisation:

Agent ID: **965602**

Name: **Matt Rhodes**

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Please see section 5.0 of the accompanying report for full details This policy simply repeats guidance contained in the NPPF. The NPPG notes at Paragraph 010 Reference ID: 12"010"20140306 that: "In drafting policies the local planning authority should avoid undue repetition, for example by using generic

policies to set out principles that may be common to different types of development. There should be no need to reiterate policies that are already set out in the National Planning Policy Framework.' This policy is not in accordance with national advice and is therefore unsound. This policy is inconsistent with national guidance and therefore the policy is unsound.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

As this policy simply repeats the NPPF it, in accordance with the above guidance, is not required and as such it should be deleted.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5076027>

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The policy as it stands is a reiteration of NPPF. The policy should provide assurance of a local approach to planning by ensuring development contributes to the strategy, vision and objectives of the Local Plan.
2. The ethos of delivery of sustainable development should be reflected in the policy wording.
3. Policy SD1 is unsound as currently drafted as it is not in accordance with national guidance. The addition of "unless material considerations indicate otherwise" goes beyond national requirements and will potentially delay acceptable development from coming forward.
4. Sustainability of Stainland Village has not had an appropriate and accurate assessment to accommodate new development.
5. Building on greenfield contradicts the policy which aim is to "improve the economic, social and environmental conditions in the area."
6. SD1 conflicts with clauses in the Localism Act 2011 in relation to safeguarding public houses as an Asset of Community Value.

Council's Response:

1. Policy SD1 conforms with the NPPF, whilst setting a context specific to the Local Plan, which ensures development contributes to the strategy, vision and objectives of the Local Plan.

2. The National Planning Policy Framework (NPPF) requires the Local Plan to reflect the presumption in favour of sustainable development, which is a "golden thread" which runs throughout the NPPF. The Planning Inspectorate (PINS) have created a 'model policy', which they suggest will be an appropriate way to meet the expectation of the NPPF. This policy, along with SD2 is contained within chapter 5 of the Local Plan titled Presumption in Favour of Sustainable Development. The chapter details the Council's approach to the various dimensions of sustainable development.

3. The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development, and the Planning Inspectorate has published a model wording which it considers, if incorporated into a draft Local Plan submitted for examination, will be an appropriate way of meeting the expectation for clear policies to guide how the presumption in favour of sustainable development will be applied.

4. The purpose of the SA is to inform the plan preparation process by appraising the Local Plan's Objectives, Policies, and Allocations in relation to their sustainability, establishing their likely impacts, cumulative impacts, and the scope for mitigating any possible negative impacts.

5. Environment, social and economic considerations are central themes to the Local Plan. They have therefore had an important influence on the drafting of policies and identification of potential sites.

6. Policy SD1 makes use a wording suggested by the Planning Inspectorate and adopted in many existing local plans. The role of Assets of Community Value would be material considerations which could mean the presumption should not apply considering the weight to be attached.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. The reference to material considerations is deleted.
2. Delete the policy as it repeats NPPF.

Council's Response:

1. The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development, and the Planning Inspectorate has published a model wording which it considers, if incorporated into a draft Local Plan submitted for examination, will be an appropriate way of meeting the expectation for clear policies to guide how the presumption in favour of sustainable development will be applied.

No modification required.

2. Policy SD1 conforms with the NPPF, whilst setting a context specific to the Local Plan, which ensures development contributes to the strategy, vision and objectives of the Local Plan.

No modification required.

Document Section: 5.5 Paragraph

Representations

Comment ID **Lpp32**

Site ref (if applicable):

Person ID: **902038**

Name: **Mr Richard Ramsden**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The plan does not contain any specific requirements or constraints to combat climate change, in particular to discourage the use of exterior insulation materials with a low insulation value eg excessive use of double glazed windows and more so whole roofs. Conservatories (with a fully glazed roof) should be discouraged. Where conservatories are approved evidence should be required to indicate they will not require heating in cold weather.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The plan does not contain any specific requirements to combat climate change, in particular use of building materials to promote insulation.

Council's Response:

1. The Addressing Climate Change chapter of the Local Plan, along with the sustainability section of Policy

BT1 (Built Environment) sets out a clear and positive strategy for combatting climate change. The relevant policies ensure the different policy areas of the Local Plan respond to the challenges of climate change in order to deliver a sustainable future for the Borough.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 5.7 Paragraph

Representations

Comment ID **Lpp1462**

Site ref (if applicable):

Person ID: **11803**

Name: **Mr Abdul Gaffar
Environment Agency**

Organisation: **Environment Agency**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. Full submission attached Para 5.7- We support reference to new development supporting the protection and enhancement of environmentally protected areas. However to strengthen this paragraph add "'and water quality for people and wildlife' at the end of last sentence.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5109653>

Comment ID **Lpp998**

Site ref (if applicable):

Person ID: **228336**

Name: **Yorkshire Wildlife Trust**

Organisation: **Yorkshire Wildlife Trust**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

Yorkshire Wildlife Trust welcomes the wording to support and protect nature conservation sites from development in Paragraph 5.7. However, the Wildlife Habitat Network is also a key biodiversity feature in the region which can be significantly impacted by development through fragmentation and deterioration

of habitats for it to function as a wildlife corridor. We therefore advise that the Wildlife Habitat Network is added to Paragraph 5.7.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5078786>

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Wildlife Habitat Network is also a key biodiversity feature which can be impacted on through development.
2. Paragraph needs strengthening with reference to the protection and enhancement of environmentally protected areas.

Council's Response:

1. While Paragraph 5.7 (and Policy SD2 to which Paragraph 5.7 provides a background narrative) makes no specific reference to the Wildlife Habitat Network, the policy requires that all new development protects and enhances local, national and internationally important biodiversity and geo-diversity sites. More specific detail, including reference to Wildlife Habitat Networks is contained in chapter 20 (Green Infrastructure and Natural Environment).
2. Paragraph 5.7 is already considered to sufficiently address this point.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Wildlife Habitat Network should be added to Paragraph 5.7.
2. Add 'and water quality for people and wildlife' at the end of last sentence.

3. Paragraph needs strengthening with reference to the protection and enhancement of environmentally protected areas.

Council's Response:

1. While Paragraph 5.7 (and Policy SD2 to which Paragraph 5.7 provides a background narrative) makes no specific reference to the Wildlife Habitat Network, the policy requires that all new development protects and enhances local, national and internationally important biodiversity and geo-diversity sites. More specific detail, including reference to Wildlife Habitat Networks is contained in chapter 20 (Green Infrastructure and Natural Environment).

No modification required.

2. While Paragraph 5.7 (and Policy SD2 to which Paragraph 5.7 provides a background narrative) makes no specific reference to water quality for people and wildlife, the policy requires that all new development protects and enhances local, national and internationally important biodiversity and geo-diversity sites. More specific detail, including reference to water quality is contained in chapter 10 (Addressing Climate Change).

No modification required.

3. Paragraph 5.7 is already considered to sufficiently address this point.

No modification required.

Document Section: 5.8 Paragraph

Representations

Comment ID **Lpp257**

Site ref (if applicable):

Person ID: **1182147**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Agent ID: **1182144**

Name: **Mr Alan Goodrum**

Organisation: **Halifax Civic Trust**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This point can be developed to reflect the intrinsic quality of the area.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

5.8 add: T he Council will promote quality construction with a long lifespan reflecting the intrinsic quality of the area

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Point can be expanded to reflect the intrinsic quality of the area.

Council's Response:

1. Sustainable design and construction is addressed in more detail in the Built Environment chapter of the Local Plan, specifcally Policy BT1 - High Quality, Inclusive Design.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Add: "The Council will promote quality construction with a long lifespan reflecting the intrinsic quality of the area"

Council's Response:

1. Sustainable design and construction is addressed in more detail in the Built Environment chapter of the Local Plan, specifically Policy BT1 - High Quality, Inclusive Design.
No modification required.

Document Section: 5.10 Paragraph

Representations

Comment ID **Lpp572**

Site ref (if applicable): **LP1463**

Person ID: **1125815**

Name: **Mrs K Boothroyd**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This strategic plan does not in any way, shape or form look after the interests of your residents in Thornhills, Clifton and Brighouse, it is completely the opposite. The interests and health and wellbeing of the community within Clifton have been completely disregarded and discounted. The proposed development in the Thornhills area of Clifton and Brighouse is categorically disproportionate to the whole of Calderdale. Clifton is a settlement which will be lost should the plan be implemented. I propose that there will be detrimental impact upon residential amenities and the visual impact of such a development as proposed within the local plan for Thornhills, Clifton: Disturbance - There would be unacceptable intrusion in the form of noise nuisance, general disturbance, odour, and so on. Overbearing - The scale of the works means that the property/premises has an oppressive impact on surrounding areas/houses. It is vital to ensure that town cramming is avoided. How does the plan propose to support this? Air Pollution will be intense with possibly 4000 more cars, in the Thornhills area and a potential 9000 across the Brighouse area, to add to already highly congested areas. Noise control "" this is likely to have a detrimental effect on the health, well-being and quality of life of those in the locality. Out of character of village setting - If the design of the development, its scale and use, is such that it appears to be out of character with its surroundings. Road Safety - The development may lead to a significant impact upon road safety. The proposed siting of the development in Thornhills area of Clifton is particularly ill-considered: it is on Green Belt site used by many villagers and people throughout Brighouse for recreation and walking dogs, and creates a buffer to the town of Brighouse, building here would both diminish the striking views the area has to offer and be detrimental to resident's (both in Thornhills, Clifton and Brighouse) emotional health and wellbeing. The proposed development would not result in a benefit in environmental and landscape terms, to the contrary it would lead to the loss of valuable green space. The proposed mass development would significantly alter the fabric of the area and amount to serious 'cramming'. Air Quality Air pollution is now the largest environmental risk factor linked to deaths in England. Brighouse is identified in Calderdale as an Air Quality Management Area because the annual average concentration of nitrogen dioxide is already being, or is likely to be, exceeded. Calderdale has already failed to achieve its targets set by the government "" how will these targets be now addressed with potentially a further 4500 houses in Brighouse, of which nearly 2000 are in the Thornhill, Clifton area AND an Employment Zone? What measures does Calderdale propose to put in place to improve air quality? Pollution and road safety issues that discourage physical activity are therefore a huge concern.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

No clear evidence that communication with neighbouring councils has taken place to ensure that the health and wellbeing of the population has been positively considered.

Suggested Modifications:

I ask that this proposed development in Thornhills, Clifton be rejected and further consideration given to other brownfield sites across Calderdale. The disproportionate allocation of housing to the Brighouse area should be addressed with further consideration given to those areas in Halifax ie Illingworth and Ovenden which are in dire need of additional housing.

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The Clifton residents health have been disregarded. This includes a detrimental impact from noise, air pollution, road safety and overbearing town cramming.

Council's Response:

1. Health and wellbeing policies are detailed in Chapter 12: Health and Wellbeing of the Local Plan. A health impact assessment (HIA) helps ensure that health and wellbeing are being properly considered in planning policies and proposals. The policies and proposals of the Local Plan have been subject to HIA through the Sustainability Appraisal that was undertaken prior to its publication.

Duty to Co-operate

Main Issues:

1. No evidence of communication with neighbouring authorities to ensure the health and wellbeing of the population.

Council's Response:

1. See Submission Document SD 13 Duty to Cooperate Statement Including Statements of Common Ground (January 2019).

Suggested Modifications

1. The proposed development at Thornhills Lane should be rejected and further consideration given to brownfield sites.

Council's Response:

1. With regards to the site assessment process, in order to identify the most sustainable sites a 'sequential' approach to allocations has been adopted that prioritises brownfield sites in the urban area, only using the most sensitive Green Belt when all alternative sites were used.
No modification required.

Document Section: Policy SD2 Sustainable Development

Representations

Comment ID **Lpp1259**

Site ref (if applicable):

Person ID: **1183427** Name: **C/O Agent DPP .**

Organisation: **Northowram Stone LLP**

Agent ID: **965602** Name: **Matt Rhodes**

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

Please also refer to section 10 of the attached document. The policy is positively prepared and is consistent with national guidance. The policy is sound. Policy SD2 states that 'all new development within Calderdale is expected to make a positive contribution to sustainable development'. The Policy goes on to state that this includes: 'Supporting the identified local needs of Calderdale's communities; Addressing climate change including adaptation and mitigation; i,· Achieving development in accessible locations, and which can be accessed safely by a number of different travel modes; i,· Protecting and enhancing local, national and internationally important biodiversity and geodiversity sites; i,· Ensuring development reflects the local and historic character of the area; i,· Requiring new development to be built using sustainable construction methods; i,· Reducing the levels of waste arising from development; i,· Ensuring development supports the health and wellbeing of the local community.' Unlike Policy SD1, this policy adds an additional layer of detail and development requirements to the presumption in favour of sustainable development as outlined within the NPPF thereby informing developers as to what is expected in order to achieve sustainable development. The principles contained within the policy conform with the requirement of the NPPF, in particular, the need to direct development to the most ' accessible locations which can be accessed safely by a number of different modes of transport "

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

No modifications

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5101980>

Comment ID **Lpp1355**

Site ref (if applicable):

Person ID: **855708** Name: **Barratt Homes & David
Wilson Homes**

Organisation: **Barratt Homes & David
Wilson Homes**

Agent ID: **1185784**

Name: **Chris Atkinson**

Organisation: **Barton Willmore**

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Please refer to attached report prepared by Barton Willmore Within Policy SD2 the Council state that all new development is expected to make a positive contribution to sustainable development and a list of ways in which that would be achieved are set out within the policy. Our Client understands the reasoning behind this policy and they seek to ensure that their developments adhere to high standards, however, the policy as currently drafted makes no reference to viability. It is not disputed that the proposals set out within the policy should be encouraged wherever possible, however, there are instances where mitigation measures can have an adverse impact upon the deliverability of a scheme and as such, it is advised that a caveat is added to the policy to state that it is subject to viability. Our Client objects to Policy SD2 as currently drafted, as the requirements of the policy, which are expected to be achieved through new developments, are overly generic. The policy, if it is to be retained, should encourage, but not expect new developments to make a positive contribution to sustainable development, if financially viable.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Please refer to attached report prepare by Barton Willmore

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5104850>

Comment ID **Lpp1463**

Site ref (if applicable):

Person ID: **11803**

Name: **Mr Abdul Gaffar
Environment Agency**

Organisation: **Environment Agency**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. Full submission attached Policy SD2 "" Sustainable Development "" as previous see comments from Initial Draft stage. (see below) Policy SD2 "" Sustainable Development "" we support the requirement in bullet points 2, 4 and 7: for development to ensure it address climate change adaptation and mitigation protecting and enhancing local, national and internationally important biodiversity reducing the levels of waste arising from

development

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5109653>

Comment ID **Lpp147**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPF)** Organisation: **Chairperson SNLPF**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

'All new development within Calderdale is expected to make a positive contribution to sustainable development' An 'expectation' of a positive contribution is an entirely subjected aspiration and is not a strong policy statement. We doubt that it would withstand a planning appeal. We strongly support the aspirations of SD2 however we find it UNSOUND in relation to the proposed development in Shelf and Northowram. The policy states: - 'All new development within Calderdale is expected to make a positive contribution to sustainable development by: Achieving development in accessible locations, and which can be accessed safely by a number of different travel modes;' Para 5.18 of the (draft) Infrastructure Delivery Plan (IDP) states: - 5.18 'The Strategy [West Yorkshire Transport Strategy] notes that the focus is on enhancing the quality of sustainable transport options to reduce car dependency and accommodate new trips, with rail growing in importance for Calderdale residents,' Taking these two quotes together, clearly a key component of sustainability is accessibility and access to sustainable [public] transport. Firstly, sites LP0221, LP0782 and LP1543 in Shelf and Northowram are identified as being outside the 400m buffer zone for acceptable access to public transport in the WSP/Parsons/Brinckerhoff report - ' Report no 70018699-02 - Calderdale Local Plan Transport Evidence, Technical Note 1: Future Network Baseline Dated June 2016'. The report further identifies that Shelf and Northowram have only a high frequency bus service into Halifax/Bradford instead of a very high frequency service which would make public transport more attractive to use. Secondly, the Calderdale Core Transport Strategy Study "" 'Appraising the Approaches to Future Development' by Stear, Davies, Gleave; dated January 2010, identifies that there are NO public transport routes through Shelf going north to Queensbury or south to Brighouse. The report further points out that development on these remote sites (to the north of Shelf and Northowram) would be unlikely to create sufficient demand to warrant a deviation of bus routes to service them. We submit that sites LP0221, LP0782 and LP1543 do not comply with Policy SD2 and will NOT contribute to sustainable development. They must therefore be removed from the list of proposed allocations.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp1537**

Site ref (if applicable): **LP1567**

Person ID: **1185901**

Name: **Avant Homes**

Organisation:

Agent ID: **1139514**

Name: **Nathan McLoughlin**

Organisation: **Mcloughlin Planning**

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

See attachments

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachments for context of comment. Avant Homes makes the following observations about Section 5 of the Plan. In terms of the inclusion of the presumption in favour of sustainable development in Policy SD1, Avant question the need to include this Policy as it is basically a reiteration of the paragraph 14 of the 2012 Framework. Turning to Policy SD2, Avant's position is that this Policy is unsound in that the Policy requires the needs of the Borough to be met and clearly given the failure of the Plan to provide the appropriate level of housing as informed by the Strategic Housing Market Assessment, it remains to be seen as to how the Plan and Policy can function in this space.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

See attachments

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5106733>;
<http://calderdale-consult.objective.co.uk/file/5106734>;
<http://calderdale-consult.objective.co.uk/file/5106736>

Comment ID **Lpp309**

Site ref (if applicable):

Person ID: **10978**

Name: **Mr Ian Smith**

Organisation: **Historic England**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Fifth bullet point: The NPPF makes it clear that protecting and enhancing the historic environment is a key aspect of the environmental dimension to sustainable development. Consequently, we welcome the inclusion of the fifth bullet point of Policy SD2. However, delivering sustainable development insofar as it relates to the historic environment entails more than simply ensuring that development reflects the local and historic character of the area'. As the NPPF makes clear, it entails many of the elements that are set out in the preceding bullet-point of this Policy for the natural environment. It is suggested, therefore, that this bullet point is reworded to more clearly articulate the approach which is set out in the NPPF.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Amend the fifth bullet point of Policy SD2 to read:- 'Protecting and enhancing Calderdale's heritage assets and ensuring development reinforces the the local character of the area'.

Additional Evidence Link:

Comment ID **Lpp353**

Site ref (if applicable): **LP0397**

Person ID: **1139667**

Name: **Mr and Mrs Alexander and
Claire Tosh**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Sustainable Development All new development within Calderdale is expected to make a positive contribution to sustainable development by: Supporting the identified local needs of Calderdale's communities; local residents needs appear not to have been identified. Addressing climate change including adaptation and mitigation; felling trees to clear this site for development appears to contradict this. Achieving development in accessible locations, and which can be accessed safely by a number of different travel modes; access to this site is one of the main issues, so again, this development appears to contradict this aim. Protecting and enhancing local, national and internationally important biodiversity and geo-diversity sites; Ensuring development reflects the local and historic character of the area; Requiring new development to be built using sustainable construction methods; Reducing the levels of waste arising from development; Ensuring development supports the health and well being of the local community. This development is already not helping with the health & well being of the community. Many local residents are extremely concerned and worried.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp606**

Site ref (if applicable):

Person ID: **11797**

Name: **Mr & Mrs Mark & Amanda
Tattersall**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We make the following objections and observations in relation to Stainland village. Stainland's historic setting Stainland is a Pennine linear hilltop village. The spine of its historic buildings climbs through and reaches out into open countryside, along the old packhorse route. It is narrow at its centre, being only around 150 metres in width, and its main road is restricted to single lane here, due to historic buildings. At its pinnacle it stops and does not encroach into the wide-open countryside, respecting this unspoilt area, which allows long-reaching views into its historic setting. Stainland is approximately 2 miles from Elland centre and, importantly, along with Holywell Green, is completely surrounded by, and separated from the urban area by, Green Belt, which retains the villages' status. Objection We do not consider the Local Plan to be sound, as there has not been an appropriate and accurate assessment of the suitability and sustainability of Stainland village to provide sustainable development on Green Belt land. The Local Plan fails to identify in its documents that: Stainland's main road is single lane in the centre; there are pedestrian safety issues; there is poor service and facility provision; and it has poor public transport accessibility Highways/Pedestrian Safety The only main road through Stainland (B6112) is restricted to single lane in the centre of the village by historic buildings (4.18 metres at 371 Stainland Road) (photos attached). This road is shown to be at 96% volume to capacity (210 vehicles) in 2014 in the eastbound direction (source: WSP map - attached) (however, this is not shown in WSP Transport Technical Note 10, Figure 3 and figure 7.) The road gridlocks and vehicles regularly mount tarmacked pavements to pass, creating safety issues for pedestrians. Pedestrians have been clipped by cars. There is a lack of pavements throughout Stainland. There is no continuous pavement route for wheelchairs and pushchairs through Stainland village. The pavement is too narrow for these users by '1885 The Pub' and there is no pavement on the opposite side (photo attached). The suitability/sustainability of Stainland to support more housing has not been adequately considered. It has not been shown whether the single lane can accommodate extra capacity (it being already at 96% V/C in 2014) or what the impact of further vehicles on pedestrian safety would be. Many comments have been made over the years. It is unclear why these important issues have not been addressed. Similar issues are addressed elsewhere, for example, the Council's assessment summary for filtered site LP1494 at Heptonstall states that Heptonstall Road is unsuited for intensified use on account of its single lane width. Sustainability/Accessibility In the current Retail Hierarchy, both

Stainland and Holywell Green are designated Neighbourhood Centres. However, the Local Plan adds Stainland village and Holywell Green village together and classifies them as a Local Centre in the Settlement Hierarchy. But they both have poor service and facility provision. In 2011, both Stainland and Holywell Green were undesignated in the Local Plan Retail Hierarchy 'due to their limited retail and service provision offer'. The only additional shop in Stainland is a beauty salon. NPPF 2018 Glossary refers to Town Centres as: 'References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance.' Stainland has no food shop selling day-to-day goods. It has no parade of shops. Within the site assessments, many of the accessibility to services and facilities assessments are based on journey times. This hides the poor service and facility provision in Stainland village itself. This means newly-developed Green Belt sites will create travel for most things, as they are poorly sustained in Stainland village. Stainland has poor public transport accessibility (as does Holywell Green). Buses are infrequent: 1 bus per hour to the GP surgery at West Vale (no service after 4.40pm, 1 bus per hour to a town centre within 15 minutes (Elland)). This does not appear to meet certain criteria set out in the SAAM document. Stainland is over 2km from a rail station and will be over 2km from the new Elland rail station. Cycling and walking are limited by steep topography. Car usage will be high. This will create a greater impact on both the single lane and pedestrian safety. Neither Stainland nor Holywell Green has a GP surgery (unlike the other Local Centres). The current Infrastructure Delivery Plan incorrectly shows Stainland as still having a GP surgery, even though it moved to West Vale over 10 years ago (previous comments made). We disagree with the designation of Stainland as a high tier Local Centre, as the points above show its unsuitability. The Local Plan has not taken into account the negative constraints of the single lane, pedestrian safety issues, poor public transport accessibility and poor services and facilities when proving exceptional circumstances for the development of Green Belt land. On the basis of these points, we consider that the Local Plan is not sound. This is the basis of our objection.

Additional Points Green Belt The 2016 Green Belt Review has not been consulted on, only its methodology. The Local Plan carries out 2 types of Green Belt Review. The first Review assesses large parcels of Green Belt around the settlements (Stainland's parcels are wider than the village itself). The second is a Green Belt Review of the site. There is no further stage/assessment of the impact new development has on the main parcel. The 2016 Green Belt Review results show the Green Belt parcels around Stainland (and also Holywell Green) as being 'most sensitive' parcels, with the recommendation to retain them in the Green Belt. However, even though the parcels performed strongly, of the 7 parcels around Stainland Conservation Area, only 1 parcel scored under Green Belt purpose 4 (by Holywell Green). One of the parcels, GB068-00, under Purpose 4 states 'No' for 'Is the land part of the setting of a historic place or settlement listed building or conservation area?' However, the parcel includes part of Stainland Conservation Area (and site LP0075) within it. We object to this failure to recognise the importance of Stainland Conservation Area within the Green Belt Review/Local Plan. We also disagree with certain judgements within the Green Belt Review site assessments.

Historic Unlike many of Calderdale's Conservation Areas, Stainland Conservation Area has no Character Appraisal. It was designated a Conservation Area 36 years ago. Policy HE1 of the Local Plan says 'Regard should be given to Conservation Area Character Appraisals where one exists'. We believe Policy HE1 leaves Stainland Conservation Area vulnerable. This has the effect that, when decisions on planning are being made, Stainland will not have the advantage other Conservation Areas have. Stainland's Conservation Area is largely surrounded by undeveloped Green Belt land.

General The junctions of the B6112, which have been monitored in the transport assessment, are either below or above the restricted section through Stainland village. This main B-road is sub-standard and narrow, with several pinch points. The historical built nature of Stainland means on-street parking is high, due to a lack of off-street parking. This necessary parking further restricts the roads. All exit roads from the top of Stainland have narrow, restricted sections. Stainland and Holywell Green had a 10% increase of dwellings between 2000 and 2010 but their services and facilities declined. Stainland has no brownfield land over 0.25ha, mainly because it is a small linear hilltop village. It (with Holywell Green) is the only Local Centre in Calderdale to have only Green Belt development. The Local Plan has removed an overall large area of the wildlife corridor around Stainland and Holywell Green. No

explanation for its removal is given in the Local Plan or Evidence Base. Part of the Special Landscape Area at Stainland Moor has been removed. Many of the filtered sites in Stainland are not proposed developments. They include school grounds, allotments and planning permissions. Currently, there are 2 sites proposed for development in Stainland, LP0075 and LP0146. This overall comment is also relevant to those 2 sites. Local Plan document sections and the Public Examination As we wish to participate at the Public Examination of the Local Plan, we would like to attend sessions where decisions are being made on the topics below, which relate to our objections and observations above. Green Belt Historic environment Housing requirement and sites Settlement Hierarchy Sustainability Transport We believe these are relevant to, but may not be limited to, Policies GB1, HE1, IM1, IM5, RT1, RT4, SD1, SD2, SD3, SD7 within the Local Plan document.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Before Stainland village is potentially considered as being able to support any exceptional circumstances for the removal and development of Green Belt land around it, there needs to be an accurate assessment of its suitability and sustainability. This includes addressing the points made in our objections.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5074004>

Comment ID **Lpp628**

Site ref (if applicable):

Person ID: **1183504**

Name: **Ms Penny Eastwood**

Organisation: **Co-ordinator SOURCE Partnership**

Agent ID: **1183503**

Name: **Ms Penny Eastwood**

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This section should include specific reference to Sustainable Drainage Systems techniques, as part of CMBC's commitment to Natural Flood Management. e.g. additional bulletpoints (or incorporate similar into bulletpoint 2): 'Incorporating sustainable drainage systems (SuDS), such as green roofs, swales, trees, and permeable paving, to contribute to Green Infrastructure and Natural Flood Management;

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

This section should include specific reference to Sustainable Drainage Systems techniques, as part of CMBC's commitment to Natural Flood Management. e.g. additional bulletpoints (or incorporate similar into bulletpoint 2): 'Incorporating sustainable drainage systems (SuDS), such as green roofs, swales, trees,

and permeable paving, to contribute to Green Infrastructure and Natural Flood Management;

Additional Evidence Link:

Comment ID **Lpp703**

Site ref (if applicable):

Person ID: **1183577**

Name: **Mr Graham Foster**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Whilst this proposed policy regarding sustainability is on the face of it sound, it will only meet what it sets out to do if developers are prepared to fully commit to it on their part.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp969**

Site ref (if applicable):

Person ID: **1183426**

Name: **DPP on behalf of Mr Kevin Whittam**

Organisation:

Agent ID: **965602**

Name: **Matt Rhodes**

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

Please see section 6.0 of the accompanying report for full details Policy SD2 states that 'all new development within Calderdale is expected to make a positive contribution to sustainable development'. The Policy goes on to state that this includes: 'Supporting the identified local needs of Calderdale's communities; Addressing climate change including adaptation and mitigation; Achieving development in accessible locations, and which can be accessed safely by a number of different travel modes; Protecting and enhancing local, national and internationally important biodiversity and geodiversity sites; Ensuring

development reflects the local and historic character of the area; Requiring new development to be built using sustainable construction methods; Reducing the levels of waste arising from development; Ensuring development supports the health and wellbeing of the local community.' Unlike Policy SD1, this policy adds an additional layer of detail and development requirements to the presumption in favour of sustainable development as outlined within the NPPF thereby informing developers as to what is expected in order to achieve sustainable development. The principles contained within the policy conform with the requirement of the NPPF, in particular, the need to direct development to the most ' accessible locations which can be accessed safely by a number of different modes of transport'

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

n/a

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5076027>

Comment ID **Lpp99**

Site ref (if applicable):

Person ID: **1024937**

Name: **Mr Ian Sanderson**

Organisation: **Principal Archaeologist
West Yorks Archaeology
Advisory Service**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

There is no mention of the need to protect and enhance local, national and internationally important heritage assets (see the NPPF, July 2018) for enhancement - see para. 185 sub-paragraph a). For preservation see paragraphs 195, 196 & 197 .

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

The Policy should include the statement that new development should protect and enhance local, national and internationally important heritage assets.

Additional Evidence Link:

Comment ID **Lpp999**

Site ref (if applicable):

Person ID: **228336**

Name: **Yorkshire Wildlife Trust**

Organisation: **Yorkshire Wildlife Trust**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

As with our comments to Paragraph 5.7 above, we advise that the Wildlife Habitat Network is added to the policy wording to SD2 to ensure that development does not result in the fragmentation or deterioration of the Network.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5078786>

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The Plan fails to meet objectively assessed need.
2. The policy as currently drafted makes no reference to viability.
3. The requirements of the policy are over generic.
4. Lack of reference to Sustainable Drainage Systems.
5. By allocating land in the Green Belt it contradicts the bullet points in this policy.
6. The fifth bullet point does not reflect the NPPF in terms of heritage. There is no mention of the need to protect and enhance local, national and internationally important heritage assets.

7. Wildlife Habitat Network should be added to policy wording to avoid fragmentation or deterioration of the Network.

Council's Response:

1. The level of housing need in Calderdale has been derived using the Government's standard housing methodology, and used the most recent datasets published by the Office of National Statistics in 2016. The Plan will meet the housing need of the Borough for a period of 15 years. The Plan period is therefore 2018/19 - 2032/33. As the most up to date figures relating to the affordability factor were being used, these take into account any under supply over recent years.

The Council's response to the Inspector's Pre-Hearing Note 1, Question 5, elaborates on the reasoning behind the Council's decision to base the housing requirement on the Standard Method (App 1.5 to PHN 1).

2. The Council recognises that viability is an underlying consideration throughout the Local Plan. As such, viability does not need to be mentioned in every Local Plan policy for it to be a consideration. Where specific policies require provision such as affordable housing, viability issues are addressed in more detail.

3. The requirement is intended to strike a balance between ensuring the policy objective is achieved without placing an unreasonable burden on developers.

4. While Policy SD2 makes no specific reference to SuDS, the policy requires that all new development makes a positive contribution to sustainable development by addressing climate change through mitigation and adaption. Specific requirements are detailed in policies contained in the Addressing Climate Change chapter.

5. Document EV 09 Exceptional Circumstances for the Release of Green Belt (2018) considers the process that the Council has followed in relation to the potential need to release land from the Green Belt. It can be seen that a methodical approach has been built into each stage of the process and that ultimately this process has dovetailed with the Government's emerging policy on exceptional circumstances.

The proposed changes to the Calderdale Green Belt are clearly a last resort and have been minimised. Furthermore, the boundary changes are essential to achieving a sustainable future for Calderdale – one that reconciles economic, social and environmental sustainability.

6. While Policy SD2 makes no specific reference to heritage assets, the policy requires that all new development reflects the local and historic character of an area. More specific detail, including reference to local, national and international heritage assets is contained in chapter 18 (Historic Environment).

7. While Policy SD2 makes no specific reference to Wildlife Habitat Networks, the policy requires that all new development protects and enhances local, national and internationally important biodiversity and geo-diversity sites. Chapter 20, Green Infrastructure and Natural Environment includes further detail on the subject, with policy GN2 making specific reference to Wildlife Habitat Networks.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. It is advised that a caveat is added to the policy to state that it is subject to viability.
2. The Wildlife Habitat Network should be added to the policy wording to SD2 to ensure that development does not result in the fragmentation or deterioration of the Network.
3. Add to bullet point two: 'Incorporating sustainable drainage systems (SuDS), such as green roofs, swales, trees, and permeable paving, to contribute to Green Infrastructure and Natural Flood Management'.
4. Amend the fifth bullet point of Policy SD2 to read:- "Protecting and enhancing Calderdale's heritage assets and ensuring development reinforces the local character of the area".
5. The Policy should include the statement that new development should "protect and enhance local, national and internationally important heritage assets."
6. Sites which do not comply with this policy should be removed from the list of proposed allocations.

Council's Response:

1. The Council recognises that viability is an underlying consideration throughout the Local Plan. As such, viability does not need to be mentioned in every Local Plan policy for it to be a consideration. Where specific policies require provision such as affordable housing, viability issues are addressed in more detail. No modification required.
2. While Policy SD2 makes no specific reference to Wildlife Habitat Networks, the policy requires that all new development protects and enhances local, national and internationally important biodiversity and geo-diversity sites. Chapter 20, Green Infrastructure and Natural Environment includes further detail on the subject, with policy GN2 making specific reference to Wildlife Habitat Networks. No modification required.
3. While Policy SD2 makes no specific reference to SuDS, the policy requires that all new development makes a positive contribution to sustainable development by addressing climate change through mitigation and adaption. Specific requirements are detailed in policies contained in the Addressing Climate Change chapter. No modification required.
4. While Policy SD2 makes no specific reference to heritage assets, the policy requires that all new development reflects the local and historic character of an area. More specific detail, including reference to local, national and international heritage assets is contained in chapter 18 (Historic Environment). No modification required.
5. Policy HE1 of the Local Plan sets out a clear and positive strategy for the conservation, enjoyment and enhancement of Calderdale's historic environment and should be considered in conjunction with guidance provided in the National Planning Policy Framework, and planning policy guidance. It should be noted that this policy does not seek to unnecessarily or entirely prevent development which may affect a heritage asset. Instead, it aims to ensure that development proposals are sympathetic to heritage assets in that their significance and settings are understood, respected and either conserved or enhanced whilst safeguarding against their exploitation or endangerment. This will ensure a sustainable future for heritage assets, and for the historic environment as a whole. No modification required.

6. Document EV 51.1 Site Allocations Assessment Methodology - Publication Draft (2018) details the process the Council has followed in relation to the site assessment process. The document outlines the various stages of assessment from initial site identification to the implementation of the Sequential Approach. The Council considers the site assessment process has been carried out in accordance with the principles established in Policy SD2.
No modification required.

Document Section: 6 Planning for growth

Representations

Comment ID **Lpp1134**

Site ref (if applicable):

Person ID: **1184942**

Name: **Mr Mark Bullen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

See attached

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attached

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

See attached

Suggested Modifications:

See attached

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5084627>

Comment ID **Lpp1311**

Site ref (if applicable):

Person ID: **1183599**

Name: **Mr Andrew Wood**

Organisation: **Consultant Planner CPRE**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment for context of comments. Introductory paragraph of Evidence Paper 2 states that: Please note that it was our intention to divide up this document and submit it in relevant sections using the representation form, but having downloaded the form we found that key entry fields were locked. Given that the representation system is in any case not well-suited to comments that develop a narrative and

contain figures and tables, we have therefore reverted to submitting full documents. These are structured as carefully as possible to enable you to use them. It is our view that the Publication Draft is not positively prepared to deliver sustainable development. It is not justified by the most appropriate and up-to-date evidence of development needs. And it will not be effective in delivering sustainable development, due to fundamental internal contradictions between the scale and distribution of development and other key policies in the Plan. This evidence paper explains our position on these points, and we conclude that very substantial modifications will be needed to make the Plan sound. Para 6.2 and Table 6.1 Whilst we accept that the Government's standard methodology limits the scope for us to consider alternative OAN figures, it does not necessarily follow that Calderdale should plan to meet this OAN in full. Para 47 of NPPF2012 requires Local Plans to plan to meet OAN in full, 'as far as is consistent with the policies set out in this framework'. In our view there are four significant elements of NPPF2012 that are pertinent to considering whether it would be appropriate for Calderdale not to meet its OAN in full. (NPPF2012 paras in italics.)

Para 34: Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. The principal strategic sites proposed in the Plan are not well-served by public transport, and are significantly more accessible to Halifax, Bradford and Leeds by car than by public transport, in terms of journey times. This situation has arisen, at least in part, due to the constraints upon development site choice and suitability closer to central Halifax and to railway stations. Consequently the strategic sites chosen might be seen as the 'least bad' options, rather than as positive options from a sustainability perspective.

37: Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities. The pattern of new development is heavily skewed towards the east of Brighouse, and represents a significant departure from the existing settlement hierarchy; so it is unclear how this will help the balance of land uses across the Borough. Again, this implies that allocations have been selected mainly on the basis of their availability and developability, rather than on the sustainability of the outcome.

84: When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. CPRE does not rule out Green Belt change. Rather it takes the view that the result of a Green Belt change should be demonstrably more sustainable than could otherwise be achieved. The Plan should be clear about the sustainability benefits that the proposed Green Belt changes will enable, and how disbenefits will be mitigated, with a net beneficial outcome. Para 84 supports this; and it has not been adequately demonstrated.

152: Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered. Where adequate mitigation measures are not possible, compensatory measures may be appropriate. The proposed spatial pattern of growth has been informed by the physical constraints upon development in the west of the Borough, and in that sense the chosen option is simply the least constrained. However, net gains for all three dimensions of sustainable development have not been shown. Economic outcomes may be limited by relative constraint to growth in and around Halifax. Social outcomes may be limited by the relatively poor access to public transport, and the relative car-dependence, of the strategic sites, and by loss of access to nature and recreation in those areas. And environmental outcomes may be limited by road traffic growth, loss of openness and countryside, and reduction in the re-use of brownfield land. Therefore there are substantial risks of net negative outcomes for the people and the environment in Calderdale. These risks should be carefully weighed against the aim of meeting OAN in full; and in our view that evaluation has not been adequately undertaken or presented... These concerns mesh with our earlier analysis of the mismatch between the housing requirement and the job growth target. The demographic changes outlined in Chapter 2 suggest that, without very significant policy interventions, mainly operating at a City Region or sub-national level, it will not be possible to supply a workforce for the envisaged job growth. It is possible that a substantial regeneration programme for central Halifax, with higher-density

living and mixed-use remodelling of some areas, could attract an increased workforce; but the Plan does not propose that. In the context of a population that is dramatically ageing, and with the 2016 projections showing a stagnation in overall population growth, there is nothing in the Plan to suggest that the job growth can be supported by labour supply. Consequently, the focus of the housing needs that must be met in Calderdale during the plan period must be focused on the types of households we know will be needed. If the OAN figure of 840 is accepted, then we can see that it breaks down into four overlapping segments of need: Affordable homes (182) Homes suitable for one-person households (market and affordable) Homes suitable for over 65s (market and affordable, one-person and family) Other homes needed to meet specific needs and to update/complement existing stock. In our view, if there is convincing evidence that these four types of needs can be met, then the societal benefits of meeting those needs could be argued to justify a degree of environmental impact; though still within the context that net sustainability gains should be the starting point. On the other hand, if specific housing needs remain subsumed within a general numerical target, dependent on the unquantified approach in Policy HS3 to determine the mix on a scheme-by-scheme basis, then this does not amount to meeting objectively assessed needs; and because the benefits of doing so are compromised, then there is no justification for environmental impacts, and no exceptional circumstances for Green Belt change.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5122736>; <http://calderdale-consult.objective.co.uk/file/5102830>

Comment ID	Lpp1325	Site ref (if applicable):
Person ID: 1183599	Name: Mr Andrew Wood	Organisation: Consultant Planner CPRE
Agent ID:	Name:	Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment for context of comments. Introductory paragraph of Evidence Paper 2 states that: Please note that it was our intention to divide up this document and submit it in relevant sections using the representation form, but having downloaded the form we found that key entry fields were locked. Given that the representation system is in any case not well-suited to comments that develop a narrative and contain figures and tables, we have therefore reverted to submitting full documents. These are structured as carefully as possible to enable you to use them. It is our view that the Publication Draft is not positively prepared to deliver sustainable development. It is not justified by the most appropriate and up-to-date evidence of development needs. And it will not be effective in delivering sustainable development, due to fundamental internal contradictions between the scale and distribution of development and other key policies in the Plan. This evidence paper explains our position on these points, and we conclude that very

substantial modifications will be needed to make the Plan sound. Paras 6.12 to 6.41 and Policy SD4: Employment In our view there is a tension in the Plan between meeting NPPF's requirement "" quoted in para 6.13 "" to meet the employment and development needs of businesses "" and the sustainability challenge of meeting the employment needs of the population, as we have explored above (our Figure 1). The land requirement (para 6.18) makes welcome recognition of the needs of micro-businesses and SMEs. We also note from Table 6.8 that the majority of new jobs are envisaged to be in non-B use classes, and that these are not part of the employment land provision. The difficulty for the Local Plan is therefore that it adopts a highly ambitious target for job growth, for which many of the jobs do not have an employment land requirement and are not therefore given any spatial characteristics in the Plan. We have already demonstrated that to provide a sufficient workforce for the planned job growth would require unrealistically large policy interventions in the face of the demographic trends. Consequently we do not accept that the job growth target is realistic on the basis of the available evidence. This is compounded by not having a spatial analysis of the types and locations of non-B class jobs: who will be wanting those jobs, and where will they live? Para 6.47 states that 'in order to reduce levels of commuting it is important that housing growth is aligned with opportunities to increase employment growth'. Yet the majority of forecast job growth will not be associated with employment land allocations, and there is no evidence provided that the locations for new housing growth are related to where the non-B class jobs might be concentrated.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5102830>; <http://calderdale-consult.objective.co.uk/file/5122736>

Comment ID **Lpp1417**

Site ref (if applicable): **LP1567**

Person ID: **1185901**

Name: **Avant Homes**

Organisation:

Agent ID: **1139514**

Name: **Nathan McLoughlin**

Organisation: **Mcloughlin Planning**

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

See attachments

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachments for context of comment. Scale of Growth (Section 6 "" Paragraphs 6.1 to 6.11, Table 6.1, Table 6.2, and Policy SD3) Avant's position is that the Plan is unsound in that it fails to meet the requirements of paragraph 47 of the 2012 NPPF. To start, paragraph 6.2 of the Plan makes it clear that the level of housing need has been derived from using the standardised housing numbers methodology, brought in with the 2018 Framework. However, such an approach is clearly contrary to the Transitional Arrangement in paragraph 2.14 of Annex 1 of the 2018 Framework, given the Council's aspirations to see the Plan submitted to the Secretary of State no later than the 24th January 2019. Given that the context for

examining the Plan has been established by the 2018 Framework in that it is reliant upon the 2012 Framework, it necessarily follows that paragraph 47 of the 2012 Framework plays a critical role in providing the correct basis for which this Plan must be prepared against. In this case, there is a need for the Plan to meets its objectively assessed need. Previous representations on the 2017 draft Plan (on behalf of the landowner's) supported the 16,000-dwelling target as a starting point. In terms of justifying a lower level of development, the use of the standardised housing numbers methodology has clearly been ruled out by the Transitional Arrangement guidance available in the 2018 Framework. In terms of the acceptability of the proposed Housing Target, Barton Willmore has been appointed to undertake an analysis of housing numbers on behalf of a consortium of developers in the Borough. Aside from restating concerns expressed here about the soundness of the use of the Standardised Methodology, the Technical Note appended to this document also looks at the economic aspirations of the Plan and demonstrates that there is a serious disconnect between the 8,295 FTE jobs and housing provision. It concludes that to meet the employment aspirations, 1,129 homes per annum will be required. As a result, this establishes a clear need for additional housing allocations, which will (inevitably) be greenfield and green belt in nature. Section 3 of this document sets out the suitability of the Exley Lane, Elland site for development.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

See attachments

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5106733>;
<http://calderdale-consult.objective.co.uk/file/5106734>;
<http://calderdale-consult.objective.co.uk/file/5106736>

Comment ID **Lpp1418**

Site ref (if applicable): **LP1567**

Person ID: **1185901**

Name: **Avant Homes**

Organisation:

Agent ID: **1139514**

Name: **Nathan McLoughlin**

Organisation: **McLoughlin Planning**

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

See attachments

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachments for context of comment. Distribution of Growth (Section 6 Paragraphs 6.42 to 6.50, Map 6.1 "" Key Diagram and Sustainability Appraisal) Avant's position is that this Section of the Plan Strategy is equally unsound. This is because the approach set out does not reflect National guidance in the Transitional Arrangements and the need for the Plan to be examined in the context of the 2012 Framework. In terms of a specific narrative for Avant's concern is detailed as follows. The Sustainability Appraisal (SA) recognises that opportunities for allocating land are not evenly spread across the Borough due to the constraints of topography and environmental capacity. It is apparent that whilst the settlement hierarchy has been the starting point for the distribution of new growth, the assessment of sites has clearly

shown that certain parts of the Borough do not have the supply of suitable sites, which would enable this distribution to be achieved. Halifax is a notable example of this. Despite Halifax being the prime focus for its share of housing growth in the Draft Local Plan it is notably less than that of Brighouse, which is a lower order settlement in the settlement hierarchy. This is in part due to the fact that significant development to the north of Halifax could have an adverse impact on land designated as SSSI, SPA and SAC. As noted in the SA, each of the notional distribution scenarios questioned whether a focus on the eastern part of the Borough would have negative impacts on the western part of the Borough in respect of access to housing and employment opportunities. However, focusing on the eastern part of Calderdale would lessen the potential pressures on the High Moors of the South Pennines, which are designated as both Special Protection Area (SPA) and Special Area of Conservation (SAC). In terms of brownfield land, it is noted that the Plan aspires for as much new development as possible to be allocated on brownfield land. As acknowledged in paragraph 6.48 of the Local Plan, there is not enough suitable brownfield land available to accommodate the housing requirement in full, necessitating the release of GB land. Moreover, it should also be recognised that brownfield land can often be considerably costlier to develop which may seriously affect the viability of the site. This could also reduce the amount of affordable housing that could be delivered on these sites. In light of this, the approach to the distribution of growth set out in the Draft Local Plan is not supported, given the need for higher levels of housing growth. In addition, the importance of Elland as a focus for growth is underestimated. Given the constraints noted above, Elland is ideally located to support the needs of Halifax, which sits at the top of the settlement hierarchy as a sub-regional town. Moreover, development at Elland would support the development of a new station, which would further improve its accessibility credentials.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

See attachments

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5106733>;
<http://calderdale-consult.objective.co.uk/file/5106734>;
<http://calderdale-consult.objective.co.uk/file/5106736>

Comment ID **Lpp1464**

Site ref (if applicable):

Person ID: **11803**

Name: **Mr Abdul Gaffar**
Environment Agency

Organisation: **Environment Agency**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

THIS COMMENT WAS RECEIVED AFTER THE CLOSURE OF THE REPRESENTATION PERIOD. Full submission attached We previously commented and provided support in this section around the wording for removal

of sites containing brownfield land where flood risk and ecology are showstopper constraints either individually or collectively. This reference appears to have been taken out and therefore should be included again.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5109653>

Comment ID **Lpp951**

Site ref (if applicable):

Person ID: **1129881**

Name: **Mr David Collins**

Organisation: **Chair RASTRICK
Neighbourhood Forum**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

For the following reasons the Forum will not support any Planning application for any of the sites indentified in the Councils Local Plan until a decision is made by the Planning Inspectorate upon the Councils Local Plan. The Forum will reconsider its position once the Planning Inspectorate makes its decision . The reasons are as follows:- The substantial number of the sites in the Forums area will result in a disproportionate increase in the areas population and no evidence has been produced to show this increase is sustainable There has been no consideration of the required infrastructure in the Local Plan to support 1.above. The Assesement oF the sites in the Local Plan are not support by sustainable evidence The evidence in the Local Plan regarding the sustainability appraisal objectives of individual sites do not support the inclusion of them in the Local Plan The Councils Local Plan does not consider Open/Green Space in the Forums area The emerging Development Plan of the Forum will demonstrate which sites for housing,commercial development and Open/Green Space in the Forums area are sustainable

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The Plan fails to meet the requirements of NPPF para 47.
2. The approach to use the standard housing methodology in calculating housing need is contrary to the NPPF Transitional Arrangements.
3. The Plan should meet Objectively Assessed Needs.
4. The level of housing growth will not support the scale of employment growth.
5. The distribution of growth is not evidenced or justified, nor is it supported given the need for higher housing growth.
6. The job growth target is ambitious and would require unrealistic policy interventions in view of demographic trends.
7. The majority of new jobs will be in non B uses, which are not associated with land allocations, and there is no spatial analysis for growth in these jobs.
8. The overall level of growth should seek to deliver affordable housing need.
9. The importance of Elland has been underestimated.
10. The Council's evidence confirms use of the standard housing methodology would fail to deliver economic growth aspirations.
11. The distribution of growth is disproportionate.
12. No consideration of required infrastructure.
13. The Sustainability Appraisal does not support inclusion of sites in the Plan.
14. The Plan does not consider open/green space in Rastrick.
15. The allocated sites appear to be the 'least bad' options rather than as positive options from a sustainability perspective.
16. The distribution of development represents a significant departure from the existing settlement hierarchy.
17. The Plan should be clear about the sustainability benefits that Green Belt changes will enable. Net gains for all three dimensions of sustainable development have not been demonstrated.

18. There are substantial risks of negative outcomes for the people and environment in Calderdale. These should be carefully weighed against the aim of meeting OAN in full. This evaluation has not been undertaken.

19. The mix of housing required should reflect societal needs. In absence of this, there are no exceptional circumstances for Green Belt change.

20. Lack of reference to removal of brownfield sites from the assessment process where ecology and flooding are showstopper constraints.

Council's Response:

1. The Council considers that it has produced a sound Local Plan that will achieve its stated objectives and is in full accordance with paragraph 47 of the NPPF (2012).

2. The housing requirement figure is derived using the Standard method and based on the 2014-based household projections published in 2016 as required by NPPG (paras. 4 and 5). See CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.4. No modification required.

3. The housing requirement figure is derived using the Standard Method and based on the 2014-based household projections published in 2016 as required by NPPG (paras. 4 and 5). See CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.4.

4. See Evidence Document EV 33 Housing Technical Paper (2018) (paras. 3.1 -4.4), CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.5, Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations and Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

5. The paper to the Local Plan Working Party 17th August 2016 attached to evidence document EV09 considers the distribution of development throughout the Local Plan process. The Council considers its distribution of development to be justified and supportive of sustainable development. The Council has chosen to use the LHN rather than the OAN and therefore does not accept that there is a need for higher housing growth than identified in the Publication Plan.

6. The level of growth is based on forecasts of future employment growth which take into account the policies of the Strategic Economic Strategy, including the infrastructure improvements programmed under the West Yorkshire Transport Plus Fund, and the M62 Corridor Enterprise Zone.

7. The land requirement for new employment land relates to the provision of B1a, B1b, B1c, B2 and B8 land uses. The assessment takes into account several factors as indicated in Figure 3 of Section 4 Employment Land Study (EV.01) including the net requirement from forecast growth, a flexibility margin, and allowance for losses, and a reality check with additional considerations.

Sectors outside the B land use classification, (i.e. Included in Section A, C or D of the use classes order), where jobs are forecast to grow, include 'Residential care and social work', and 'Accommodation and Food'. Future growth will be considered in the context of other Policies in the Plan, e.g. Retail and town Centre (including Finance), and Health and Well being, as a land allocation the Plan is not appropriate.

8. See EV 33 Housing Technical Paper paragraphs 11.3 – 11.9, for justification.

9. Elland is an important town within Calderdale. At the LPID the Council did propose to allocate significant

growth to the town. Having taken the decision to use LHN as the basis for the housing requirement the Council determined that the most appropriate way forward was to progress the Garden Suburb approach at Brighouse. (See EV40 - Justification for the Garden Suburbs).

10. Irrespective of the overall housing requirement figure delivery will be below that of the average housing requirement in the first years of the Plan given the significant step change in delivery required. The potential exists in future iterations of the Plan to respond to any economic growth whilst much of the take up of economic growth may take place in surrounding districts, particularly Kirklees.

11. The paper to the Local Plan Working Party 17th August 2016 attached to evidence document EV09 considers the distribution of development throughout the Local Plan process. The Council considers its distribution of development to be justified and supportive of sustainable development.

12. The Infrastructure Delivery Plan is a compendium of projected infrastructure provision and it helps to ensure that this infrastructure is provided in a timely manner and in a coordinated and sustainable way. It sets out the infrastructure that will support the level of development that is proposed in the Calderdale Local Plan.

13. The SA is part of the Local Plan preparation process and its purpose is to inform the development of the plan; it is not the sole contributor to proposing or rejecting site allocations. The methodology for assessing the impacts was part of the SA Framework that has been developed over a number of years. The SA Framework has been subject to a number of public consultations.

14. The Local Plan fully considers open/green space in the Rastrick area with a large number of sites designated for this use in this area.

15. All sites assessments have been carried out in a consistent manner following the Site Allocations Assessment Methodology Statement, Publication Draft 2018 (EV51.1).

16. The Council has not used the settlement hierarchy as the basis for the distribution of development. During early stages of plan preparation the Regional Strategy assumptions regarding distribution were used. In this case, Halifax had to take over 50% of the growth, with Brighouse taking a further significant proportion. As the Local Plan developed and the work was undertaken to understand the implications of the potential growth, it was found that Halifax could not accommodate as much developments as originally sought, because of the potential for significant effects upon the SPA and SAC as identified through the HRA process. Brighouse therefore became more attractive as a potential location for significant development.

17. There are three strands to sustainable development. These are considered to be economic, social, and environmental. For sustainable economic development, the Local Plan provides a framework to support growth and innovation, socially, the plan reflects Calderdale's needs and support the population's, health and well being, whilst the environmental aspect of the plan seeks to protect and enhance Calderdale's natural, built and historic environment.

18. The level of housing need in Calderdale has been derived using the Government's standard housing methodology, and used the most recent datasets published by the Office of National Statistics in 2016. The Plan must meet the housing need of the Borough for a period of 15 years.

With this in mind, it is necessary to consider the three strands of sustainable development. These are considered to be economic, social, and environmental. For sustainable economic development, the Local Plan provides a framework to support growth and innovation, socially, the plan reflects Calderdale's needs and support the population's, health and well being, whilst the environmental aspect of the plan seeks to

protect and enhance Calderdale's natural, built and historic environment.

19. Policy HS3 of the Local Plan establishes an approach to ensure the delivery of a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

20. Comment refers to previous iteration of plan and consultation exercise in 2017.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Amend the housing requirement of the plan in order to achieve economic growth aspirations.

2. Reference included in LPID 2017 document to removal of brownfield sites which have ecology and flooding constraints should be reinstated.

Council's Response:

1. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. The NPPF does not stipulate that a requirement figure should be greater than that produced using the Standard Method. The figure in the Local Plan does meet the requirement in NPPF 2012 (paragraph 47) (NPPF 2019 para. 59) of boosting housing supply when viewed in the context of housing requirement figures in previous plans such as the first and replacement Calderdale Unitary Development Plans (450 and 500/670 respectively). See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

No modification required.

2. Comment refers to previous iteration of plan and consultation exercise in 2017.

No modification required.

Document Section: 6.1 Scale of Growth

Representations

Comment ID **Lpp1109**

Site ref (if applicable):

Person ID: **894866**

Name: **Mr Owen Pike**

Organisation: **Diocese of Leeds**

Agent ID: **893173**

Name: **Mr Owen Pike**

Organisation: **Planning Associate Partner
Sanderson Weatherall on
behalf of the Diocese of
Leeds**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

The Diocese notes the Council has used the Government's standard housing methodology in establishing its housing requirement for the Plan period (2018-2033). However, The Diocese is concerned that the total requirement of 12,600 houses (840 per annum) set by Policy SD3 is 25% less than was proposed in the 2017 Local Plan Initial Draft (total of 16,875) and below the lowest requirement identified in the 2015 Strategic Housing Market Assessment (SHMA) (total of 13,080 / 872 per annum). Given Paragraph 81 of the Revised NPPF acknowledges that inadequate housing can act as a barrier to investment, The Diocese is not persuaded that the scale of growth is the most suitable approach, particularly if it prevents sustainable developments that deliver social betterment, economic growth and environmental enhancements from coming forward. See attachment

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5084179>

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Use of the standard housing methodology is contrary to the Transitional Arrangements in the 2018 NPPF. There is a need for the Plan to meet objectively assessed need.

Council's Response:

1. Following the Government's publication of the consultation on the standard housing methodology approach to calculating Local Housing Need in September 2017, in December 2017 the Council resolved to proceed with the Local Plan on the basis of this methodology. At a subsequent meeting of Cabinet in February 2018, Members considered a range of options to determining a level of housing need. "Option B" which had been calculated using the standard housing methodology, and excluded an uplift for undersupply, employment growth and flexibility of choice of sites was selected by Members; the Plan should meet the need for 12,600 homes over the Plan period, or 840 dwellings per annum. The Plan period is 2018/19 – 2032/33, reflecting the NPPF's preference to plan over a fifteen year period.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.1 Paragraph

Representations

Comment ID **Lpp890**

Site ref (if applicable):

Person ID: **1183576**

Name: **Mr John Bradshaw**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The UK's departure from the European Union will potentially have significant impacts on the levels of economic growth and migration over the 15 years covered by the plan, and hence on the strength of demand for housing and industrial/commercial sites. The draft plan is clearly unsound as it makes no attempt to address the extent of these impacts on the levels of demand for such sites.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The Plan should consider the impact of Brexit on demand for housing and employment.

Council's Response:

1. The Plan has made use of the nationally established Standard Methodology for determining Local Housing Needs. Separate work on the potential effects of Brexit are neither appropriate nor possible at the

local level in the context of a national methodology.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.2 Paragraph

Representations

Comment ID **Lpp1021**

Site ref (if applicable):

Person ID: **515785**

Name:

Organisation: **The Smith Foundation**

Agent ID: **515780**

Name: **Mr Paul Leeming**

Organisation: **Carter Jonas**

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attached representation for full details. Representation submitted in September 2017 highlighted an issue with the Plan period suggesting that it is not long enough. Within the 2012 Framework there is a requirement for Local Plans to be drawn up over an appropriate timeframe, preferably 15 years to take into account longer term requirements; particularly where a Green Belt Review is required, and provision is to be made for beyond the Plan period; for example to provide a buffer of sites or to identify a supply of safeguarded land for future provision to ensure the permanence of the Green Belt. Requirements in the Revised Framework seek a minimum 15 year period from the date of adoption . For a number of reasons we are of the view that the Local Plan is unlikely to be adopted before 2020. Therefore it would be prudent for the Local Plan to seek an end date of 31st March 2036, and the strategic policies and Vision adjusted to this date. As it is we consider that the current end date is not consistent with either the 2012 or 2018 Frameworks and is not sound. Additionally it is not positively prepared or justified. These matters could be addressed in part by extending the Plan period, as suggested.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

Requirements in the Revised Framework seek a minimum 15 year period from the date of adoption . For a number of reasons we are of the view that the Local Plan is unlikely to be adopted before 2020. Therefore it would be prudent for the Local Plan to seek an end date of 31st March 2036, and the strategic policies and Vision adjusted to this date. As it is we consider that the current end date is not consistent with either the 2012 or 2018 Frameworks and is not sound. Additionally it is not positively prepared or justified. These matters could be addressed in part by extending the Plan period, as suggested.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5147469>

Comment ID **Lpp1023**

Site ref (if applicable):

Person ID: **515785**

Name:

Organisation: **The Smith Foundation**

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attached representation for full details. Previous comments (September 2017) questioned the Council's intention to meet its own (objectively assessed) housing need (OAN), suggesting that the Council does not intend to do so through the scale of growth suggested in the document. There is a notable decrease in the identified housing requirement over the evolution of the Draft Plan. The Initial Draft Local Plan identified a requirement of around 1,125 dwellings per year. The 2017 Regulation 18 document suggested a requirement of 946 dwellings per year; this represented a fifteen per cent reduction. Within the current (Reg 19) document the requirement is reduced further still, to around 840 dwellings per year (with a Plan requirement of 12,600 units). This represents a further 12% reduction, or cumulatively a decrease of 25%. There is no justification for this apparent decrease; nor the scale of it. Reference is made to the MHCLG standard housing methodology as the basis for the figure. It should be noted that the figure generated by the standard methodology is considered to be the minimum starting point. The standard methodology is severely affected by previous growth trends. In the case of Calderdale, for example, this is suppressed by the lack of appropriate site allocations and poor levels of housing delivery. It is considered that an uplift is appropriate in locations where growth strategies are in place to increase housing delivery (such as the Northern Power house or where initiatives are on place such as the Housing Infrastructure Fund which seek to facilitate growth. Both initiatives are applicable to Calderdale, therefore an uplift is justifiable. MHCLG's standard methodology does not include for matters highlighted in the Council's own SHMA. For example as adjustments to household formation rates for younger households (25-34) to encourage the housing market to return to a healthier position. Given wider Government strategy to encourage home ownership (through Help to Buy) and changes to stamp duty to encourage first time buyers and younger households to purchase, it would seem counter intuitive not to include an uplift for such households. Furthermore there seems to be little or no correlation between the housing requirement and the Council's economic growth and job formation policies. Previous representations suggested how the Council's reduction in the housing requirement did not reflect the Council's Economic Growth modelling evidence, and even reflected a below average economic performance. The further reduction in housing numbers simply exacerbates the policy imbalance. We would suggest that an uplift is included to ensure that there is an appropriate balance between housing provision and the economic and job growth aspirations. If the Council can justify the approach through the Local Plan of seeking a housing requirement below the OAN, there does not appear to be a mechanism in place to meet the OAN through other means. There is no evidence, for example, that other local authorities will take up the slack. Within the papers on the Duty to Co-operate there is no suggestion that adjoining authorities will do anything other than meet their own need. The Plan is therefore not justified. For reasons set out earlier it is considered that the Local Plan should recognise a longer plan period (to 2036, at least) and modify the housing requirement to match. We consider that the Local Plan should identify an annual housing requirement of 1125 dwellings, as set out in our previous representations. Should the plan period remain starting from 2018 then the housing requirement should be identified as 22,050 over the eighteen year period to 2036. It should be referred to as a minimum net additional dwellings. The text of the policy should be amended accordingly.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

In line with our comments to make the policy sound, we suggest that the wording is amended to ensure the housing number is a minimum figure and set out over a long enough plan period: 'Provision is made for a minimum of (22,050) net additional dwellings to be delivered within Calderdale between 1st April 2018 and 31st March 2036, in order to meet the housing needs of the Borough.'

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5147469>

Comment ID **Lpp1136**

Site ref (if applicable):

Person ID: **1184942**

Name: **Mr Mark Bullen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

See attached

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attached

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

See attached

Suggested Modifications:

See attached

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5084622>

Comment ID **Lpp1167**

Site ref (if applicable):

Person ID: **1069334**

Name: **Ms Megan Pashley**

Organisation: **Gladman Developments Ltd**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

The process of undertaking an OAN is clearly set out in the Framework, principally in §14, §47, §152 and §159 and should be undertaken in a systemic and transparent way to ensure that the plan is based on a robust evidence base. 4.1.2. The starting point for this assessment requires local planning authorities to have a clear understanding of housing needs in their area. This involves the preparation of a Strategic Housing Market Assessment (SHMA) working with neighbouring authorities where housing markets cross administrative areas as detailed in §159 of the Framework. The Framework goes on to set out factors that should be included in a SHMA including identifying: "the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which: i, • Meets household and population projections taking account of migration and demographic change; ii, • Addresses the need for all types of housing including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and iii, • Caters for housing demand and the scale of housing supply necessary to meet this demand." Key points that are worth noting from the above are that the objective assessment should identify the full need for housing before the Council considers undertaking any process of assessing the ability to deliver this figure. In addition, §159 specifically relates to catering for both housing need and housing demand within the authority area. It is also worth pointing out that any assessment of housing need and demand within the SHMA must also consider the following factors; falling household formation rates, net inward migration, the need to address the under provision of housing from the previous local plan period, the results of the Census 2011, housing vacancy rates including the need to factor in a housing vacancy rate for churn in the housing market, economic factors to ensure that the economic forecasts for an area are supported by sufficient housing to deliver economic growth, offsetting a falling working age population by providing enough housing to ensure retiring workers can be replaced by incoming residents, addressing affordability and delivering the full need for affordable housing in the area. Of particular importance is the need to consider market signals. The consideration of market signals is one of the core planning principles considered in §17 of the Framework, which states: "Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities." Of critical importance is what the Framework goes on to say in §158 in the section discussing Plan Making. It states here that: "Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals." Market signals are therefore at the very core of what the Framework is trying to achieve in promoting sustainable development and boosting the supply of housing land. The Planning Practice Guidance (PPG) gives further explanation to what the Framework means with regards to market signals, and sets out in a range of paragraphs the way in which local planning authorities should go about factoring in relevant market signals in arriving at their OAN. §19 and §20 of the PPG gives guidance on what market signals should be taken into account and how plan makers should respond to these market signals. The below extract identifies some particularly pertinent points: "The housing need number suggested by household projections (the starting point) should be adjusted to reflect the appropriate market signals, as well as other market indicators of the balance between demand for and supply of dwellings. Prices of rents rising faster than national/local average may well indicate particular market undersupply relative to demand." The paragraph goes on to indicate that these factors would include, but should not be limited to land prices, house prices, rents, affordability, rates of development and overcrowding. However, given what the Framework says at §17, quoted above, it seems clear that particular consideration should be given to affordability. In order to consider how market signals should be taken forward §20 identifies some key concepts: "Appropriate comparisons of indicators should be made. This includes comparison with longer term trends (both in absolute levels and rates of change) in the: housing market area; similar demographic and economic areas; and nationally. A worsening trend in any of these indicators will require upward adjustment to planned housing numbers compared to ones based solely on household projections." It is therefore clear that where market signals

are apparent (in any of the indicators assessed) there is an absolute and clear direction that an upward adjustment to housing numbers is required. It is also clear that both the level of change and the rates of change are considerations and that local planning authorities need to carefully benchmark themselves against other areas. This should not simply be a case of considering neighbouring authorities but should look at, as well as these, local authorities on a national basis, if the demographic and economic indicators are relevant. Gladman is firmly of the view that considering comparisons purely against neighbouring authorities is not sufficiently robust and does not address the underlying issues which both the Framework and the PPG are trying to tackle with regard to housing. What is of further importance, when considering these issues, is the period of time analysed when considering both relative and absolute change. It has become apparent in our consideration of a number of plans that many local planning authorities choose to look at periods of time which are not fully representative of the depth of the housing crisis which we are currently in. Gladman is of the view that local planning authorities must take a long-term view when considering affordability and consider the relative and absolute change over a long term 15-20 year period, which coincides with the normal time span of a Local Plan. Authorities should assess as a constituent part of their OAN, how they can improve affordability over the lifetime of a plan to a point where affordability is more in line with average earnings and affordable mortgage lending rates. They should assess a level of housing over the 15-20 year plan period which would enable this step change and consider its deliverability in the plan. Only through planning for significant housing growth can local authorities realistically tackle market signals in the way advocated by the PPG and tackle the affordability and housing crisis. The need to identify the full OAN before considering any issues with the ability of a Local Planning Authority to accommodate that level of development has been confirmed in the High Court. Most notably in *Solihull Metropolitan Borough Council v (1) Gallagher Homes Limited (2) Lioncourt Homes Limited* where it was considered that arriving at a housing requirement was a two-stage process and that first the unconstrained OAN must be arrived at. In the judgment, it was stated: "The NPPF indeed effected a radical change. It consisted in the two -step approach which paragraph 47 enjoined. The previous policy's methodology was essentially the striking of a balance. By contrast paragraph 47 required the OAN [objectively assessed need] to be made first, and to be given effect in the Local Plan save only to the extent that that would be inconsistent with other NPPF policies. ["] The two -step approach is by no means barren or technical. It means that housing need is clearly and cleanly ascertained. And as the judge said at paragraph 94, "[h]ere, numbers matter; because the larger the need, the more pressure will or might be applied to [impinge] on other inconsistent policies". Therefore, following the exercise to identify the full OAN for housing in an area: "Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered. Where adequate mitigation measures are not possible, compensatory measures may be appropriate." (NPPF §152) This statement clearly sets out that local planning authorities should seek to deliver the full OAN and that this should be tested through the evidence base. Only where the evidence shows that this is not achievable, should they then test other options to see if any significant adverse impacts could be reduced or eliminated by pursuing these options. If this is not possible then they should test if the significant adverse impacts could be mitigated and where this is not possible, where compensatory measures may be appropriate. The final stage of the process is outlined in §14 and involves a planning judgement as to whether, following all the stages of the process outlined above: "Local Plans should meet OAN, with sufficient flexibility to adapt to rapid change, unless:

- i, • any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
- ii, • specific policies in this Framework indicate development should be restricted."

It is also worth noting that the final part of this sentence refers to footnote 9 of the Framework which sets out the types of policies that the Government consider to be restrictive. These include: "sites protected under the Birds and Habitat Directive (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space,

an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion" . Although this list is not exhaustive it is clear that local landscape designations, intrinsic value of the countryside, character of areas, green gaps etc. are not specifically mentioned as constraints by the Framework. ã""

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5089285>

Comment ID **Lpp1319**

Site ref (if applicable):

Person ID: **1129942** Name: **Norah Smith** Organisation:
Agent ID: **1185594** Name: **Mr Mark Johnson** Organisation: **Managing Director Johnson Mowat**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

[See attachment](#)

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5104801>

Comment ID **Lpp1422**

Site ref (if applicable):

Person ID: **960161** Name: **Miss Lucy Hawley** Organisation: **Highstone Homes**
Agent ID: **1185594** Name: **Mr Mark Johnson** Organisation: **Managing Director Johnson Mowat**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attached statement

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

See attached statement

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5107522>

Comment ID **Lpp1434**

Site ref (if applicable):

Person ID: **1182876**

Name: **Mr Craig Whittaker MP**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

See attached

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5107475>

Comment ID **Lpp541**

Site ref (if applicable): **LP0196**

Person ID: **980588**

Name: **Mr Mark Baxendale**

Organisation:

Agent ID: **960432**

Name: **Mrs Charlotte McKay**

Organisation: **Principal I O P Consulting**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Policy SD3 of the draft Local Plan states: 'Provision is made for 12,600 additional dwellings to be delivered in Calderdale between 1 st April 2018 and 31 st March 2033 in order to meet the housing needs of the Borough.' The plan then considers extant planning permissions and windfalls and calculates that the Plan only needs to allocate land for 9,418 new dwellings. This housing requirement is the minimum number of new dwellings calculated under the new NPPF. There is no uplift in case of an improvement in the economy or any other changing circumstances. The draft Local Plan does not provide a strategy which will, as a minimum meet as much as possible for the area's objectively assessed needs. There is no flexibility within the plan to adapt to change contrary to the NPPF. The plan is not 'sound' in accordance with the NPPF. The Council need to be more ambitious and needs to allocate more housing. In order to meet the housing requirement, the Council would have to ensure that all housing sites allocated in the plan and sites which currently have planning permission are delivered. This is just not feasible and will not happen. The Council are proposing that a huge proportion of this housing will be provided on just two Green Belt sites which will become Garden Villages near Brighouse. These sites will provide circa 3,255 dwellings. Site LP1451 is expected to provide 1257 dwellings and Site LP1463 is expected to provide 1998 dwellings. This is over a third of the proposed housing allocations on just two sites! These two sites are currently Green Belt sites with no infrastructure and close to the M62 junction 25 which is highly congested and likely to get worse due to the proposed allocations in Kirklees which are also reliant on this junction. There are proposals to provide a new junction, Jct. 24a, on the M62. However, this is not going to be provided in time to unlock the development potential of the proposed Garden Villages. The reliance and dependency on these two very large allocations in unsustainable locations is unsound. These sites cannot possibly be delivered in the timescale of the plan. They are neither 'developable' nor 'deliverable' in accordance with the NPPF. The council is placing too much emphasis on the delivery of these two garden villages and will find itself without a 5-year housing land supply instantly as these sites will fail to deliver. The plan is unsound. It has not been positively prepared; it is not justified; it is not effective; and it is not consistent with National Policy. The Council is failing to allocate sufficient land for housing and is relying too heavily upon two major allocations on unsustainable Green Belt sites which are heavily constrained. The two sites have major constraints and cannot be delivered in the timescales of the plan. Failure to deliver on the whole site in these large allocations will have a significant impact on the achievability of the councils housing requirements within the plan period. Site LP0196 is a highly sustainable site which should be allocated as part of the Councils plan. Small scale green belt releases in sustainable locations is a far more appropriate strategy than large scale green belt releases in unsustainable locations.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

No see attached statement

Suggested Modifications:

Allocate more housing sites and stop relying on the two garden suburbs. Small scale green belt release is a more appropriate strategy. See attached representations.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5073665>

Comment ID **Lpp542**

Site ref (if applicable): **LP0196**

Person ID: **980588**

Name: **Mr Mark Baxendale**

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Policy SD3 of the draft Local Plan states: 'Provision is made for 12,600 additional dwellings to be delivered in Calderdale between 1 st April 2018 and 31 st March 2033 in order to meet the housing needs of the Borough.' The plan then considers extant planning permissions and windfalls and calculates that the Plan only needs to allocate land for 9,418 new dwellings. This housing requirement is the minimum number of new dwellings calculated under the new NPPF. There is no uplift in case of an improvement in the economy or any other changing circumstances. The draft Local Plan does not provide a strategy which will, as a minimum meet as much as possible for the area's objectively assessed needs. There is no flexibility within the plan to adapt to change contrary to the NPPF. The plan is not 'sound' in accordance with the NPPF. The Council need to be more ambitious and needs to allocate more housing. In order to meet the housing requirement, the Council would have to ensure that all housing sites allocated in the plan and sites which currently have planning permission are delivered. This is just not feasible and will not happen. The Council are proposing that a huge proportion of this housing will be provided on just two Green Belt sites which will become Garden Villages near Brighouse. These sites will provide circa 3,255 dwellings. Site LP1451 is expected to provide 1257 dwellings and Site LP1463 is expected to provide 1998 dwellings. This is over a third of the proposed housing allocations on just two sites! These two sites are currently Green Belt sites with no infrastructure and close to the M62 junction 25 which is highly congested and likely to get worse due to the proposed allocations in Kirklees which are also reliant on this junction. There are proposals to provide a new junction, Jct. 24a, on the M62. However, this is not going to be provided in time to unlock the development potential of the proposed Garden Villages. The reliance and dependency on these two very large allocations in unsustainable locations is unsound. These sites cannot possibly be delivered in the timescale of the plan. They are neither 'developable' nor 'deliverable' in accordance with the NPPF. The council is placing too much emphasis on the delivery of these two garden villages and will find itself without a 5-year housing land supply instantly as these sites will fail to deliver. The plan is unsound. It has not been positively prepared; it is not justified; it is not effective; and it is not consistent with National Policy. The Council is failing to allocate sufficient land for housing and is relying too heavily upon two major allocations on unsustainable Green Belt sites which are heavily constrained. The two sites have major constraints and cannot be delivered in the timescales of the plan. Failure to deliver on the whole site in these large allocations will have a significant impact on the achievability of the councils housing requirements within the plan period. Site LP0196 is a highly sustainable site which should be allocated as part of the Councils plan. Small scale green belt releases in sustainable locations is a far more appropriate strategy than large scale green belt releases in unsustainable locations.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

No see attached statement

Suggested Modifications:

Allocate more housing sites and stop relying on the two garden suburbs. Small scale green belt release is a more appropriate strategy. See attached representations.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5073666>

Comment ID **Lpp910**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae** Organisation: **Coordinator Calderdale Friends of the Earth**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Friends of the Earth has prepared an overview paper which considers at a strategic level the issues within the OAN. This is attached.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5074294>

Comment ID **Lpp924**

Site ref (if applicable):

Person ID: **717690** Name: **Mr Jason Carlton** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Objectively Assessed Needs Plan does not reflect changed in population demographics 1.A recent update from ONS confirms the changes in population demographics with an ageing population. 2. The updated ONS data shows an average requirement of 583 dwellings per year (annual figures start at 693 and decline to just over 400 by 2034). Housing demographics 'Households headed by someone aged 65 years and over account for 88% of the total growth in households between 2016 and 2041.' [1] Household Projections stage 2:households, Ministry of Housing, Communities & Local Government [Accessed at <https://www.gov.uk/government/statistical-data-sets/2014-based-household-projections-detailed-data->

for-modelling-and-analytical-purposes - 29/09/18 - 12:15] [2] Household Projections in England QMI, Office for National Statistics [Accessed at <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/methodologies/householdprojectionsinenglandqmi> 29/09/18 - 12.24]

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Limited evidence to demonstrate the duty to cooperate with stakeholders (including healthcare and GP surgeries) to understand how population change will influence housing demand.

Suggested Modifications:

Update the housing requirements based on latest data Make firm provision for the demographic by promoting retirement villages (encouraging empty-nesters to downsize from family homes), build retirement communities around shared services (healthcare / fitness), provide dementia-friendly and on-site care facilities.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5073993>

Main Issues and Council Response

Legal Compliance

Main Issues:

1.The Council plans to submit the Local Plan before the end of the NPPF Transitional Period. The Plan should use the OAN to determine the housing requirement, not the standard housing methodology.

Council's Response:

1. See Documents from the Council CC 01 Calderdale Council Response to INS/01 (Pre-Hearing Note 1) Appendix 1.5.

Test of Soundness

Main Issues:

1. It is not clear which NPPF consultees should be using when making representations.

2. The consultation failed to make available road traffic growth data, forecast data for impact on road traffic growth on AQMAs, and forecast data for the impact of the Local Plan proposals on carbon emissions. The transport evidence is inadequate.

3. It is unclear what the scale of economic growth should be in relation to the REM.

4. There is a tension between the constraints of Calderdale and the very large housing numbers.

5. Directing development to SE Calderdale and the M62 is not sustainable and will generate increased carbon emissions.

6. There is a strong case for increasing development in Halifax, however the lack of an Urban Capacity

Study to makes it difficult to substantiate this.

7. The Plan does not contain credible proposals for sustainable transport improvements to bring about modal shift which will be a fundamental constraint on the Local Plan to meet its OAN.
8. The standard methodology does not take into account that the SHMA recognised the need for a requirement of 1,129 dpa to meet economic growth or a need for at least 965 dpa to deal with backlog or the affordable homes need.
9. If housing requirements do not coincide with the proposed economic uplift then there would be increased in-commuting and unsustainable travel patterns.
10. There is no flexibility allowance should allocated sites not deliver in the timeframe or manner currently envisaged. This is contrary to national policy and guidance, and the plan is therefore not consistent with national policy (4th test of soundness).
11. No evidence that housing requirement has been set for Neighbourhood Areas.
12. The strategy is unrealistically reliant on release of greenfield sites to secure an acceleration in housing completions.
13. Inadequate evidence regarding highways infrastructure and current highways capacity.
14. Insufficient evidence that infrastructure will be provided in a timely manner.
15. There is no site by site analysis of impact on Green Belt.
16. Justification of exceptional circumstances is not properly evidenced.
17. M62 J24 has been identified as essential but is not currently in Highways England's planned programme, and development is premature.
18. No evidence to confirm that Garden Suburbs will be self contained sustainable communities in accordance with the Government's Garden Communities programme.
19. Employment sites are concentrated in Brighouse, but is unrealistic to assume people will live and work in the area.
20. The housing requirement does not reflect the most recent ONS population projections.
21. The Plan should plan for more than the minimum calculated using the standard methodology.
22. The Plan should include an uplift for economic growth.
23. The reliance on the Garden Suburbs is unsound.
24. Insufficient land has been allocated.
25. The Plan period should be 15 years from adoption.

26. A larger discount for planning permissions as a source of supply should be applied.
27. Windfalls should not be included as a source of supply.
28. There should be a buffer of additional sites to ensure the housing requirement can be met to boost supply and to counter under delivery.
29. Housing requirement should be adjusted to take account of household formation rates for younger households.
30. No evidence that neighbouring authorities will meet the unmet housing need.
31. No justification for reduction in housing requirement from Local Plan Initial Draft to Local Plan Publication Draft.

Council's Response:

1. With the exception of the Local Housing Needs calculation the Local Plan is prepared under the provisions of NPPF 2012.
2. The Council released the reports setting out the findings of the transport study, but did not initially provide access to the model itself. Upon request, access was given to a number of participants in the local Plan consultation process. The Council does not accept that there is inadequate evidence regarding highways infrastructure and capacity. Evidence documents EV54.1 to EV56.0 inclusive provide the transport evidence which has assessed the Local Plan and the growth that it is accommodating. For further information Air Quality the Evidence Documents EV03 Low Emissions Strategy; EV04 Air Quality Action Plan EV05; Air Quality Technical Paper and EV54.8 Technical Note 7: Air Quality Constraints Assessment; consider the implications of air quality, traffic growth and the mitigation needed to address emissions.
3. The Employment Land Study (EV.01) presented a number of growth scenarios .The most appropriate scale of growth is related to the expected number of jobs created by the increased accessibility and transport improvements in the West Yorkshire Plus Transport Fund programme.
4. The Council has a duty to meet its housing requirement and in doing so ensure the most appropriate sites are proposed. Document EV 51.1 Site Allocations Assessment Methodology - Publication Draft (2018) details the process the Council has followed in relation to the site assessment process. The document outlines the various stages of assessment from initial site identification to the implementation of the Sequential Approach.
5. The Council's Local Plan transport evidence has looked at Emissions (EV54.8). The Low Emissions Strategy (2017) EV03; Air Quality Action Plan (2018) EV03 and Air Quality Technical Paper (2018) EV04. These strategies and actions plans are working together to help reduce and manage emissions and improve air quality. The growth of employment alongside new homes in SE Calderdale will also provide opportunities for locally based employment reducing the need to travel, helping to manage emissions.
6. The Council sought significant growth within and around Halifax in accordance with the requirements of the Regional Strategy. However the implications of such growth associated with the Special Protection Area and the Special Area of Conservation which lies to the north-west and west of the town have limited the options for growth without the potential of causing the potential for likely significant effects on these areas. As a result large scale development to the north and west of Halifax has been excluded from the Local Plan.

There are many small sites (under 0.25ha) which have been identified throughout the process which could come forward as windfalls, which will increase development within the town.

7. The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'

To achieve these objectives the Council is developing a range of strategies and interventions, and the Local Plan has a role to play in supporting these, but also ensuring development proposals meet these objectives and contribute more widely to an integrated 'active mode' network.

Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.

8. The standard method negates the need to make allowance for backlog as it is an up-to-date assessment using the most recent datasets published by the Office of National Statistics in 2016. Affordability is factored into the calculation given that the affordability ratio forms part of the calculation. See CC01 Calderdale Council Response to INS/01 Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 and also Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations.

9. See Evidence Document EV 33 Housing Technical Paper (2018) (paras. 3.1 -4.4), CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.5, Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations and Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

10. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative.

11. No housing requirement has been established for Neighbourhood Areas. The need for figures at a Neighbourhood Area was not a requirement of NPPF 2012.

12. With regards to the site assessment process, in order to identify the most sustainable sites a 'sequential' approach to housing allocations has been adopted that prioritises brownfield sites in the urban area, only using the most sensitive Green Belt when all alternative sites were used.

13. The Council does not accept that there is inadequate evidence regarding highways infrastructure and capacity. Evidence documents EV54.1 to EV56.0 inclusive provide the transport evidence which has assessed the Local Plan and the growth that it is accommodating.

14. The Infrastructure Delivery Plan is a compendium of projected infrastructure provision and it helps to ensure that this infrastructure is provided in a timely manner and in a coordinated and sustainable way. It sets out the infrastructure that will support the level of development that is proposed in the Calderdale Local Plan.

15. Using the same methodology as the Green Belt Review, proposed development sites in the Local Plan that are located in the Green Belt have been assessed against the Green Belt purposes in the NPPF using

the boundaries of the site itself. During that assessment, the question was asked if the land contained in the development site is contiguous with other Green Belt up to and beyond the Borough boundary.

16. Document EV 09 Exceptional Circumstances for the Release of Green Belt (2018) considers the process that the Council has followed in relation to the potential need to release land from the Green Belt. It can be seen that a methodical approach has been built into each stage of the process and that ultimately this process has dovetailed with the Government's emerging policy on exceptional circumstances.

17. The Local Plan is not predicated on the delivery of Junction 24A. The intervention is not a critical to the delivery of the growth scenarios proposed in the Local Plan.

18. The garden suburbs have not been proposed as part of the Government's Garden Communities Programme. The programme was announced following the Council's decision to adopt the garden suburb approach to distribution of development.

19. Kirklees and Calderdale Councils are jointly committed to the delivery of the SE Calderdale/North Huddersfield Delivery Plan to secure comprehensive development of the cross boundary area. The Plan Policy IM7 Master planning will ensure that all aspects are considered.

20. The most recent 2016-based household projections derived from the 2016-based population projections were published on 20th September 2018. Whilst they do lower the housing requirement nationally, including within Calderdale, they have been withdrawn by the Government in advance of refining the standard method to achieve higher levels of housing growth in line with Government Policy. The housing requirement figure is derived using the Standard method and based on the 2014-based household projections (published in 2016) as required by NPPG (paras. 4 and 5). See CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.4.

21. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. The NPPF does not stipulate that a requirement figure should be greater than that produced using the Standard Method. The figure in the Local Plan does meet the requirement in NPPF 2012 (paragraph 47) (NPPF 2019 para. 59) of boosting housing supply when viewed in the context of housing requirement figures in previous plans such as the first and replacement Calderdale Unitary Development Plans (450 and 500/670 respectively). See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

22. The Council took the decision to assess the housing requirement in line with the Standard Methodology - see CC.01 Calderdale Council Response to INS/01.

A growth in workforce supply can be achieved from a number of sources including: an increase in the local employment rate, a change in the balance of commuting patterns through either an increase in in-commuting, or a decrease in out-commuting, and changes in local population.

23. The justification for the garden suburbs is detailed in Evidence Document EV40 – Justification for the Garden Suburbs (2018).

24. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at

a rate where it is profitable to do so and assumptions for windfalls are relatively conservative.

25. NPPF 2012, under which the Plan was prepared, states Strategic Policies should be drawn up over an appropriate time scale, preferably a 15-year time horizon (the starting point for this period is not specified). The Council also draws attention to the fact that the Plan allocates sites for the full 15 year plan period rather than only broad locations for years 6 to 10 and 11 to 15 which is an option included in the NPPF 2012 (para. 47 bp3) and as updated February 2019 (para 67 b).

26. The 10% reduction used for discounting sites of fewer than 10 dwellings (or where there are fewer than 10 dwellings to complete on larger sites) is commonly used for this purpose. The significance of smaller sites in a district like Calderdale should not be underestimated. Larger sites (10+) have been discounted on the basis of the best information available. See Evidence Document EV 33 Housing Technical Paper (2018) paragraphs 6.4 – 6.8.

27. NPPF 2012 (para 48) allows for a windfall allowance where justified (re-affirmed in NPPF 2019 - para 70). See Evidence Document EV 33 Housing Technical Paper (2018) paragraphs 6.9 – 6.12 and Appendix 1.

28. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative.

29. Use of the standard method was intended to avoid arguments around such factors which were a feature of SHMAs. Given that the Standard Method uses the most up-to date information recent household formation rates for younger householders are reflected in the assumptions behind the Sub-National Household Projections employed in the Standard Method. The affordability ratio applied also reflects the ability of younger households to enter the housing market.

30. The fact that all local authorities in West Yorkshire are to meet their own housing needs, rather than rely on adjacent authorities to assist in meeting that need is fully referenced in Submission Document SD 13 - Duty to Cooperate Statement Including Statements of Common Ground (January 2019).

31. See Evidence Document EV 33 Housing Technical Paper (2018) (paras. 3.1 -4.4), CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.5, Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations and Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

Duty to Co-operate

Main Issues:

1. Limited evidence to demonstrate the Duty to Cooperate with stakeholders.
2. No consideration given to developments in Kirklees.

Council's Response:

1. See Submission Document SD 13 - Duty to Cooperate Statement Including Statements of Common Ground (January 2009).

2. Full and proper consideration has and is being given to development proposals in Kirklees as evidenced in Submission Document SD 13 - Duty to Cooperate Statement Including Statements of Common Ground (January 2009). Further information is provided in the Council's Response to the Inspector's Pre-Hearing Note 1 Question 3 – see CC01 Calderdale Council Response to INS01 Appendix 1.3.

Suggested Modifications

1. Revise spatial strategy to reflect more proportionate and sustainable spread of development.
2. Revise the housing requirement to reflect latest ONS projections.
3. Allocate more sites for development, including small scale Green Belt release.
4. Amend the Plan period.
5. The Plan should have an end date of 2036.
6. The 840 dpa housing requirement ignores the Council's own evidence base.
7. The local plan should be based on a housing requirement of at least 1,129 dpa.
8. Amend policy: "Provision is made for a minimum of (22,050) net additional dwellings to be delivered within Calderdale between 1st April 2018 and 31st March 2036, in order to meet the housing needs of the Borough".

Council's Response:

1. The paper to the Local Plan Working Party 17th August 2016 attached to evidence document EV09 considers the distribution of development throughout the Local Plan process. The Council considers its distribution of development to be justified and supportive of sustainable development.
No modification required.
2. The most recent 2016-based household projections derived from the 2016-based population projections were published on 20th September 2018. Whilst they do lower the housing requirement nationally, including within Calderdale, they have been withdrawn by the Government in advance of refining the standard method to achieve higher levels of housing growth in line with Government Policy. The housing requirement figure is derived using the Standard method and based on the 2014-based household projections (published in 2016) as required by NPPG (paras. 4 and 5). See CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.4.
No modification required.
3. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).
No modification required.
4. NPPF 2012, under which the Plan was prepared, states Strategic Policies should be drawn up over an appropriate time scale, preferably a 15-year time horizon (the starting point for this period is not specified). The Council also draws attention to the fact that the Plan allocates sites for the full 15 year plan period rather than only broad locations for years 6 to 10 and 11 to 15 which is an option included in the NPPF 2012

(para. 47 bp3) and the NPPF 2018, and as updated February 2019, (para 67 b).

No modification required.

5. NPPF 2012, under which the Plan was prepared, states Strategic Policies should be drawn up over an appropriate time scale, preferably a 15-year time horizon (the starting point for this period is not specified). The Council also draws attention to the fact that the Plan allocates sites for the full 15 year plan period rather than only broad locations for years 6 to 10 and 11 to 15 which is an option included in the NPPF 2012 (para. 47 bp3) and the NPPF 2018, and as updated February 2019, (para 67 b). As a point of fact 15 years from the programmed date of adoption would be 2034/35.

No modification required.

6. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

No modification required.

7. The standard method negates the need to make allowance for backlog as it is an up-to-date assessment using the most recent datasets published by the Office of National Statistics in 2016. Affordability is factored into the calculation given that the affordability ratio forms part of the calculation. See CC01 Calderdale Council Response to INS/01 Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 and also Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations.

No modification required.

8. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

NPPF 2012, under which the Plan was prepared, states Strategic Policies should be drawn up over an appropriate time scale, preferably a 15-year time horizon (the starting point for this period is not specified). The Council also draws attention to the fact that the Plan allocates sites for the full 15 year plan period rather than only broad locations for years 6 to 10 and 11 to 15 which is an option included in the NPPF 2012 (para. 47 bp3) and the NPPF 2018, and as updated February 2019, (para 67 b). As a point of fact 15 years from the programmed date of adoption would be 2034/35.

The addition of the words 'minimum' and 'net additional dwellings' adds clarity to Policy SD3 and the Council would be agreeable to these changes.

MODIFICATION: The addition of the words 'minimum' and 'net additional dwellings' adds clarity to Policy SD3 and the Council would consider these word changes.

Document Section: Table 6.1 Housing Need in Calderdale 2018/19 - 2032/33

Representations

Comment ID **Lpp718**

Site ref (if applicable):

Person ID: **368488**

Name: **Mr & Mrs E Archbold**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

If this projection of housing need has used the projected population growth tables from 2.5 then this may be incorrect as they don't add up. Also, how do we need 12,600 houses when only 8300 growth in population (& most of these are over aged 65)?

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Ensure the plan contains accurate figures and remove contradictions. Ensure the developments in the plan are in line with up to date & accurate projections.

Additional Evidence Link:

Comment ID **Lpp773**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

In assessing the numbers in this table we've reviewed the content of the 2018 SHMA (published in May), and in particular chapters 2-5, which note: - That it has used the 2014 based ones paragraph 3.5 (it also

notes at that point, of course, that the 2016-based household projections are not yet available to it); - that when the 2016-based household projections are available (which they are now to consultees, in September 2018) 'the Council will need to consider the household projections and assess the extent to which they represent a 'meaningful change in the housing situation' 3.6 "" FOE believes that they do represent this; - That 'the application of the 2014-based projections as the ' starting point ' therefore suggests a slightly lower level of need for 755 dwellings per annum in Calderdale' 3.11 - and see also 3.14 , which implies that the application of the 2016-based projections, will result in a still lower 'starting point'; - In paragraph 4.45 its conclusions about making allowance for unattributable population change (UPC), which consequently require an uplift to the ONS 'starting point' "" FOE believes as of September 2018 that it's likely that this will be offset by the use of the lower 2016-based population and household projections; - in chapter 5 a further uplift could be warranted in order to 'support job growth forecast by Cambridge Economics and Experian's Regional Econometric Model' - As set out in the appendix to the FOE Overview Note we don't accept the basis upon which the REM job growth forecast is being calculated and then fed into the Calderdale OAN calculation; or the implicit assumption that the size of the Calderdale economy, and therefore its theoretical employment growth forecast, and therefore its housing supply, must grow to meet the assumptions of a regional econometric model. There isn't adequate evidence that the LCR strategic economic plan modelling has taken into account the structural reduction in the size of the working age population (and therefore labour supply) not just in Calderdale, but nationally, or indeed other trends relating to the impact of the Internet or artificial intelligence on localised labour demand more noticeable since the SEP was produced in 2016. Within the 2018 SHMA the methodological basis for its conclusions in 5.25-27 "" that 'the modelling nonetheless suggests that further working age residents will be required to support baseline job growth, beyond those likely to result from a continuation of past demographic trends. The modelling assumes that this gap will be reconciled through the increased attraction and retention of working age residents' - seem questionable about where this 'increased attraction and retention of working age residents' will be derived from, regionally or nationally; but FOE will instead await the SHMA's reassessment to allow for both sets of 2016- based projections for the purposes of the Examination in Public, rather than challenge the detailed assumptions of this chapter now. But we don't accept that 'The modelling suggests that a need for 1,129 dwellings per annum would be generated under this scenario.' 5.28 , or the SHMA's overall conclusion at 8.31 and table 8.1 that the OAN should be 1000 dwellings per annum.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp835**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

As a second comment on this policy we wish to refer to its interaction with Greenbelt policy, which is considered separately in chapter 19. We want to note that when the options for the number of housing allocations were considered by the Council's Cabinet on 12th February 2018, and Members elected to endorse option B "" i.e. the proposed standard national method for calculating housing requirements with no adjustment for employment growth or undersupply; thus this option reflected demographic change but did not include any other form of uplift - and a housing allocation of 840 dwellings p.a, we believe they were right to do so because its principal effect, and the council's substantial motive we believe, was to limit the impact on the Greenbelt, which even before the publication of revised NPPF in July represented the clear and long-stated intention of government policy. (This is confirmed by the Greenbelt Technical paper: 'It should be noted that option B has the least impact on the Green Belt compared to the four other options "" a reduction in area of 1.7% compared to 2.2% for option A.' 3.2) We think they were right to have balanced their judgement in this way.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp929**

Site ref (if applicable):

Person ID: **717690**

Name: **Mr Jason Carlton**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The annual housing need allocation number of 840 dwellings - 12,600 over the estimated pan lifetime (Table 6.1) significantly over-estimates the projected housing demand, according to the latest Office for National Statistics (ONS) data. Net housing requirement as demonstrated by the latest ONS data [1] shows an annual requirement (before buffer and growth) of less than 540 dwellings per annum / 8,625 over the lifetime of the plan. I believe the level of additional housing capacity is unsustainable, the economic opportunities for employment will not be present meaning this will turn the garden suburbs into commuter villages for Leeds and Manchester [1] Household Projections in England QMI, Office for National Statistics [Accessed at <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/methodologies/householdprojectionsinenglandqmi> 29/09/18 - 12.24]

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Either reduce the additional housing numbers and ensure alignment with economic opportunities or be clear about practical steps to prevent the garden suburbs becoming commuter towns for Leeds and Manchester

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The housing requirement significantly over estimates the projected housing demand, given recent ONS projections.

Council's Response:

1. The most recent 2016 based household projections derived from the 2016 based population projections do lower the housing requirement nationally, including within Calderdale, but have been withdrawn by the Government in advance of refining the standard method to achieve higher levels of housing growth as per Government Policy. The housing requirement figure is derived using the Standard method and based on the 2014-based household projections published in 2016 as required by NPPG (paras. 4 and 5). See CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.4. These are factual matters.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.3 Paragraph

Representations

Comment ID **Lpp1040**

Site ref (if applicable):

Person ID: **515785**

Name:

Organisation: **The Smith Foundation**

Agent ID: **515780**

Name: **Mr Paul Leeming**

Organisation: **Carter Jonas**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

See attached representation for full details. It is welcomed that the Council does not propose to include demolitions or empty homes as contributing in some form to the housing supply, given that neither will be a significant source. Nevertheless concern is raised with the assumptions on Extant Planning Permissions and the use of Windfalls. Some 1888 dwellings are identified as extant, however, it is considered that a larger discount should be applied for non-delivery or where permissions will not be renewed. For windfalls Carter Jonas advocate that these are not included as a source of supply and should be seen as a bonus over the plan period as part of the Government's policy to substantially boost the supply of housing. Table 6.2 identifies the sources of supply to suggest that the overall cumulative total is 12,642 dwellings against the Plan's requirement of 12,600, including windfalls and extant permissions. This suggests that there is a housing need through allocations of 9,418; the current sources of supply suggest an indicative supply of 9,460, an excess of 42 units. This represents a buffer of one third of one per cent and does not leave room for doubt. For instance, should the number of windfalls assumed not arise or the extant permissions are not delivered, the housing requirement will not be met. This does not represent positive planning and is unsound. Carter Jonas would recommend that a buffer of additional sites is applied to ensure that sufficient flexibility is included into the Plan to ensure the housing requirement can be met. Use of such a buffer is two-fold: To conform to national policy the housing requirement should be identified as a minimum (to ensure a boost in supply and to represent positive planning), it is prudent therefore for the Plan to seek to exceed that target. Secondly a buffer will provide a balance against non-delivery or underdelivery. It is considered therefore that the Plan should identify more sites. Advice from the Local Plan Expert Group advises a buffer of allocated sites, this should be set around 20%. Against the Plan's identified requirement this would suggest that additional minimum supply for 2,500 dwellings. I.e. the plan as drafted should include for allocations for around 12,500 units. We would suggest more. Where the allocation of such sites are required for removal from the Green Belt, it is recommended that the Plan identifies a further buffer for future supply through the identification of additional land for safeguarding beyond the Plan period.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Advice from the Local Plan Expert Group advises a buffer of allocated sites, this should be set around 20%. Against the Plan's identified requirement this would suggest that additional minimum supply for 2,500 dwellings. I.e. the plan as drafted should include for allocations for around 12,500 units. We would suggest more. Where the allocation of such sites are required for removal from the Green Belt, it is recommended that the Plan identifies a further buffer for future supply through the identification of additional land for safeguarding beyond the Plan.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5147469>

Comment ID **Lpp148**

Site ref (if applicable):

Person ID: **1171108**

Name: **Mr Brian Crossley (SNLPP)**

Organisation: **Chairperson SNLPP**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

There are hundreds of sites identified in the 'Site Allocations Assessment Methodology Statement' that were initially sieved due to their area being less than 0.25ha, these sites were not taken forward to a Site Assessment. Some of these sites had planning permission but it has not been made clear if they are included within the 'Extant Planning Permissions' category in Table 6.2. Those initially sieved sites also included many without PP and these have also been excluded. Of those sites going forward to a Site Assessment, many of the smaller sites, whilst being suitable for development, were subsequently filtered due to various other constraints reducing their area to less than 0.25ha. The Local Plan Technical Paper 'Exceptional circumstances for the release of Green Belt' para. 2.5 considers that emerging policy in NPPF DTC is appropriate to use to address the issue of exceptional circumstances in removing land from the Green Belt. Para. 136 of NPPF DTC states: Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic plan-making authority should have examined FULLY ALL OTHER REASONABLE OPTIONS for meeting its identified need for development. This will be assessed through the examination of the plan, which will take into account the preceding paragraph, and whether the strategy: a) makes as much use as possible of suitable brownfield sites and UNDERUTILISED LAND; [SNLPP capitalisation] As we have said above there are many hundreds of small sites that are now 'underutilised' and this could amount to tens of hectares of useable land. The decision to exclude sites less than 0.25ha may have been a pragmatic one at the time but in view of the amount of land now being proposed to be removed from the Green Belt we submit that it is UNSOUND to fail to revisit them. The benefits of bringing these small sites back into the Local Plan we feel are twofold. Firstly, it will reduce the amount of Green Belt land needed for development. Secondly, it will bring forward many small sites in sustainable, urban areas that could be developed by small local builders, thus adding directly to the jobs market and economy of the borough.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp670**

Site ref (if applicable):

Person ID: **1126037**

Name: **Mr Graham Maslen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp704**

Site ref (if applicable):

Person ID: **1183577**

Name: **Mr Graham Foster**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Before taking Green Belt land all land should be reassessed and where ever possible brought into use to meet the housing needs of the Borough. Failure to do this will render the Plan unsound when measured against the requirements of the NPPF.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp774**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

In relation to the assumed rate within the windfall sites allocation - where the LP assumes '162 units will be delivered in years 4 and 5, and 97 units will be delivered each year between years 6 and 15' - but this is very considerably below the historic trend reported in Appendix 1 of the Housing Technical Paper which averages 321 units per annum, double the proposed rate. It's important that this number is not underestimated, resulting in an unnecessary over-allocation of Greenbelt sites.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Not clear if sites below the 0.25ha threshold but have planning permission are included in the sources of supply.
2. The decision to set the site size threshold at 0.25ha is unsound given resulting Green Belt release, and the number of small sustainable sites in the Urban Area.

3. All land should be considered for development before use of Green Belt land.
4. Illogical to apply a lapse rate to extant planning permissions and not the allocations where allocations will have gone through less technical scrutiny than applications and are often allocated without a willing developer or site promoter.
5. The windfall allowance is considerably lower than the historic rate. This number should not be underestimated.
6. A larger discount should be applied to extant planning permissions.
7. Windfalls should not be included as a source of housing supply.
8. There should be a larger buffer between housing requirement and sources of supply.

Council's Response:

1. All full/reserved matters planning permissions subject to the discounts applied are included. See Evidence Document EV 33 Housing Technical Paper (2018) paragraphs 6.4 – 6.8.
2. Sites which were below 0.25 hectares were filtered from allocation. Many other local authorities have traditionally used a site size of 0.4 hectares, however due to the important contribution of small sites historically in Calderdale it is believed a 0.25 hectare threshold is more appropriate. Planning Practice Guidance states that a range of different sized sites will be required to deliver the required scale of development. It suggests that sites should be assessed which could support 5 or more dwellings or economic development sites of 0.25 hectares. Sites below 0.25 ha are likely to come forward as windfalls where an assumption has been made as to their contribution to housing numbers. Sites below 0.25 hectares which could be amalgamated with another site to take it above the site size threshold has been undertaken. These smaller sites also have the opportunity to be allocated as part of Neighbourhood Plans.
3. With regards to the site assessment process, in order to identify the most sustainable sites a 'sequential' approach to housing allocations has been adopted that prioritises brownfield sites in the urban area, only using the most sensitive Green Belt when all alternative sites were used.
 1. Brownfield, Within Urban Area
 2. Mixed BF/GF, Within Urban Area
 3. Greenfield, Within Urban Area
 4. Brownfield, Within Green Belt
 5. Green Belt (Meets 0-2 of the identified purposes), Outside SLA, GF/BF
 6. Green Belt (Meets 0-2 of the identified purposes), Within SLA, GF/BF
 7. Green Belt (Meets 3-5 of the identified purposes), Outside SLA, GF/BF
 8. Green Belt (Meets 3-5 of the identified purposes), Within SLA, GF/BF
 See, in particular, Evidence Documents EV 09 Exceptional Circumstances for the Release of Green Belt (2019) and EV 51.1 Site Allocations Assessment Methodology - Publication Draft (2018).
4. The Council's approach is in accordance with normal practice. The allocations do not require a discount due to the rigorous site assessments preceding their selection and allocation. The allocations are only a proportion of all the sites assessed (some 1600 sites). The sites actually allocated are believed on the basis of the best information available to be deliverable over the Plan period, many of which have been promoted by landowners/developers. The views of relevant consultees also fed into the process. See Evidence Document EV 51.1 (Site Allocations Methodology – Publication Draft (2018)) for the methodology

behind the site assessment process.

5. The windfall allowance takes historic rates into consideration as a starting point but then assesses the likelihood of such sites coming forward in the future as per the guidance in NPPF 2012 (para 48). See Evidence Document EV 33 Housing Technical Paper (2018) paragraphs 6.9 – 6.12 and Appendix 1.

6. The 10% reduction used for discounting sites of fewer than 10 dwellings (or where there are fewer than 10 dwellings to complete on larger sites) is commonly used for this purpose. The significance of smaller sites in a district like Calderdale should not be underestimated. Larger sites (10+) have been discounted on the basis of the best information available. See Evidence Document EV 33 Housing Technical Paper (2018) paragraphs 6.4 – 6.8.

7. NPPF 2012 (para 48) allows for a windfall allowance where justified (re-affirmed in NPPF 2019 - para 70). See Evidence Document EV 33 Housing Technical Paper (2018) paragraphs 6.9 – 6.12 and Appendix 1.

8. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Identify a buffer of allocated sites, at a higher level suggested by the LPEG.
2. Additional land should be identified for safeguarding beyond the Plan period.

Council's Response:

1. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative.

No modification required.

2. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative. National Planning Policy Framework suggests local authorities should only 'safeguard' land 'where necessary'. If the plan that

the authority puts forward has provision to meet housing needs in full and if other sites are available for potential future development beyond the life of the plan, safeguarding land is considered unnecessary. No modification required.

Document Section: Table 6.2 Sources of Housing Land Supply

Representations

Comment ID **Lpp775**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID: Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The numbers in this table are not accepted for the reasons set out in our comments on table 6.1 and paragraphs 6.3.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The numbers in this table are not accepted.
2. The buffer between the sources of supply and housing requirement is too low.
3. A buffer of additional sites should be applied to ensure sufficient flexibility, provide for non/under delivery and to boost supply.

Council's Response:

1. The Council considers the figures contained within the table are fully justified by supporting evidence.
2. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative.
3. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Lapse rate should be shown within Table 6.2 of the plan.
2. A 10% flexibility allowance should be made to allocations as well as lapsed extant planning permissions.
3. Identify additional land for safeguarding to provide for a buffer.

Council's Response:

1. Not appropriate as Table 6.2 shows sources of housing land supply whilst lapsed permissions are not a source of supply. The Housing Technical Paper (See Evidence Document EV 33) provides information on the discounting of planning permissions which includes an allowance for permissions lapsing. The Council could consider adding information on lapse rates to the Housing Technical Paper.
No modification required.
2. The Council's approach is in accordance with normal practice. The allocations do not require a discount due to the rigorous site assessments preceding their selection and allocation. The allocations are only a proportion of all the sites assessed (some 1600 sites). The sites actually allocated are believed on the basis of the best information available to be deliverable over the Plan period, many of which have been promoted by landowners/developers. The views of relevant consultees also fed into the process. See Evidence Document EV 51.1 (Site Allocations Methodology – Publication Draft (2018)) for the methodology behind the site assessment process.
No modification required.
3. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with

sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative. National Planning Policy Framework suggests local authorities should only 'safeguard' land 'where necessary'. If the plan that the authority puts forward has provision to meet housing needs in full and if other sites are available for potential future development beyond the life of the plan, safeguarding land is considered unnecessary. No modification required.

Document Section: Policy SD3 Housing Requirement

Representations

Comment ID **Lpp1022**

Site ref (if applicable):

Person ID: **515785**

Name:

Organisation: **The Smith Foundation**

Agent ID: **515780**

Name: **Mr Paul Leeming**

Organisation: **Carter Jonas**

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Representation submitted in September 2017 highlighted an issue with the Plan period suggesting that it is not long enough. Within the 2012 Framework there is a requirement for Local Plans to be drawn up over an appropriate timeframe, preferably 15 years to take into account longer term requirements; particularly where a Green Belt Review is required, and provision is to be made for beyond the Plan period; for example to provide a buffer of sites or to identify a supply of safeguarded land for future provision to ensure the permanence of the Green Belt. Requirements in the Revised Framework seek a minimum 15 year period from the date of adoption. For a number of reasons we are of the view that the Local Plan is unlikely to be adopted before 2020. Therefore it would be prudent for the Local Plan to seek an end date of 31st March 2036, and the strategic policies and Vision adjusted to this date. As it is we consider that the current end date is not consistent with either the 2012 or 2018 Frameworks and is not sound. Additionally it is not positively prepared or justified. These matters could be addressed in part by extending the Plan period, as suggested.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

Therefore it would be prudent for the Local Plan to seek an end date of 31st March 2036, and the strategic policies and Vision adjusted to this date. As it is we consider that the current end date is not consistent with either the 2012 or 2018 Frameworks and is not sound. Additionally it is not positively prepared or justified. These matters could be addressed in part by extending the Plan period, as suggested.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5147469>

Comment ID **Lpp1027**

Site ref (if applicable):

Person ID: **515785**

Name:

Organisation: **The Smith Foundation**

Agent ID: **515780**

Name: **Mr Paul Leeming**

Organisation: **Carter Jonas**

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

It is welcomed that the Council does not propose to include demolitions or empty homes as contributing in some form to the housing supply, given that neither will be a significant source. Nevertheless concern is raised with the assumptions on Extant Planning Permissions and the use of Windfalls. Some 1888 dwellings are identified as extant, however, it is considered that a larger discount should be applied for non-delivery or where permissions will not be renewed. For windfalls Carter Jonas advocate that these are not included as a source of supply and should be seen as a bonus over the plan period as part of the Government's policy to substantially boost the supply of housing. Table 6.2 identifies the sources of supply to suggest that the overall cumulative total is 12,642 dwellings against the Plan's requirement of 12,600, including windfalls and extant permissions. This suggests that there is a housing need through allocations of 9,418; the current sources of supply suggest an indicative supply of 9,460, an excess of 42 units. This represents a buffer of one third of one per cent and does not leave room for doubt. For instance, should the number of windfalls assumed not arise or the extant permissions are not delivered, the housing requirement will not be met. This does not represent positive planning and is unsound. Carter Jonas would recommend that a buffer of additional sites is applied to ensure that sufficient flexibility is included into the Plan to ensure the housing requirement can be met. Use of such a buffer is two-fold: To conform to national policy the housing requirement should be identified as a minimum (to ensure a boost in supply and to represent positive planning), it is prudent therefore for the Plan to seek to exceed that target. Secondly a buffer will provide a balance against non-delivery or underdelivery. It is considered therefore that the Plan should identify more sites..

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

Advice from the Local Plan Expert Group advises a buffer of allocated sites, this should be set around 20%. Against the Plan's identified requirement this would suggest that additional minimum supply for 2,500 dwellings. I.e. the plan as drafted should include for allocations for around 12,500 units. We would suggest more. Where the allocation of such sites are required for removal from the Green Belt, it is recommended that the Plan identifies a further buffer for future supply through the identification of additional land for safeguarding beyond the Plan.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5147469>

Comment ID **Lpp1039**

Site ref (if applicable):

Person ID: **515785**

Name:

Organisation: **The Smith Foundation**

Agent ID: **515780**

Name: **Mr Paul Leeming**

Organisation: **Carter Jonas**

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attached representation for full details. Previous comments (September 2017) questioned the Council's intention to meet its own (objectively assessed) housing need (OAN), suggesting that the Council does not intend to do so through the scale of growth suggested in the document. There is a notable decrease in the identified housing requirement over the evolution of the Draft Plan. The Initial Draft Local Plan identified a requirement of around 1,125 dwellings per year. The 2017 Regulation 18 document suggested a requirement of 946 dwellings per year; this represented a fifteen per cent reduction. Within the current (Reg 19) document the requirement is reduced further still, to around 840 dwellings per year (with a Plan requirement of 12,600 units). This represents a further 12% reduction, or cumulatively a decrease of 25%. There is no justification for this apparent decrease; nor the scale of it. Reference is made to the MHCLG standard housing methodology as the basis for the figure. It should be noted that the figure generated by the standard methodology is considered to be the minimum starting point. The standard methodology is severely affected by previous growth trends. In the case of Calderdale, for example, this is suppressed by the lack of appropriate site allocations and poor levels of housing delivery. It is considered that an uplift is appropriate in locations where growth strategies are in place to increase housing delivery (such as the Northern Power house or where initiatives are on place such as the Housing Infrastructure Fund which seek to facilitate growth. Both initiatives are applicable to Calderdale, therefore an uplift is justifiable. MHCLG's standard methodology does not include for matters highlighted in the Council's own SHMA. For example as adjustments to household formation rates for younger households (25-34) to encourage the housing market to return to a healthier position. Given wider Government strategy to encourage home ownership (through Help to Buy) and changes to stamp duty to encourage first time buyers and younger households to purchase, it would seem counter intuitive not to include an uplift for such households. Furthermore there seems to be little or no correlation between the housing requirement and the Council's economic growth and job formation policies. Previous representations suggested how the Council's reduction in the housing requirement did not reflect the Council's Economic Growth modelling evidence, and even reflected a below average economic performance. The further reduction in housing numbers simply exacerbates the policy imbalance. We would suggest that an uplift is included to ensure that there is an appropriate balance between housing provision and the economic and job growth aspirations. If the Council can justify the approach through the Local Plan of seeking a housing requirement below the OAN, there does not appear to be a mechanism in place to meet the OAN through other means. There is no evidence, for example, that other local authorities will take up the slack. Within the papers on the Duty to Co-operate there is no suggestion that adjoining authorities will do anything other than meet their own need. The Plan is therefore not justified. For reasons set out earlier it is considered that the Local Plan should recognise a longer plan period (to 2036, at least) and modify the housing requirement to match. We consider that the Local Plan should identify an annual housing requirement of 1125 dwellings, as set out in our previous representations. Should the plan period remain starting from 2018 then the housing requirement should be identified as 22,050 over the eighteen year period to 2036. It should be referred to as a minimum net additional dwellings. The text of the policy should be amended accordingly.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

In line with our comments to make the policy sound, we suggest that the wording is amended to ensure the housing number is a minimum figure and set out over a long enough plan period: 'Provision is made for a minimum of (22,050) net additional dwellings to be delivered within Calderdale between 1st April 2018 and 31st March 2036, in order to meet the housing needs of the Borough.'

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5147469>

Comment ID **Lpp1062**

Site ref (if applicable):

Person ID: **1094576**

Name: **Mr Brian Reynolds**

Organisation: **Gleeson Homes Ltd**

Agent ID: **1104252**

Name: **Mr Mark Eagland**

Organisation: **Peacock & Smith**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Objection Gleeson Regeneration Ltd (Gleeson) considers that the proposed housing requirement of 840 dpa is not positively prepared, justified or effective. The housing requirement proposed within the Local Plan represents the 'minimum' standard figure set out in the Government's standard housing methodology (September 2017). Planning Practice Guidance (PPG) also confirms that the standard figure represents a need figure, not a housing requirement. PPG indicates that there are a number of scenarios where a higher figure than the standard housing figure might be justified. These include (inter-alia) where growth strategies are in place and recent assessments such as housing need have been carried out such as a SHMA. In the case of Calderdale, we understand that Planning Officers recommended to Members of the Council that an upward adjustment to the standard figure would be a sensible approach given the economic growth strategy of the Local Plan. Furthermore, we note that the employment land figure pursued by the Local Plan is in excess of the highest labour supply scenario (1,169 dpa) assumed by the Lichfield Employment Land Study. In our view the lack of an adjustment to the standard figure to take account of the economic growth strategy could undermine the economic ambitions of the Local Plan. We also note that an updated SHMA was prepared for the Council by Turley in May 2018. After taking account of market signals and economic growth this recommends that the annual housing requirement for the Borough should be approximately 1,000 dwellings per annum " some 160 dwellings in excess of that provided for in the Publication Draft Local Plan. However, the Council's Housing Technical Paper (2018) confirms at Para 3.5 that this recommendation was rejected by Members of the Council. In the light of the above, we do not consider that the housing requirement figure of 840 dpa is sound.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

The housing requirement for the Borough should be increased to take account of the economic strategy of the Local Plan and the recently prepared SHMA.

Additional Evidence Link:

Comment ID **Lpp1152**

Site ref (if applicable):

Person ID: **960869**

Name: **Stonebridge Homes**

Organisation:

Agent ID: **691692**

Name: **Ms Lucie Jowett**

Organisation: **Senior Planner Barton Willmore**

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

See attachment

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

See attachment

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5086522>

Comment ID **Lpp1172**

Site ref (if applicable):

Person ID: **1069334**

Name: **Ms Megan Pashley**

Organisation: **Gladman Developments Ltd**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This policy looks for provision to be made for 12,600 additional dwellings to be delivered between 2018 and 2033, equivalent to 840 dwellings each year. This represents a significant decrease from the 1,125 dwellings each year set out in the Initial Draft Local Plan. Gladman therefore question why there has been a sudden and significant decrease in the identified housing target? We note that the 12,600 housing requirement figure is derived from the MHCLG standard housing methodology, despite the fact that it is clear that the Council intend to submit the plan for Examination before the 24 th January 2019, and as such

intend for it to be assessed against the 2012 Framework. However, we would like to draw the Councils attention to the Planning Practice Guidance (PPG) which states that 'the Government was clear that reforms set out (which included the introduction of a standard method for assessing housing need) should lead to more homes being built. In order to ensure that the outputs associated with the method are consistent with this, we will consider adjusting the method after the household projections are released in September'. Therefore, the Council should be aware that the housing figures provided by the MHCLG standard methodology are likely to change. The figure generated by the standard method is considered as the minimum starting point, it is noted that it relies on past growth trends, which in the case of Calderdale may have been affected by the lack of appropriate site allocations and poor housing delivery. We consider that there are circumstances and indeed evidence in this situation that clearly demonstrate that an uplift is appropriate and as such suggest that any such potential uplift is considered in detail. Gladman also recommend that that Council recognise that the MHCLG standard methodology has not taken into consideration other issues that are highlighted within the Council's own evidence . For example the 2015 SHMA suggests an adjustment to the household formation rates for younger people (25-34 years), in order for the housing market to return to healthier and more sustainable conditions. This remains in line with current Government strategy, which continues to seek to increase homeownership, particularly for this age group, with schemes such as Help to Buy and changes to stamp duty to support them. It would appear remiss to remove consideration of this age group within any housing requirement set within the Local Plan. Gladman also have concerns that the proposed housing requirement does not represent an appropriate figure once consideration is given to the potential for economic growth and job formation and we continue to consider that an appropriate balance should be sought between employment growth aspirations and the provision of homes. Gladman do not consider in light of the above that Policy SD3 is sound, positively prepared, justified or indeed effective. We therefore recommend that the Council revisit the housing requirement.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5089285>

Comment ID **Lpp1205**

Site ref (if applicable):

Person ID: **1185143**

Name: **Mr John England**

Organisation:

Agent ID: **960827**

Name: **Emma Lancaster**

Organisation: **Quod Ltd**

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Please refer to attached Representations.

Do you consider the plan to be Sound?: **No**

Sound Reason:

Please refer to attached Representations.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Please refer to attached Representations.

Suggested Modifications:

Please refer to attached Representations.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5096831>

Comment ID **Lpp1225**

Site ref (if applicable):

Person ID: **1028087** Name: **Mr Luke Axe MRTPI** Organisation: **Keyland Developments Ltd**

Agent ID: **962361** Name: **Mr Andrew Rose** Organisation: **Spawforth Associates**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See Attachment

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5100797>

Comment ID **Lpp1238**

Site ref (if applicable):

Person ID: **855708** Name: **Barratt Homes & David Wilson Homes** Organisation: **Barratt Homes & David Wilson Homes**

Agent ID: **1185253** Name: **Mr Stuart Natkus** Organisation: **Barton Willmore**

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See Attachment

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5100986>

Comment ID **Lpp1260**

Site ref (if applicable):

Person ID: **1183427**

Name: **C/O Agent DPP .**

Organisation: **Northowram Stone LLP**

Agent ID: **965602**

Name: **Matt Rhodes**

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Please see section 11.0 of the accompanying report for full details Policy SD3 states that provision must be made for 12,600 additional dwellings between 2018 and 2033. This equates to 840 dwellings each year. This is a significant decrease from the 1,125 dwellings each year set out in the Initial Draft Local Plan. It is noted that the 12,600 housing figure is based on the MHCLG standard housing methodology. However, the figure generated by the standard method is considered as the minimum starting point and relies on past growth trends, which in the case of Calderdale may have been affected by the lack of appropriate site allocations and poor housing delivery. It is noted MHCLG standard housing methodology which the Council's housing requirements is predicated on is subject to change. The Planning Practice Guidance (PPG) states that: 'In order to ensure that the outputs associated with the method are consistent with this, we will consider adjusting the method after the household projections are released in September 2018'. As such, it is fair to presume that the housing requirement set out in the Local Plan is subject to change. We also have concerns that the proposed housing requirement does not represent an appropriate figure once consideration is given to the potential for economic growth and job formation. There is a requirement for Local Planning Authorities to strike an appropriate balance between employment growth aspirations and the provision of homes. Table 6.2 Sources of Housing Land Supply suggests that of the overall housing requirement of 12,600, 9,418 dwellings will need to be provided on new land allocations. The allocations proposed under policy SD7 provides a supply of 9,460 dwellings. This means that the Local Plan only allocates 42 dwellings or 0.5% more than the minimum requirement A reasonable buffer is required to provide consistency with the NPPF requirement to boost supply, plan positively and provide flexibility, and to ensure that the housing requirement is met as a minimum. A buffer should be sufficient to provide a balance against potential under or non-delivery from existing commitments or proposed allocations. The Local Plan does not cater for this requirement. Our concerns here are even further exacerbated when one considers that the Local Plan identifies 2 large sites (LP1451 and LP1463) to deliver 3,255 dwellings or 35% of the total new housing requirement. As such, the Local Plan is heavily reliant on the deliverability and achievability of development on what are two large and complex sites. If the development of these two large sites is delayed and delivery does not occur as expected, or even worse development does not occur

at all during the plan period, then there would be significant shortfall in the supply of housing within the borough. Without sufficient flexibility, there is a real danger that the Local Plan will not deliver the amount of development to meet the housing requirement. Whilst we have only carried out preliminary analysis of the Housing Requirement, we query the justification for such a sharp decrease on the requirement between the Initial Draft and Publication Draft of the Local Plan. We query whether the Local Plan therefore accurately reflects the housing needs within the Borough to ensure a sufficient supply of housing stock to provide an adequate supply of homes and promote economic growth. The policy is not positively prepared and does not conform with the need to boost the supply of housing. Policy SD3 and the Local Plan are unsound

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

The Local Plan should make provision for more housing.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5101980>

Comment ID **Lpp1269**

Site ref (if applicable):

Person ID: **1185592**

Name: **Yorkshire Housing**

Organisation: **Yorkshire Housing**

Agent ID: **1185594**

Name: **Mr Mark Johnson**

Organisation: **Managing Director Johnson Mowat**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5102264>; <http://calderdale-consult.objective.co.uk/file/5102670>

Comment ID **Lpp1312**

Site ref (if applicable):

Person ID: **1183599**

Name: **Mr Andrew Wood**

Organisation: **Consultant Planner CPRE**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment for context of comments. Introductory paragraph of Evidence Paper 2 states that: Please note that it was our intention to divide up this document and submit it in relevant sections using the representation form, but having downloaded the form we found that key entry fields were locked. Given that the representation system is in any case not well-suited to comments that develop a narrative and contain figures and tables, we have therefore reverted to submitting full documents. These are structured as carefully as possible to enable you to use them. It is our view that the Publication Draft is not positively prepared to deliver sustainable development. It is not justified by the most appropriate and up-to-date evidence of development needs. And it will not be effective in delivering sustainable development, due to fundamental internal contradictions between the scale and distribution of development and other key policies in the Plan. This evidence paper explains our position on these points, and we conclude that very substantial modifications will be needed to make the Plan sound. SD3 Policy SD3 and Housing Trajectory As set out above, our position is that the housing requirement might be quantitatively sound, but only if the requirement is segmented to give much greater confidence that the right types of homes will be built to meet genuine needs. Building the wrong types of housing would amount to a failure of the Plan, and therefore without segmentation of the requirement (as per our para XX) the Plan should be considered ineffective and not positively prepared. We understand that historical success in delivering a high proportion of new development on brownfield sites might lead to a reduction in future brownfield supply; and we also acknowledge that a proportion of recent housebuilding has been on former employment allocations. Some reduction in brownfield supply may therefore be expected. However, we have not seen convincing evidence that the ongoing supply of brownfield sites has been exhausted to the extent that no new allocations would be made on brownfield sites. Our Figure 2 below looks at housing targets and completions over the past 20 years. What we see is that whilst the target has progressively stepped up, the build-rate has tended gradually downwards, even allowing for the pre-recession peak. Over that time the large majority of housebuilding was on brownfield sites, and when evened out over the 20 year period it suggests a relatively stable supply of around 500 dwellings per year from brownfield sites. We have not analysed the split between allocations and windfalls within this brownfield supply. Even if the most recent brownfield completion rate of around 300 dwellings per year is taken as indicative of the longer term position, it is difficult to accept the Plan's proposition that new allocations of brownfield land cannot be envisaged within the plan period. In the light of NPPF2018's renewed emphasis on brownfield sites, and the Plan's Strategic Objective SO4 to maximise the use of brownfield land, we consider that the evidence for the future supply and viability of brownfield sites must be re-examined. Figure 2: 20-year historical trend in targets and completions in attachmentCPRE West Yorkshire Evidence Paper 2: CPRE Core Evidence (page 10) Our Figure 3 adds the proposed housing trajectory onto the historical trend, to enable us to examine its realism. This shows: The extent of the sudden drop in use of brownfield sites, which cannot be said to be consistent with SO4; The expectation of a rapid increase in housebuilding immediately upon adoption of the Plan. Figure 3: Historical trend and Plan Housing Trajectory together in attachmentCPRE West Yorkshire Evidence Paper 2: CPRE Core Evidence (page 11) It is of course correct that adoption of the Plan will result in a rapid acceleration of available land supply, as new allocations come on-stream; but it is inconceivable that housebuilding (starts and completions) will rise at anywhere near that rate. This presents significant problems: It depends on a rate of housing market growth equivalent to the fastest part of the boom in the early 2000s (unless a very high proportion of new housing was for social rent); If such rapid market growth could be achieved it would be very likely to create financial instability, leading to

problems such as negative equity; If it is not achieved, then the Local Plan is likely to fail against the new Housing Delivery Tests, causing the Plan to be rendered out-of-date almost as soon as it is adopted. This deeply unrealistic trajectory sets up a 'lose-lose' situation for the Local Plan, and cannot therefore be sound. It is also self-evident that trying to secure very rapid increases in build-rates reduces the ability of the flow of brownfield and windfall sites to contribute to land supply. Consequently we may conclude that it is haste, rather than housing need, that creates pressure for large allocations of greenfield land, including Green Belt change.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5102830>; <http://calderdale-consult.objective.co.uk/file/5122736>

Comment ID **Lpp1314**

Site ref (if applicable):

Person ID: **1129942**

Name: **Norah Smith**

Organisation:

Agent ID: **1185594**

Name: **Mr Mark Johnson**

Organisation: **Managing Director Johnson Mowat**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5104801>

Comment ID **Lpp1356**

Site ref (if applicable):

Person ID: **855708**

Name: **Barratt Homes & David Wilson Homes**

Organisation: **Barratt Homes & David Wilson Homes**

Agent ID: **1185784**

Name: **Chris Atkinson**

Organisation: **Barton Willmore**

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Please refer to attached report prepared by Barton Willmore. It is noted that the Council are proposing to utilise the Minister for Housing, Communities and Local Government (MHCLG) standardised methodology as the means for calculating the District's housing needs. Whilst this is addressed in detail in our attached report, there are additional important issues that should be raised. Firstly, it is clear that the standardised methodology should not be utilised until after January 2019 and given the fact that the Plan is at Publication stage, the current approach to calculating housing need as set out in the 2012 version of the Framework should be utilised. As such, our Client strongly objects to the use of the MHCLG methodology as this approach is considered to be unsound as it is not positively prepared and not in accordance with national guidance, thus failing to meet the tests of soundness as set in paragraph 35 of the Revised Framework. There is no justifiable reason why the Council's plan should not be submitted for Examination before January 2019. Notwithstanding this, the Government have confirmed that they will be looking again at the methodology in September as the current methodology does not deliver on the aspirations to increase housing delivery as proposed. Indeed, nationally circa 266,000 new homes would be delivered per annum which falls significantly short of the 300,000 target. As such, there is a very real prospect that the methodology will change in due course, adding further weight to the argument that the Council should not utilise the MHCLG methodology. Our Client strongly objects to the reduction in the housing requirement when compared to the figure that was promoted in the previous version of the plan, which was 1,125 dwellings per annum. A reduction of 285 units per annum is not justified, particularly as the Council considered the figure to be sound and fully justified. Barton Willmore have prepared a report which considers the housing need within Calderdale Council, on behalf of a consortium of housebuilders including Barratt and David Wilson Homes, and a copy is attached to these representations at Appendix 1. In summary, the report concludes the following: "ĉ The Council's housing target of 12,600 (840 hpa) is based on the standard method for calculating local housing need, however, the 840 hpa figure is based on indicative figures published by Government on September 2017, therefore they do not account for the 2016- based household projections; "ĉ The decision to progress with a 840 hpa figure was taken by members at a Cabinet meeting in February 2018, despite officers advising that between 976 and 1,018 hpa would be a more suitable figure to take account of economic growth aspirations; "ĉ Government have confirmed that the steps for calculating the standard methodology may be amended following publication of the 2016-based household projections on 20th September 2018. Until further clarity is provided on this matter, the Council's housing figure cannot be relied on; It is clear from the policies within the Local Plan that Calderdale Council have clear aspirations to support economic growth, which is reflected by the proposal to allocate 97 hectares of land for employment to support 8,295 (full-time equivalent) jobs; The Council's updated SHMA, published in May 2018, concludes that in order to support the baseline job growth of the West Yorkshire Regional Economic Model (REM), 1,001 hpa would be required; The SHMA Update also confirmed that 1,129 hpa would be required to meet the 'policy- on' job growth calculated to support the Leeds City Region Local Enterprise Partnership and included in the Local Plan (8,295 FTE jobs); Furthermore the 2018 SHMA Update confirmed a need for 965 hpa in order to deal with backlog and newly forming affordable housing need over the Plan period; In this context, the Council's own evidence base confirms how the proposed housing target in Policy SD3 of the CLP (840 hpa) would fail to support the economic growth set out in policy SD4 (97ha of land and 8,295 FTE jobs) and would fail to deliver the affordable housing need determined by the 2015 SHMA. The overarching conclusion of the report is that as a minimum the Council's housing target should be 1,129 hpa, in order to meet the aspirations of the Leeds City Region LEP.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Please refer to attached report prepare by Barton Willmore

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5104850>

Comment ID **Lpp1396**

Site ref (if applicable):

Person ID: **1185995**

Name: **Persimmon Homes (West Yorkshire)**

Organisation:

Agent ID: **1185997**

Name: **Mr Adam Jackson**

Organisation: **Senior Planner Lichfields**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

See attachment

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5106413>

Comment ID **Lpp1421**

Site ref (if applicable):

Person ID: **960161**

Name: **Miss Lucy Hawley**

Organisation: **Highstone Homes**

Agent ID: **1185594**

Name: **Mr Mark Johnson**

Organisation: **Managing Director Johnson Mowat**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attached statement

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

See attached statement

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5107522>

Comment ID **Lpp1432**

Site ref (if applicable):

Person ID: **1185621**

Name: **Clifton Village
Neighbourhood Forum**

Organisation: **Clifton Village
Neighbourhood Forum**

Agent ID: **1185607**

Name: **Mr Nick Pleasant**

Organisation: **NJL Consulting**

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment for context of comment. SD3 is not based on the latest available evidence contained in the revised population projections. Additionally, the policy does not identify how housing should be distributed across the plan area. The proposed distribution is unsound.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5107469>

Comment ID **Lpp1455**

Site ref (if applicable):

Person ID: **1183599**

Name: **Mr Andrew Wood**

Organisation: **Consultant Planner CPRE**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachments for context of comments. Introductory paragraph of Evidence Paper 2 states that: Please note that it was our intention to divide up this document and submit it in relevant sections using the representation form, but having downloaded the form we found that key entry fields were locked. Given that the representation system is in any case not well-suited to comments that develop a narrative and contain figures and tables, we have therefore reverted to submitting full documents. These are structured as carefully as possible to enable you to use them. It is our view that the Publication Draft is not positively prepared to deliver sustainable development. It is not justified by the most appropriate and up-to-date evidence of development needs. And it will not be effective in delivering sustainable development, due to fundamental internal contradictions between the scale and distribution of development and other key policies in the Plan. This evidence paper explains our position on these points, and we conclude that very substantial modifications will be needed to make the Plan sound. Policies HW1 to HW3: Health and Wellbeing In our view the key spatial policies in the Plan (SD3 to SD7) will fail to address key aspects of the health and wellbeing policies, in particular: HW1 (iii) "promoting and enabling healthy lifestyles as the normal, easy choice"; HW2 "HIA expectation (vi) for active travel, public transport and accessibility; HW3 5th bullet "Strongly encouraging the re-use of vacant and derelict buildings and spaces (brownfield land)". Crucially, these are presented as development management considerations, but there is no evidence offered as to how the spatial policies of the Plan will create the conditions for those considerations to be implemented. We cannot expect an HIA of a development to deal properly with active travel if it is on an allocated site in an adopted Plan, but that site is not well-located to promote active travel. Therefore, in our view, the health and wellbeing policies need to be significantly re-framed to set good standards for enhancing health and wellbeing at the Plan level. It is also very significant, and worrying, that there are no monitoring indicators and targets offered for these policies, and therefore no sense of the direction or rate of progress that is hoped for. This must be addressed if the Plan is to be considered sound.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5102830>

Comment ID **Lpp454**

Site ref (if applicable):

Person ID: **1140304**

Name: **Joanne Harding**

Organisation: **Local Plans Manager -
North Home Builders
Federation**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new 'for sale' market housing built in England and Wales as well as a large proportion of newly built affordable housing. Following our meeting with the Council earlier in the year, and our assistance in preparing the Calderdale SHLAA, the HBF are keen to continue our positive working relationship and are pleased to see progress on the Local Plan. However, there are a few areas within the Local Plan where the HBF have concerns around the soundness of the policy and these are set out below.

Policy SD3: Housing Requirement Policy SD3 is not considered sound as it is not positively prepared, justified or effective for the following reasons. This policy looks for provision to be made for 12,600 additional dwellings to be delivered between 2018 and 2033, equivalent to 840 dwellings each year. However, this is a significant decrease from the 1,125 dwellings each year set out in the Initial Draft Local Plan, which leads to queries as to why the sudden change in housing requirement. It is noted that the 12,600 housing figure is based on the MHCLG standard housing methodology. However, the Planning Practice Guidance (PPG) draws attention to the wording of the Government's response to the revised NPPF which states that 'the Government was clear that reforms set out (which included the introduction of a standard method for assessing housing need) should lead to more homes being built. In order to ensure that the outputs associated with the method are consistent with this, we will consider adjusting the method after the household projections are released in September'. Therefore, the Council should be aware that the housing figures provided by the MHCLG standard methodology are likely to change. The figure generated by the standard method is considered as the minimum starting point, it is noted that it relies on past growth trends, which in the case of Calderdale may have been affected by the lack of appropriate site allocations and poor housing delivery. The HBF considers that there are circumstances where an uplift will be appropriate such as where growth strategies are in place (for example the Northern Powerhouse) or where funding is in place to facilitate growth such as the Housing Infrastructure Fund. It is therefore clear that in the case of Calderdale an uplift would be considered appropriate. It is also noted that the MHCLG standard methodology will not have taken into consideration other issues that are highlighted within the Council's own evidence for example the SHMA suggests an adjustment to the household formation rates for younger people (25-34 years), in order for the housing market to return to healthier and more sustainable conditions. This remains in line with current Government strategy, which continues to seek to increase homeownership, particularly for this age group, with schemes such as Help to Buy and changes to stamp duty to support them. It would appear remiss to remove consideration of this age group within any housing requirement set within the Local Plan. The HBF also have concerns that the proposed housing requirement does not represent an appropriate figure once consideration is given to the potential for economic growth and job formation. The HBF continue to consider that an appropriate balance should be sought between employment growth aspirations and the provision of homes. The HBF proposes that the policy is modified as follows: Further consideration is given to the housing requirement, and the potential for it be increased to reflect some of the concerns raised. That the text of the policy is amended to provide clarity that it is a minimum figure, and that the figure is a net figure. The HBF propose the text is amended to: 'Provision is made for a minimum of xx,xxx net additional dwellings to be delivered within Calderdale between 1st April 2018 and 31st March 2033, in order to meet the housing needs of the Borough'.

Paragraph 6.3: Sources of Housing Supply Extant planning permissions 1,888 dwellings have been included within the supply from extant permissions not including outline permissions. The HBF are supportive of the use of a 10% discount for sites with planning permission of less than 10 units and the recognition that some permissions will lapse or not be renewed. For proposals of 10 or more dwellings officers have made a judgement using available intelligence to ascertain the likeliness of the scheme coming forward. Whilst the HBF support the Council in making these judgements, it still may be beneficial to include a level of discount to ensure that unforeseen events are also taken into consideration. Windfalls 1,294 dwellings have been included within the supply from windfalls. Whilst the HBF acknowledges the previously the Council has had a healthy level of development from windfall sites, it is considered that this level of delivery will reduce

over future years as the sites allocated in the Local Plan and identified in the SHLAA come forward. The HBF are supportive of not including an allowance for windfalls in the first three years of the Plan. The HBF also supports the decision not to include the re-use of empty homes as part of the source of supply.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp557**

Site ref (if applicable):

Person ID: **1182873**

Name: **Mr Harry Tonge**

Organisation:

Agent ID: **1182871**

Name: **Mr Harry Tonge**

Organisation: **Associate Steven Abbott Associates LLP**

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Policy SD3 identifies a housing requirement of 12,600 dwellings to be delivered within Calderdale between 1 st April 2018 and 31 st March 2033. This equates to an annual requirement of 840 dwellings. However, the evidence identifies that the LPA should plan for 1,000 dwelling per annum in order to take account of economic growth, responding to market signals and adjusting the demographic position to reflect longer term trends. This equates to a total requirement of 15,000 dwellings over the plan period. The proposed housing target will only meet the Objectively Assessed Need for the area. It does not take account of economic growth or any employment growth strategies within the Local Plan. In its current form the draft Local Plan is not considered to be sound because it will not be effective in delivering the housing that the Borough needs during the plan period.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Increase the housing requirement 1,000 dwellings per annum in line with the housing needs evidence and allocate additional housing sites.

Additional Evidence Link:

Comment ID **Lpp776**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae** Organisation: **Coordinator Calderdale Friends of the Earth**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The numbers in this policy are not accepted for the reasons set out in our comments on table 6.1 and paragraphs 6.3.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp888**

Site ref (if applicable):

Person ID: **1183321** Name: **Kirsty Radford** Organisation: **Begbies Traynor**

Agent ID: **1183318** Name: **Mr Tom Robinson** Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

See supporting letter for detail. In summary: the change of method to determine housing need at such a late date in the plan making process requires better explanation and a more meaningful opportunity for members of the public to comment on this change of approach the consultation on a Publication Draft which is dramatically different from the Initial Draft issued in 2017 is not considered to be a sound approach the change in method combined with the use of updated data combined to make a significant revision to the housing provision target with wide ranging knock-on effects on the remainder of the Local Plan. This should be subject to a more meaningful public consultation the decision to adopt a significantly lower housing figure was made by the Council Cabinet without a specific mandate and without the expected level of public engagement the option adopted by the Cabinet in assessing housing need does not factor in economic growth thus underestimates housing need the levels of housing allocations have been reduced while the level of employment land has been increased. This is considered to be incompatible. Planning Practice Guidance states that the Standard Method employed in the Publication Draft should be a minimum and a starting point. The Publication Draft is therefore inconsistent with guidance New mid-year housing projections have been released in September 2018. These figures should be included in the emerging local plan There is no allowance for historic undersupply or a buffer therefore no flexibility to acknowledge the difficulty faced in delivering housing

Do you consider the plan to be Sound?: **No**

Sound Reason:

See supporting letter for detail. In summary: the change of method to determine housing need at such a late date in the plan making process requires better explanation and a more meaningful opportunity for members of the public to comment on this change of approach the consultation on a Publication Draft which is dramatically different from the Initial Draft issued in 2017 is not considered to be a sound approach the change in method combined with the use of updated data combined to make a significant revision to the housing provision target with wide ranging knock-on effects on the remainder of the Local Plan. This should be subject to a more meaningful public consultation the decision to adopt a significantly lower housing figure was made by the Council Cabinet without a specific mandate and without the expected level of public engagement the option adopted by the Cabinet in assessing housing need does not factor in economic growth thus underestimates housing need the levels of housing allocations have been reduced while the level of employment land has been increased. This is considered to be incompatible. Planning Practice Guidance states that the Standard Method employed in the Publication Draft should be a minimum and a starting point. The Publication Draft is therefore inconsistent with guidance New mid-year housing projections have been released in September 2018. These figures should be included in the emerging local plan There is no allowance for historic undersupply or a buffer therefore no flexibility to acknowledge the difficulty faced in delivering housing

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Reconsideration of housing target, full and compliant public consultation on the significant change in approach to Local Plan, allowance in housing target for economic growth, allowance in housing target for historic underlivery/supply.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5074095>

Comment ID **Lpp893**

Site ref (if applicable): **LP1451**

Person ID: **1181961**

Name: **Mrs Julie Bullen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The Sept 2018 release of household projections confirm that housing need across the country will fall significantly. These indicate a reduction for Calderdale from 840 to 566 (32.6% change) homes per year. (see <http://www.bartonwillmore.co.uk/Knowledge/Intelligence/2018/Housing-need-will-fall-in-light-of-new-household-p>) This is a significant material consideration for both the Leeds City Region SEP and Calderdale's housing and employment growth strategy which the inspector needs to consider. The

implications need to be integrated into the plan to ensure it is based on the revised, realistic figures to provide a proper plan for the future of the area - as it stands it is not based on the expected demographic change and cannot therefore be considered sound. This questions the spatial strategy and focus on a garden suburb policy and does not provide the exceptional circumstances for release of green belt.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

The housing and employment strategy of the plan is reviewed in light of revised population projections to ensure soundness

Additional Evidence Link:

Comment ID **Lpp933**

Site ref (if applicable):

Person ID: **717690**

Name: **Mr Jason Carlton**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The latest ONS data shows a significant reduction for housing requirement in Calderdale

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Update the allocation number in line with latest ONS data

Additional Evidence Link:

Comment ID **Lpp949**

Site ref (if applicable):

Person ID: **11797**

Name: **Mr & Mrs Mark & Amanda
Tattersall**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Because of its relevance, this comment is also submitted against the Housing Requirement Figure Policy. Green Belt Objections Additional Removal of Green Belt We object to the removal of an extra 27 hectares of Green Belt land (Green Belt Technical Paper para 4.1). There has been no previous consultation on this removal and the reason given for its removal is not clear. We already know of sites where extra Green Belt removal has a negative impact on heritage assets. Also, if the land removed is all viable, this could equate to a further 702 to 1,620 dwellings (based on densities of either 26dph or 60dph). This would likely increase future windfalls. Currently, it is not known if these dwellings could be accommodated sustainably. NPPF Green Belt Policy We are pleased to see that para. 2.5 of the Green Belt Technical Paper notes the Council's intention to utilise the 2018 NPPF Green Belt policy. However, firstly the considerations given following this decision fall short of the aim of the NPPF policy. For example, NPPF para 137 states: 'Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport.' This is not included within the 6 considerations within para. 2.5. In Calderdale's case, because of congestion, air pollution and limited potential to expand roads, we believe this should be an essential requirement within the Local Plan. Secondly, we cannot see evidence within the Local Plan of the application of certain of the 6 considerations. For example, making as much use as possible of suitable brownfield sites and underutilised land. Population and housing requirement NPPF states: 'NPPF Preparing and reviewing plans Para 31. The preparation and review of all policies should be underpinned by relevant and up-to-date evidence.' The latest ONS population figures, 2016-based, show an increase in Calderdale's population of 8,652 for the plan period (2018-2033). This is around 6,000 fewer people than were projected to grow in the previous 2014-based ONS figures. Almost all of the increase is in the older population. The latest 2016-based Household projections also shows a slowdown, with a lower increase of approximately 7,000 properties. Currently the Local Plan is working on a housing requirement figure of 12,600 which equates to 840 dpa. Barton Willmore have recently released the new housing requirement figure for Calderdale that is based on the New Government Standard Method. It is 566 dpa. This reflects the continued slowing down of the projected increase of the population. This is a reduction in the overall housing requirement figure of over 4,000 dwellings. Therefore, the latest statistics for Calderdale for the plan period are: 8,652 population increase 8,490 dwellings (New Government Standard Method ONS 2016-based) 8,295 job growth The growth in population is mainly in the over 60s bracket (working age population decreasing). The ratio of people per dwelling is particularly low, especially when taking into account the household projection figure in isolation from the Government Standard Method one. Given the recent reduction in projected population growth and also the various disparities, we do not believe exceptional circumstances for releasing the amount of Green Belt land in the Local Plan can be shown. We believe the Local Plan is not sound. Potential land We believe there is potential to utilise further land before the release of any Green Belt land. Brownfield land Urban Greenfield Greenfield area around Todmorden not in SSSI/SPA/SAC Density. The minimum density of 30dph should be increased due to the large increase in the ageing population and the government's aim to increase densities in NPPF para 137b. Mixed use sites These sites have no employment allocation. They have a density multiplier on 50% of the site. Site LP0509 and LP0370 have no housing allocation either. Employment land Current planning permissions not included in the 97ha allocation Para 6.38 of the Local Plan 'a more intensive use of existing employment land could provide an additional 9ha of employment land'. This 9ha is not allocated. An additional 37.47ha of land allocated for employment for replacement of existing land/premises lost from employment use. However, the land and premises lost have not been accounted for elsewhere. If they contribute to windfalls this may mean the windfall allocation should be higher. 1,782 empty properties (an increase of the figure within last year's Draft Local Plan). Windfalls - The proposed windfall allocation in the

Local Plan is considerably lower than historic rates. Employment growth On 12 th February 2018, the Council's Cabinet Members elected to endorse the Standard National Method for calculating housing requirements, with no adjustment for employment growth. There should therefore be no increase to housing for employment growth. General Calderdale urban area is 4,704.5ha Of 408ha Green Belt loss, 79ha is village envelopes, leaving 329ha of Green Belt loss. Development of this additional Green Belt will equate to a 7% increase of the urban area over the plan period. 92% of the Housing Requirement figure is to be provided in the Eastern third of the Borough. There is a clear move towards the M62. Green Belt Review The 2016 Green Belt Review outcome has not been consulted on, only its methodology. The Local Plan carries out 2 types of Green Belt Review. The first review assessed large parcels of Green Belt land around the settlements (some wider than the actual settlement). The second Green Belt Review was of the site itself. There is no further stage assessing the impact new development would have on the main parcel. We object to elements of this procedure. The Technical Paper 'Exceptional circumstances for the release of Green Belt land' para. 1.8 states that the Green Belt Review did not seek to identify sites for development or justify potential sites that had already been identified'. This is true of the first Green Belt Review (where the overall Green Belt parcels performed well). However, the second Green Belt Review, which is an assessment of the site itself, does seek to justify potential sites within the Local Plan. Many of these sites performed less well than their overall parcel.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Justification of the exceptional circumstances for the release of a further 27ha of Green Belt including an assessment of its sustainability and impact. Green Belt policy to include: 'Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport.' Reduction in population and further potential land to be considered before the release of Green Belt. The Housing Requirement Figure should not be increased due to employment, as this has not been agreed with Council members.

Additional Evidence Link:

Comment ID **Lpp950**

Site ref (if applicable):

Person ID: **11797**

Name: **Mr & Mrs Mark & Amanda
Tattersall**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Because of its relevance, this comment is also submitted against the Housing Requirement Figure Policy. Employment objections Background On 12 February 2018, the Council's Cabinet Members elected to

endorse the Standard National Method for calculating housing requirements with no adjustment for employment growth. It follows that there should be no increase to housing for employment growth. However, there is currently a large disparity between Calderdale's working-age population and the Local Plan job growth figure of 8,295. The June 2018 Draft Local Plan (released for Councillors, not for public consultation) showed an increase, since the 2017 Draft, in the allocation of land and jobs within the employment section. Land allocation had been increased from 60ha to 97ha (all potential sites allocated) and jobs increased from 5,955 to 8,295. This was following a 'selective update' using WYCA's REM. At that time, the Infrastructure Delivery Plan showed only a small increase in the working-age population of 172 between 2014 to 2032. Current The latest ONS population figures, 2016-based, show an increase in Calderdale's population of 8,652 for the plan period (2018-2033). This is around 6,000 fewer people than were projected to grow in the previous 2014-based ONS figures. There is a substantial decline in the working age population, with almost all of the increase being in the over-60s bracket. Therefore, not only is there no increase in the working-age population to support the 8,295 jobs, but that population is reducing over the Plan period. We object to there having been no comparison and adequate consideration of the disparity between the working-age population and the increased job growth figure of 8,295 prior to the release of the Local Plan. It is not clear how the extremely large job deficit will be filled or if the proposals to accommodate such a high number are realistic. Page 17 para 4.2.9 of the Employment Technical Paper concludes that 1,129 dwellings per annum would be needed to support the 8,295 jobs. Currently the Local Plan is working on a housing requirement figure of 840 dpa. Barton Willmore have recently released the new housing requirement figure for Calderdale that is based on the New Government Standard Method. It is 566 dpa. This reflects the continued slowing-down of the projected increase of the population. This clearly shows a further disparity between the number of houses based on the population growth (566dpa) and the number to support the job growth of 8,295 (1,129dpa). The 566 dpa is closer to the UDP figure of 450dpa. Recent completions, which average 505 dpa, are also a similar level to the UDP figure. The Local Plan has not adequately addressed how these disparities will be accommodated or whether this can be done sustainably. As such, we do not consider the Local Plan to be sound Employment land During the employment land allocation there are instances where identified land has not been allocated, including: Current employment planning permissions are not included in the overall 97ha allocation (para 6.37) 'a more intensive use of existing employment land could provide an additional 9ha of employment land'. This 9ha is not allocated. (para 6.38) An additional 37.47ha of land is allocated for employment use for replacement of existing land/premises lost from employment use. However, the land and premises lost have not been accounted for elsewhere. Mixed use sites. These sites have no employment allocation. They have a density multiplier on 50% of the site. Site LP0509 and LP0370 have no housing allocation either. The employment land allocation was increased from 60 hectares to 97 hectares. Paragraphs 4.1.7 and 4.6.1 of the Employment Technical Paper provide reasons for the increase in employment land. However, nearly all of the reasons for the increase in the amount of employment land appear to duplicate the ones already given in the 2017 Draft Local Plan. The only apparent difference is a provision for unmet need and spatial imbalance. The Local Plan allocates all potential new sites, 97ha gross (para 6.35). A large proportion of the employment land allocation is for warehousing, which requires a lot of land but supports very few jobs. It is clear throughout the documents that potential employment land is limited. Para 6.36 'It has however been difficult to identify new land of any significant size, reflecting the topographical and environmental constraints of the Borough.' Given the above points and that overall the need for Green Belt has been triggered, as well as there being a limited supply of employment land in the Borough, we do not consider the Local Plan to be sound. We are unclear why the Employment Land Review dated June 2018 refers to the 2015 SHMA throughout when the Council have recently released a new SHMA dated April 2018, which is prior to the Employment Land Review. The new SHMA has been carried out shortly before the latest release of the 2016-based ONS population projections (June 2018).

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

The increase in employment land to be adequately justified. Consider unallocated land for potential use including alternative uses. Housing need should not be increased due to employment as this has not been agreed with Council members and also because it has not been tested for sustainability.

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

1. The change to the housing requirement and subsequent effects on the Local Plan late in the process should be subject to more meaningful consultation.
Cabinet approved to adopt the lower housing requirement but do not have a specific mandate and without the expected level of public engagement.
2. The housing standard methodology is a minimum starting point. The housing requirement is therefore inconsistent with guidance.

Council's Response:

1. Extensive and inclusive consultation has been carried out throughout all stages of the Local Plan preparation process in accordance with the Council's adopted Statement of Community Involvement and is detailed in the Consultation Statement (Regulation 22).
No modification required.
2. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. The NPPF does not stipulate that a requirement figure should be greater than that produced using the Standard Method. The figure in the Local Plan does meet the requirement in NPPF 2012 (paragraph 47) (NPPF 2019 para. 59) of boosting housing supply when viewed in the context of housing requirement figures in previous plans such as the first and replacement Calderdale Unitary Development Plans (450 and 500/670 respectively). See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).
No modification required.

Test of Soundness

Main Issues:

1. A larger discount for planning permissions as a source of supply should be applied.
2. Windfalls should not be included as a source of supply.
3. There should be a larger buffer between housing requirement and sources of supply to boost supply and to counter under delivery.

4. Housing requirement should be adjusted to take account of household formation rates for younger households.
5. No evidence that neighbouring authorities will meet the unmet housing need.
6. The figure generated by the standard methodology should be considered as a minimum starting point. Evidence demonstrates there should be an uplift.
7. Household formation rates of younger households have not been taken into account.
8. Economic growth and job creation has not been taken into account.
9. The housing requirement falls short of the evidence base.
10. The Council need to take account of the available and up to date evidence base.
11. The current approach to calculating housing need as set out in the 2012 version of the Framework should be utilised.
12. Recent changes to methodology adds further weight to the argument that the Council should not use the standardised methodology.
13. The Plan is based on out of date housing needs evidence, particularly the SHMA which has been prepared using now superseded population data.
14. The 2016-based projections should be utilised; this would result in less Green Belt release.
15. The policy will fail to deliver affordable housing need.
16. The policy does not identify how housing should be distributed across the Borough.
17. Reduction in the housing requirement between 2017 and 2018 consultations taken by the Council is unsound without public consultation.
18. Lowering the housing requirement but increasing employment allocations is inconsistent and unsustainable.
19. Delivery of the Plan is reliant on delivery of the Garden Suburbs. There needs to be greater flexibility within the Plan.
20. The standard housing methodology is subject to change by the government.
21. The housing requirement should be increased.
22. The housing requirement should be segmented into different housing types.
23. No convincing evidence that the supply of brownfield sites has been exhaustive for the allocations.
24. Plan period should be 15 years from adoption and therefore needs extending by 2 years with the

housing and employment requirement figures and associated allocations adjusted accordingly.

25. Evidence on demolitions should be provided.

26. Allowance for windfalls should be lower.

27. Rate of delivery from Garden Suburbs not realistic.

28. Some allocations are unavailable, availability unknown or have significant constraints and a wider choice of sites across a number of different areas and market areas is required.

29. Safeguarded sites should be included in the Plan.

30. Housing requirement should be 1050 per annum.

31. An appropriate settlement to accommodate growth is Elland.

32. The numbers in the policy are not accepted.

33. The Policy will fail to address key aspects of the health and wellbeing policies.

Council's Response:

1. The 10% reduction used for discounting sites of fewer than 10 dwellings (or where there are fewer than 10 dwellings to complete on larger sites) is commonly used for this purpose. The significance of smaller sites in a district like Calderdale should not be underestimated. Larger sites (10+) have been discounted on the basis of the best information available. See Evidence Document EV 33 Housing Technical Paper (2018) paragraphs 6.4 - 6.8.

2. NPPF 2012 (para 48) allows for a windfall allowance where justified (re-affirmed in NPPF 2019 - para 70). See Evidence Document EV 33 Housing Technical Paper (2018) paragraphs 6.9 – 6.12 and Appendix 1.

3. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative. Should the reference be to any under delivery in the past, use of the Standard Method avoids such arguments as it uses the most recent datasets published by the Office of National Statistics.

4. Use of the standard method was intended to avoid arguments around such factors which were a feature of SHMAs. Given that the Standard Method uses the most up-to date information recent household formation rates for younger householders are reflected in the assumptions behind the Sub-National Household Projections employed in the Standard Method. The affordability ratio applied also reflects the ability of younger households to enter the housing market.

5. The fact that all local authorities in West Yorkshire are to meet their own housing needs, rather than rely on adjacent authorities to assist in meeting that need is fully referenced in Submission Document SD 13 - Duty to Cooperate Statement Including Statements of Common Ground (January 2019).

6. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. The NPPF does not stipulate that a requirement figure should be greater than that produced using the Standard Method. The figure in the Local Plan does meet the requirement in NPPF 2012 (paragraph 47) (NPPF 2019 para. 59) of boosting housing supply when viewed in the context of housing requirement figures in previous plans such as the first and replacement Calderdale Unitary Development Plans (450 and 500/670 respectively). See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

7. Use of the standard method was intended to avoid arguments around such factors which were a feature of SHMAs. Given that the Standard Method uses the most up-to date information recent household formation rates for younger householders are reflected in the assumptions behind the Sub-National Household Projections employed in the Standard Method. The affordability ratio applied also reflects the ability of younger households to enter the housing market.

8. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. The NPPF does not stipulate that a requirement figure should be greater than that produced using the Standard Method. The figure in the Local Plan does meet the requirement in NPPF 2012 (paragraph 47) (NPPF 2019 para. 59) of boosting housing supply when viewed in the context of housing requirement figures in previous plans such as the first and replacement Calderdale Unitary Development Plans (450 and 500/670 respectively). See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

9. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. The NPPF does not stipulate that a requirement figure should be greater than that produced using the Standard Method. The figure in the Local Plan does meet the requirement in NPPF 2012 (paragraph 47) (NPPF 2019 para. 59) of boosting housing supply when viewed in the context of housing requirement figures in previous plans such as the first and replacement Calderdale Unitary Development Plans (450 and 500/670 respectively). See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

10. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. The NPPF does not stipulate that a requirement figure should be greater than that produced using the Standard Method. The figure in the Local Plan does meet the requirement in NPPF 2012 (paragraph 47) (NPPF 2019 para. 59) of boosting housing supply when viewed in the context of housing requirement figures in previous plans such as the first and replacement Calderdale Unitary Development Plans (450 and 500/670 respectively). See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

11. See CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.5.

12. See CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.5. The proposed changes to the Standard Method do not preclude it being used in accordance with the National Planning Practice Guidance, the only stipulation is that the 2014-based household projections are used.

13. The most recent 2016-based household projections derived from the 2016-based population projections do lower the housing requirement nationally, including within Calderdale, but have been

withdrawn by the Government in advance of refining the standard method to achieve higher levels of housing growth as per Government Policy. The housing requirement figure is derived using the Standard method and based on the 2014-based household projections published in 2016 as required by NPPG (paras. 4 and 5). See CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.4.

14. The most recent 2016-based household projections derived from the 2016-based population projections do lower the housing requirement nationally, including within Calderdale, but have been withdrawn by the Government in advance of refining the standard method to achieve higher levels of housing growth as per Government Policy. The housing requirement figure is derived using the Standard method and based on the 2014-based household projections published in 2016 as required by NPPG (paras. 4 and 5). See CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.4.

15. See EV 33 Housing Technical Paper paragraphs 11.3 – 11.9, for justification.

16. There is no requirement to have a Policy setting out the distribution of development put forward in the Local Plan. Evidence document EV40 establishes the justification for the development of the Garden Suburbs, the Habitats Regulations Assessment (EV12.1; and EV12.4) helps to understand why the Council has chosen to promote more development away from the protected areas of the SPA and SAC.

17. See Evidence Document EV 33 Housing Technical Paper (2018) (paras. 3.1 -4.4), CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.5, Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations and Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

18. See Evidence Document EV 33 Housing Technical Paper (2018) (paras. 3.1 -4.4), CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.5, Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations and Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

19. The Council is working with land owners and partners to ensure that the Garden suburbs are deliverable.

20. The housing requirement figure is derived using the Standard method and based on the 2014-based household projections published in 2016 as required by NPPG (paras. 4 and 5). See Evidence Document EV 33 Housing Technical Paper (2018) (paras. 3.1 -4.4), CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5, Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations.

21. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. The figure in the Local Plan does meet the requirement in NPPF 2012 (paragraph 47) (NPPF 2019 para. 59) of boosting housing supply when viewed in the context of housing requirement figures in previous plans such as the first and replacement Calderdale Unitary Development Plans (450 and 500/670 respectively). See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

22. Local Plan Policies HS3 (Housing Mix), HS4 (Housing for Independent Living) and HS5 (Self-Build and Custom Housing) address the provision of different housing types (See Submission Document SD 01.1 Calderdale Local Plan – written statement (Publication Draft)).

23. With regards to the site assessment process, in order to identify the most sustainable sites a ‘sequential’

approach to housing allocations has been adopted that prioritises brownfield sites in the urban area, only using the most sensitive Green Belt when all alternative sites were used.

24. NPPF 2012, under which the Plan was prepared, states Strategic Policies should be drawn up over an appropriate time scale, preferably a 15-year time horizon (the starting point for this period is not specified). The Council also draws attention to the fact that the Plan allocates sites for the full 15 year plan period rather than only broad locations for years 6 to 10 and 11 to 15 which is an option included in the NPPF 2012 (para. 47 bp3) and as updated February 2019 (para 67 b). As a point of fact 15 years from the programmed date of adoption (End 2019/Early 2020 – See Submission Document SD 06 Local Development Scheme (2018)) would be 31/3/35.

25. See Evidence Document EV 33 Housing Technical Paper (2018), Table 9, where losses including demolitions are shown.

26. NPPF 2012 (para 48) allows for a windfall allowance where justified (re-affirmed in NPPF 2019 - para 70). See Evidence Document EV 33 Housing Technical Paper (2018) paragraphs 6.9 – 6.12 and Appendix 1.

27. The Housing trajectory is predicated on the delivery of all the allocated sites within the Local Plan timeline to 2032/33. This may be a challenge in the Garden Suburbs, but the Council will continue to work with the promoters of these sites to facilitate development in an expeditious and timely manner.

28. Where landowners have stated that land is not available for development, the Council has removed the site from the site allocation process.

Document EV 51.1 Site Allocations Assessment Methodology - Publication Draft (2018) details the process the Council has followed in relation to the site assessment process. The document outlines the various stages of assessment from initial site identification to the implementation of the Sequential Approach and how specific constraints have been considered.

NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative.

29. National Planning Policy Framework suggests that local authorities should only 'safeguard' land 'where necessary'. If the plan that the authority puts forward has provisions to meet housing needs in full and if other sites are available for potential future development beyond the life of the plan, safeguarding land is considered unnecessary.

30. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. The NPPF does not stipulate that a requirement figure should be greater than that produced using the Standard Method. The figure in the Local Plan does meet the requirement in NPPF 2012 (paragraph 47) (NPPF 2019 para. 59) of boosting housing supply when viewed in the context of housing requirement figures in previous plans such as the first and replacement Calderdale Unitary Development Plans (450 and 500/670 respectively). See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

31. See Evidence Documents EV 09 Exceptional Circumstances for the Release of Green Belt (2019) and EV 40 Justification for the Garden Suburbs (2018).

32. The Council considers the numbers contained within the Policy are fully justified by supporting evidence.

33. Health and wellbeing policies are detailed in Chapter 12: Health and Wellbeing of the Local Plan. A health impact assessment (HIA) helps ensure that health and wellbeing are being properly considered in planning policies and proposals. The policies and proposals of the Local Plan have been subject to HIA through the Sustainability Appraisal that was undertaken prior to its publication.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. A buffer of allocated sites set above the LPEG recommendation of 20% identified.
2. Policy should be amended to plan for a minimum of 22,050 net additional dwellings between 01.4.18 and 31.3.36.
3. As a minimum the Council's housing target should be 1,129 dpa, in order to meet the aspirations of the Leeds City Region LEP.
4. Policy should be amended to increase the housing requirement.
5. Policy should be amended to "Provision is made for a minimum of xx,xxx net additional dwellings to be delivered within Calderdale between 1st April 2018 and 31st March 2033, in order to meet the housing needs of the Borough".
6. Increase number of allocations to meet a higher housing requirement.
7. Recalculate the housing requirement using the 2016-based household projections.
8. Policy should be amended to "Provision is made for 15,000 additional dwellings to be delivered within Calderdale between 1st April 2018 and 31st March 2033, in order to meet the housing needs of the Borough"
9. Include allowance for past under delivery.
10. Extend Plan period by 2 years (to 2035) as per national planning guidance.
11. Include a buffer of 20%.
12. Reduce the potential from existing commitments.
13. Review site allocations to ensure deliver rates are appropriate and sites are deliverable.
14. Include and identify safeguarded land.
15. Increase housing requirement (to 1050pa).
16. The Local Plan should have an end date of 31.3.36.

Council's Response:

1. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative.
No modification required.

2. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in

Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019). NPPF 2012, under which the Plan was prepared states Strategic Policies should be drawn up over an appropriate time scale, preferably a 15-year time horizon (the starting point for this period is not specified). The Council also draws attention to the fact that the Plan allocates sites for the full 15 year plan period rather than only broad locations for years 6 to 10 and 11 to 15 which is an option included in the NPPF 2012 (para. 47 bp3) and the NPPF 2018, and as updated February 2019, (para 67 b). As a point of fact 15 years from the programmed date of adoption would be 2034/35.

No modification required.

3. See CC01 Calderdale Council Response to INS/01 Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 and also Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations.

No modification required.

4. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

No modification required.

5. The addition of the words ‘minimum’ and ‘net additional dwellings’ adds clarity to Policy SD3 and the Council would consider such changes.

Council is open to modification.

6. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

No modification required.

7. The housing requirement figure is derived using the Standard Method and based on the 2014-based household projections published in 2016 as required by NPPG (paras. 4 and 5). The most recent 2016-based household projections derived from the 2016-based population projections have been withdrawn by Government in advance of refining the Standard Method to achieve higher levels of housing growth as per Government Policy. See CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.4. This is a factual matter.

No modification required.

8. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

No modification required.

9. The standard method negates the need to make allowance for under delivery as it uses the most recent datasets published by the Office of National Statistics in 2016. Affordability is factored into the calculation given that the affordability ratio forms part of the calculation. See CC01 Calderdale Council Response to INS/01 Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 and also Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations.

No modification required.

10. NPPF 2012, under which the Plan was prepared, states Strategic Policies should be drawn up over an appropriate time scale, preferably a 15-year time horizon (the starting point for this period is not specified). The Council also draws attention to the fact that the Plan allocates sites for the full 15 year plan period rather than only broad locations for years 6 to 10 and 11 to 15 which is an option included in the NPPF 2012 (para. 47 bp3) and the NPPF 2018, and as updated February 2019, (para 67 b).

No modification required.

11. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative.

No modification required.

12. The 10% reduction used for discounting sites of fewer than 10 dwellings (or where there are fewer than 10 dwellings to complete on larger sites) is commonly used for this purpose. The significance of smaller sites in a district like Calderdale should not be underestimated. Larger sites (10+) have been discounted on the basis of the best information available. See Evidence Document EV 33 Housing Technical Paper (2018) paragraphs 6.4 – 6.8.

No modification required.

13. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative. For the work undertaken to assess delivery rates and deliverability see Evidence Documents EV 51.1 Site Allocations Assessment Methodology – Publication Draft (2018), EV 60 Local Plan and Preferred Sites for Allocation Viability Assessment (2017) and EV 61 Local Plan and Preferred Sites for Allocation Viability Assessment (2018).

No modification required.

14. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative. National Planning Policy Framework suggests local authorities should only 'safeguard' land 'where necessary'. If the plan that the authority puts forward has provision to meet housing needs in full and if other sites are available for potential future development beyond the life of the plan, safeguarding land is considered unnecessary.

No modification required.

15. The reasoning behind the selection of the housing requirement figure for the Local Plan is explained in Background Paper BP 01 Cabinet Report 12.2.18 Housing Requirements and Allocations. See also CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendices 1.4 and 1.5 along with

Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019).

No modification required.

16. NPPF 2012, under which the Plan was prepared, states Strategic Policies should be drawn up over an appropriate time scale, preferably a 15-year time horizon (the starting point for this period is not specified). The Council also draws attention to the fact that the Plan allocates sites for the full 15 year plan period rather than only broad locations for years 6 to 10 and 11 to 15 which is an option included in the NPPF 2012 (para. 47 bp3) and the NPPF 2018, and as updated February 2019, (para 67 b). As a point of fact 15 years from the programmed date of adoption would be 2034/35.

No modification required.

Document Section: 6.5 Paragraph

Representations

Comment ID **Lpp1133**

Site ref (if applicable):

Person ID: **1184942**

Name: **Mr Mark Bullen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

See attached

Do you consider the plan to be Sound?:

Sound Reason:

See attached

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

See attached

Suggested Modifications:

See attached

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5084592>

Comment ID **Lpp1321**

Site ref (if applicable):

Person ID: **1183599**

Name: **Mr Andrew Wood**

Organisation: **Consultant Planner CPRE**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment for context of comments. Introductory paragraph of Evidence Paper 2 states that: Please note that it was our intention to divide up this document and submit it in relevant sections using the representation form, but having downloaded the form we found that key entry fields were locked. Given that the representation system is in any case not well-suited to comments that develop a narrative and

contain figures and tables, we have therefore reverted to submitting full documents. These are structured as carefully as possible to enable you to use them. It is our view that the Publication Draft is not positively prepared to deliver sustainable development. It is not justified by the most appropriate and up-to-date evidence of development needs. And it will not be effective in delivering sustainable development, due to fundamental internal contradictions between the scale and distribution of development and other key policies in the Plan. This evidence paper explains our position on these points, and we conclude that very substantial modifications will be needed to make the Plan sound. SD3 Policy SD3 and Housing Trajectory As set out above, our position is that the housing requirement might be quantitatively sound, but only if the requirement is segmented to give much greater confidence that the right types of homes will be built to meet genuine needs. Building the wrong types of housing would amount to a failure of the Plan, and therefore without segmentation of the requirement (as per our para XX) the Plan should be considered ineffective and not positively prepared. We understand that historical success in delivering a high proportion of new development on brownfield sites might lead to a reduction in future brownfield supply; and we also acknowledge that a proportion of recent housebuilding has been on former employment allocations. Some reduction in brownfield supply may therefore be expected. However, we have not seen convincing evidence that the ongoing supply of brownfield sites has been exhausted to the extent that no new allocations would be made on brownfield sites. Our Figure 2 below looks at housing targets and completions over the past 20 years. What we see is that whilst the target has progressively stepped up, the build-rate has tended gradually downwards, even allowing for the pre-recession peak. Over that time the large majority of housebuilding was on brownfield sites, and when evened out over the 20 year period it suggests a relatively stable supply of around 500 dwellings per year from brownfield sites. We have not analysed the split between allocations and windfalls within this brownfield supply. Even if the most recent brownfield completion rate of around 300 dwellings per year is taken as indicative of the longer term position, it is difficult to accept the Plan's proposition that new allocations of brownfield land cannot be envisaged within the plan period. In the light of NPPF2018's renewed emphasis on brownfield sites, and the Plan's Strategic Objective SO4 to maximise the use of brownfield land, we consider that the evidence for the future supply and viability of brownfield sites must be re-examined. Figure 2: 20-year historical trend in targets and completions in attachmentCPRE West Yorkshire Evidence Paper 2: CPRE Core Evidence (page 10) Our Figure 3 adds the proposed housing trajectory onto the historical trend, to enable us to examine its realism. This shows: The extent of the sudden drop in use of brownfield sites, which cannot be said to be consistent with SO4; The expectation of a rapid increase in housebuilding immediately upon adoption of the Plan. Figure 3: Historical trend and Plan Housing Trajectory together in attachmentCPRE West Yorkshire Evidence Paper 2: CPRE Core Evidence (page 11) It is of course correct that adoption of the Plan will result in a rapid acceleration of available land supply, as new allocations come on-stream; but it is inconceivable that housebuilding (starts and completions) will rise at anywhere near that rate. This presents significant problems: It depends on a rate of housing market growth equivalent to the fastest part of the boom in the early 2000s (unless a very high proportion of new housing was for social rent); If such rapid market growth could be achieved it would be very likely to create financial instability, leading to problems such as negative equity; If it is not achieved, then the Local Plan is likely to fail against the new Housing Delivery Tests, causing the Plan to be rendered out-of-date almost as soon as it is adopted. This deeply unrealistic trajectory sets up a 'lose-lose' situation for the Local Plan, and cannot therefore be sound. It is also self-evident that trying to secure very rapid increases in build-rates reduces the ability of the flow of brownfield and windfall sites to contribute to land supply. Consequently we may conclude that it is haste, rather than housing need, that creates pressure for large allocations of greenfield land, including Green Belt change.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5102830>; <http://calderdale-consult.objective.co.uk/file/5122736>

Comment ID **Lpp777**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae** Organisation: **Coordinator Calderdale Friends of the Earth**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We don't accept that a failure to achieve a five-year supply would be because 'the local authority has persistently under-delivered' (LP 6.7 notes that 'Over the last ten years, net housing completions have averaged 451 dwellings per annum, with the lowest level of delivery of 289 units in 2016/17 and 2017/18'). Our interpretation of the low rates of housing supply in Calderdale in recent years are that these are as a result, charitably, of changes in the structure in the local housing industry post-financial crash, as the SHMA has previously commented, but more generally of failures structurally located within the housing developers' business model, combined with equal failures in the overall government approach to supporting and funding housing supply.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The spatial strategy is flawed, not in line with the settlement hierarchy and the LCR LEP Spatial Priority

Areas and Growth Areas.

2. The Garden Suburbs are not in sustainable locations.
3. Inequitable distribution would risk a breach of duty under Climate Change Act.
4. Brownfield land has not been sufficiently assessed or considered.
5. Unclear how the Green Belt Review has been used to determine the spatial strategy.
6. Unclear how sustainable development has been taken into account in assessing site options.
7. Sustainability Appraisal does not properly evaluate the sites.
8. A failure to demonstrate a 5 year housing supply is not failure of the local authority to delivery housing, but of the failures structurally located within housing developers' business model and failures in the government approach to supporting and funding housing supply.

Council's Response:

1. The Council has not used the settlement hierarchy as the basis for the distribution of development. During early stages of plan preparation the Regional Strategy assumptions regarding distribution were used. In this case, Halifax had to take over 50% of the growth, with Brighouse taking a further significant proportion. As the Local Plan developed and the work was undertaken to understand the implications of the potential growth, it was found that Halifax could not accommodate as much developments as originally sought, because of the potential for significant effects upon the SPA and SAC as identified through the HRA process. Brighouse therefore became more attractive as a potential location for significant development. The large scale developments of the Garden Suburbs in Brighouse and that in Bradley, Huddersfield are part of an ongoing spatial consideration of growth within the Leeds City Region. The large sums being allocated by the West Yorkshire Combined Authority to the A641 Corridor and the Bradley Link indicate a joint consideration of the development implications. Council Document CC01 (Appendix 1.3) in response to the Inspectors Pre-Hearing Note 1 provides further information about the manner in which the Calderdale and Kirklees are working together to manage and mitigate the growth in the South East Calderdale/North Huddersfield area.
2. Brighouse is towards the heart of the West Yorkshire conurbation. With appropriate design, layout and place-shaping the Garden Suburbs will provide sustainable homes for people desiring to live towards the heart of the conurbation. The master planning of the areas will support the development of sustainable places.
3. This representation is made against paragraph 6.5 of the Local Plan but in reality is about the distribution of development and not the 5 year housing land supply. Local Plan prepared against NPPF and NPPG meeting their requirements and as such is sound. These documents incorporate relevant considerations from and reference the Climate Change Act 2008. The distribution of development provides the best opportunity to reduce the need to travel and provide infrastructure to reduce journeys by car. See Evidence Document EV 09 Exceptional Circumstances for the Release of Green Belt (2019). Sustainability Appraisal of the Local Plan through Objectives 5 (To improve accessibility to essential services, facilities and employment), 8 (To reduce the effect of traffic on the environment) and 10 (To reduce pollution levels and Carbon Dioxide emissions to target levels) in particular assessed the impacts of the distribution of development. See Submission Documents SD 03.1 Sustainability Appraisal (2017) and SD 03.2 Sustainability Appraisal Update (2018).

No modification required.

4. With regards to the site assessment process, in order to identify the most sustainable sites a 'sequential' approach to housing allocations has been adopted that prioritises brownfield sites in the urban area, only using the most sensitive Green Belt when all alternative sites were used.

The Council has published a Brownfield Land Register, which will provide up-to-date and consistent information on sites that the local authority considers to be appropriate for residential development having regard to the criteria set out in regulation 4 of the Town and Country Planning (Brownfield Land Register) Regulations 2017.

5. The Calderdale Green Belt Review is one of a number of studies which provides guidance for and informs the preparation of the Calderdale Local Plan. Whilst establishing the extent of the Green Belt and its future protection are important parts of the process, the Local Plan has addressed many other issues including the need to accommodate sustainable new development.

6. The National Planning Policy Framework (NPPF) requires the Local Plan to reflect the presumption in favour of sustainable development, which is a "golden thread" which runs throughout the NPPF. The site assessment methodology is centred on this notion. Document EV 51.1 Site Allocations Assessment Methodology - Publication Draft (2018) details the process the Council has followed in relation to the site assessment process.

7. The SA is part of the Local Plan preparation process and its purpose is to inform the development of the plan; it is not the sole contributor to proposing or rejecting site allocations. The methodology for assessing the impacts was part of the SA Framework that has been developed over a number of years. The SA Framework has been subject to a number of public consultations.

8. Whilst this is fundamentally correct the Local Plan reflects the requisite Government Planning Policy and Guidance issued via the NPPF and NPPG.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Review the spatial strategy. The spatial strategy is flawed, not in line with the settlement hierarchy and the LCR LEP Spatial Priority Areas and Growth Areas.

Council's Response:

1. The Council has not used the settlement hierarchy as the basis for the distribution of development. During early stages of plan preparation the Regional Strategy assumptions regarding distribution were used. In this case, Halifax had to take over 50% of the growth, with Brighouse taking a further significant proportion. As the Local Plan developed and the work was undertaken to understand the implications of the potential growth, it was found that Halifax could not accommodate as much developments as originally sought, because of the potential for significant effects upon the SPA and SAC as identified through the HRA process. Brighouse therefore became more attractive as a potential location for significant development. The large scale developments of the Garden Suburbs in Brighouse and that in Bradley, Huddersfield are part of an ongoing spatial consideration of growth within the Leeds City Region. The large sums being allocated

by the West Yorkshire Combined Authority to the A641 Corridor and the Bradley Link indicate a joint consideration of the development implications. Council Document CC01 (Appendix 1.3) in response to the Inspectors Pre-Hearing Note 1 provides further information about the manner in which the Calderdale and Kirklees are working together to manage and mitigate the growth in the South East Calderdale/North Huddersfield area.

Document Section: 6.8 Paragraph

Representations

Comment ID **Lpp778**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID: Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

We support the LP approach in paragraphs 6.6-6.8 for responding to the need to demonstrate a five-year supply.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.9 Paragraph

Representations

Comment ID

Site ref (if applicable):

Person ID:

Name:

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp1322**

Site ref (if applicable):

Person ID: **1183599**

Name: **Mr Andrew Wood**

Organisation: **Consultant Planner CPRE**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment for context of comments. Introductory paragraph of Evidence Paper 2 states that: Please note that it was our intention to divide up this document and submit it in relevant sections using the representation form, but having downloaded the form we found that key entry fields were locked. Given that the representation system is in any case not well-suited to comments that develop a narrative and contain figures and tables, we have therefore reverted to submitting full documents. These are structured as carefully as possible to enable you to use them. It is our view that the Publication Draft is not positively prepared to deliver sustainable development. It is not justified by the most appropriate and up-to-date evidence of development needs. And it will not be effective in delivering sustainable development, due to

fundamental internal contradictions between the scale and distribution of development and other key policies in the Plan. This evidence paper explains our position on these points, and we conclude that very substantial modifications will be needed to make the Plan sound. Para 6.9 and Table 6.4 Five Year Supply Figure 4 below compares the rolling 5-year supply requirement with the proposed housing trajectory and the trajectory for housing on brownfield sites. Figure 4: Five-year supply trajectory with brownfield component in attachment CPRE West Yorkshire Evidence Paper 2: CPRE Core Evidence (page 13) Our figure 4 highlights a severe problem with the way the 5-year supply is presented in the draft Plan. Table 6.4 presents a one-year snapshot of the 5-year supply in 2018, but in fact over the subsequent two years the supply would need to continue increasing, peaking at 6,200 in 2020. The trajectory expects 1,759 dwellings to be completed by the end of 2019/20, and at that point sites for a further 6,200 need to be in the 5-year supply. That means that almost 8,000 dwellings-worth of the entire plan period's sites would have to be within the five-year supply by 2020, ie developable by 2025. In other words, the five-year supply requirements cause any sites that sites that could only come on-stream after 2025 to be rejected as site allocations, even though they might be capable of delivering from 2026 onwards. This creates a huge disincentive to the Council against making any effort to generate interest in developing brownfield sites, because the time to generate interest and bring a site to market will almost inevitably extend beyond 2025. That in turn puts the Plan at odds with para 119 of NPPF2018: 'Local Planning Authorities' | should take a pro-active role in identifying and helping to bring forward [brownfield land].' This also poses a future risk, that the ongoing review process for 5-year supply, and a 5-year review of the Local Plan in 2024/25, will both be ineffective in fulfilling the requirements of NPPF2018 to make best use of brownfield land, because the proposed housing trajectory and its five-year supply requirement lock in a presumption against brownfield sites being a source of supply. In our view, the only way to make the housing trajectory realistic and effective, both in overall delivery rates and in enabling brownfield sites to come forward to contribute to land supply, is to plan for a more gradual acceleration in supply of sites, with the peak build-rate coming later in the plan period. Addendum: 2018 Standard Method OAN As we write this evidence paper, the 2018 release of the standard method calculations of housing need has just been published. This indicates a reduction for Calderdale from 840 to 566 homes per year. We do not have time to fully analyse the implications of this change for the Local Plan at this stage. However, we anticipate that it will raise some crucial issues, including: Increased mismatch between demographic change and job growth aspirations; A more realistic housing trajectory, with reduced peak land supply problems, potentially leading to better prospects of bringing brownfield sites into the supply; Better prospects for meeting the Housing Delivery Tests; Significantly reduced justification of exceptional circumstances for Green Belt change.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5102830>; <http://calderdale-consult.objective.co.uk/file/5122736>

Comment ID **Lpp867**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

For the moment FOE won't be making a comment on the technical validity of the five year land supply. However we've read the submission on this prepared by our colleagues CPRE and will be submitting evidence on the issue to the EIP when/if the housing allocations number is revised.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.13 Paragraph

Representations

Comment ID **Lpp779**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Presumably this is a reference to 2012 NPPF paragraph 80, which refers to "Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future." This wording is however different from that quoted in paragraph 6.13, and specifically does not refer to meeting the employment needs of businesses.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Text in paragraph refers to para 80 NPPF 2012, but is different as this specifically does not refer to

meeting the employment needs of businesses.

Council's Response:

1. Paragraph 80 of the NPPF (2012) refers to the five purposes of the Green Belt.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.14 Paragraph

Representations

Comment ID **Lpp780**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The sequence of this section entitled 'Planning for employment growth' section proceeds first with a discussion about employment land need 6.14 onwards before examining employment growth at 6.21 onwards . In fact the analysis sequence needs to be the other way round. The employment land need should be a derived demand from employees/jobs supply and demand, and therefore dependent on what is determined to be the size of the working age population available in/to Calderdale. The prior employment growth analysis should also be locationally specific - because different employment sectors are also likely to be variously located, as well as either rising or falling - in order that subsequent employment land allocations for particular use classes can be located in the right parts of the district. The employment technical paper (ETP) does confirm this approach, by identifying as the first two segments of its methodology first stage: 'a. Sectoral employment forecasts and projects (labour demand) then b. Demographically derived assessments of future employment land needs (labour supply). And see the appendix on 'LP data sources and analysis' in the Friends of the Earth overview note.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Analysis sequence should consider employment growth before employment land need.
2. The detail of data from the Leeds City Region Strategic Economic Plan and Regional Econometrical Model is not available to local plan consultees, and there is no publically available LEP document regarding the employment forecasting approach.
3. Economic growth rate assumptions are not discussed in the Local Plan text or Employment Technical Paper, and are not therefore available for interrogation by consultees.

Council's Response:

1. The Employment Land Study was undertaken in accordance with the requirements of the National Planning Practice Guidance 2015.
2. The Regional Econometric Model is a complex economic database and impact model for Yorkshire & Humber, and consists of a Microsoft Access database and associated programming. The data in the model includes of historical employment, output, productivity, population estimates and forecasts, and other labour market and environmental information. The Model provides a consistent database which underpins the policies of the LEP and other Districts in the Leeds City Region.
3. The various growth scenarios identified in the Employment Land Study (EV.01 Chapter 7) are referenced in Section 4 of the Employment Technical Paper (EV.02)

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.15 Paragraph

Representations

Comment ID **Lpp781**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The basis for confining the employment land allocations to B uses is not explained or justified. In fact table 6.8 demonstrate that 84% of jobs growth is in non-B uses, as the sector analysis in table 1 of the ETP also suggests. (And see the appendix on 'LP data sources and analysis' in the Friends of the Earth overview note). An employment land allocation focused on B uses would therefore appear to be based on a false premise. It's accepted that there might be cross-currents operating within the employed land allocation. So the Green Belt Exceptional Circumstances technical paper notes that 'The need to allocate sites for 'B' Class employment uses in Calderdale is driven to a great extent by the requirement of existing employers, particularly manufacturers, to relocate from sub-standard premises (often in floodplains) to modern facilities. In relation to this a significant proportion of the employment growth identified in the ELS is in non-manufacturing sectors.' 3.6 our emphasis . But if that were to happen the abandoned land should have been reallocated to some other purpose as part of a strategic Local Plan-scale response to the flooding.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The employment land allocation is based on a false premise as it provides land for B class uses, and 84% of jobs growth is in non B use classes.

Council's Response:

1. The land requirement for new employment land relates to the provision of B1a, B1b, B1c, B2 and B8 land uses. The assessment takes into account several factors as indicated in Figure 3 of Section 4 Employment Land Study (EV.01) including the net requirement from forecast growth, a flexibility margin, and allowance for losses, and a reality check with additional considerations.

Sectors outside the B land use classification, (i.e. Included in Section A, C or D of the use classes order), where jobs are forecast to grow, include 'Residential care and social work', and 'Accommodation and Food'. Future growth will be considered in the context of other Policies in the Plan, e.g. Retail and town Centre (including Finance), and Health and Well being, as a land allocation the Plan is not appropriate

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.16 Paragraph

Representations

Comment ID **Lpp846**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This issue is particularly discussed in our Overview Paper. In assessing the overall requirement for employment land allocations there are two questions that Friends of the Earth has been seeking to address: - If it is the case that, as the latest ONS demographic projections indicates, and the local plan itself acknowledges (at 2.44 - 'Of significant concern must be the reduction in population between 25 and 64 amounting to 5,200 of the potential working age population'), the indigenous available workforce is either at best static or reducing in size - due to overarching demographic change that is well understood, and on a national scale - then how is this compatible with projections of substantial jobs growth present variously in the 2016 Strategic Economic Plan (SEP) or 2018 Employment Land Survey (ELS), which then in turn feed in to the forecasts for both the housing and employment land allocations? In other words, there appears to be an inconsistency or incompatibility between forecasts for labour supply and labour demand. How is that to be explained? Then there is also a question around the demographic assumptions used by the ELS. The following table compares what we believe those assumptions to be (which are drawn from the 2015 SHMA) with the latest 2016 based ONS projections. It can be seen that they represent a considerable overestimate of the ONS numbers, which over the last 5 projections are themselves exhibiting a consistent downward trend, which it is therefore likely or probable will continue across subsequent projections. Employment Land Study table 7.6 2015 SHMA derived demographic projections Population in 2032 000s 4) SNHP 2012 (with headship sensitivity) (872 dpa) 229.6 106.4 5) PG-10Yr (HH-12 Return) (946 dpa) 231.5 108.0 6) Employment-led - REM (Nov 2014) (HH-12 Return) (1,169 dpa) 243.4 112.1 Whereas ONS 2016-based 218.9 100 - Since the LP acknowledges that most of the forecast jobs growth (to the extent that it happens at all, if there is an absence of supply) will be in the non-B uses - table 6.8 identifies this at 84% of the jobs growth - why does the employment land approach nonetheless focus on precisely the B uses (see 6.15) ? And this raises the wider question - as we move increasingly away from the era of employment taking place in large manufacturing sites, and towards a much more uncertain future where employment will be spatially distributed in a much more varied pattern, and not in large single site agglomerations - of how should the Calderdale LP seek to first assess and then plan for the space requirements of these predominantly non-B uses. So manufacturing which at present occupies the largest single share of the three B-uses surveyed (53% ELS table 4.1) is in fact projected to require a reduced employment land allocation (local plan table 6.7). Whereas the ELS deliberately ignores the space requirements of the non-B uses ('The study also reviews projected growth in non B-class sectors to consider how the overall economy could change in the future. The ELS does not assess the space implications of these other sectors because they are planned for using different methodologies and

considered by other forms of technical evidence (e.g. retail assessment).' 1.10). And whilst the employment land survey touches on the issue, for example, of homeworking, it does so in just a couple of sentences ('A number of key drivers and macro trends are likely to influence the type, scale and locational requirements for employment space in the Borough over the plan period, including self-employment and homeworking and increasing use of technology amongst many growth sectors. It is therefore important that CMBC monitors and responds to these changing preferences, to ensure that business needs can be met within the Borough' 4.13) with no estimate of the extent to which future jobs growth will be located in the same place as where people also live. Similarly the space requirements of the tourism/visitor sector, and in what location or type of premises they are to be met , are also excluded from the ELS ('Calderdale also benefits from a growing visitor economy and cultural assets include the Piece Hall and Eureka!, as well as outdoor adventure activities. Whilst this sector does not occupy B class employment space it makes an important contribution to Calderdale's economy.' 3.4) Consequently the preliminary conclusion we reach about the credibility of the proposed employment land allocations is that they appear to be framed from an outdated perspective about the shape of the local economy, and that they have not adjusted to the very significant changes already underway across the economy and society - affecting both labour supply, and the nature and location of employment - which will have an increasing effect into the future and across the plan period. We have sought clarification e.g. from the West Yorkshire Local Enterprise Partnership, which is responsible for the specification of the regional econometric model (which is the source for the employment growth projections which have been fed into the bottom of the LP) as to how their analysis does or should take account of these future changes, but have not yet received a response. Therefore in evidence to the Examination in Public we will want to present a more detailed critique of this aspect of the Plan.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp895**

Site ref (if applicable): **LP1618**

Person ID: **1181961**

Name: **Mrs Julie Bullen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The Sept 2018 release of household projections confirm that housing need across the country will fall significantly. These indicate a reduction for Calderdale from 840 to 566 (32.6% change) homes per year. (see <http://www.bartonwillmore.co.uk/Knowledge/Intelligence/2018/Housing-need-will-fall-in-light-of-new-household-p>) This is a significant material consideration for both the Leeds City Region SEP and Calderdale's housing and employment growth strategy which the inspector needs to consider. The

implications need to be integrated into the plan to ensure it is based on the revised, realistic figures to provide a proper plan for the future of the area - as it stands it is not based on the expected demographic change and cannot therefore be considered sound. My previous objections already highlight the fact that there is a mismatch in demographic change and economic growth aspirations and this further increases this mismatch. This questions the spatial strategy and extent of employment land allocation and certainly does not provide the exceptional circumstances for release of green belt for such use.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

The economic strategy and spatial growth plan are reviewed in the light of the new information to ensure the plan is sound

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Projections of growth presented in the 2016 Leeds City Region Strategic Economic Plan and Calderdale Economic Land Study are inconsistent with 2016 based population projections, which show a decrease in population of working age.
2. Implications of the 2016 based ONS household projections indicating a reduction in the housing need from 840 to 566 dwellings per , which is a material consideration for the Leeds City Region SEP and the Council's housing and employment growth strategy, need to be integrated into the plan.
3. Local Plan ignores the space requirements for the non-B uses.
4. The Employment Land Study does not assess the land requirement (location and type of premises) for the tourism/visitor sector.
5. The Employment Land Study refers only briefly to the issue of homeworking and does not estimate the extent to which future job growth will be located in the same place as people also live.
6. Employment land allocations are based on an outdated view and not adjusted in response to significant changes underway in the economy.

Council's Response:

1. The Evidence for the Plan and Strategic Economic Plan is based on 2014 ONS Sub National Population projections.

2. The most recent 2016- based household projections derived from the 2016-based population projections do lower the housing requirement nationally, including within Calderdale, but have been withdrawn by the Government in advance of refining the standard method to achieve higher levels of housing growth as per Government Policy. The housing requirement figure is derived using the Standard method and based on the 2014-based household projections published in 2016 as required by NPPG (paras. 4 and 5). See CC 01 Calderdale Council Response to INS/01 – Response to Pre-Hearing Note 1 Appendix 1.4. These are factual matters.

No modification required.

3. Sectors outside the B land use classification, (i.e. Included in Section A, C or D of the use classes order), where jobs are forecast to grow, include 'Residential care and social work', and 'Accommodation and Food'. Future growth will be considered in the context of other Policies in the Plan, e.g. Retail and town Centre (including Finance), and Health and Well being, as a land allocation the Plan is not appropriate

4. Industry sectors providing goods and services for the tourism industry generally fall outside the B land use classification, (i.e. Included in Section A, C or D of the use classes order). Jobs are forecast to grow, for instance, in the 'Accommodation and Food' sector, and future growth will be considered in the context of other Policies in the Plan, e.g. Retail and town Centre, and Health and Well being, as a land allocation the Plan is not appropriate.

5. Recent changes in the use of office space, due to flexible working, hot desking and working at home is reflected in the calculation of the land requirement for office accommodation. The HCA Employment Densities Guide, 3rd Edition 2015 reduced the amount of floorspace required per office worker from the previous guidance, to reflect this change in working practice.

6. The methodology adopted in the Employment Land Study, for assessing the land requirement, is in accordance with National Planning Policy Guidance 2016. The Employment Land Study was updated before publication to incorporate the employment forecasts of the most recent Regional Econometric Model.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Review the economic strategy and spatial growth plan.

Council's Response:

1. The Council consider the evidence justifies the economic strategy and scale and distribution of growth.
No modification required.

Document Section: 6.17 Paragraph

Representations

Comment ID **Lpp782**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Again, and as per the comments on paragraph 6.14, the analysis sequence is the wrong way round. Instead infrastructure provision should follow from the prior demonstration of locationally specific employee/jobs need.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Analysis sequence should consider location specific employee jobs need before infrastructure provision.

Council's Response:

1. The methodology adopted in the Employment Land Study (EV.01) for assessing the land requirement is in accordance with National Planning Policy Guidance 2015. The report presents a number of growth

scenarios. The most appropriate scale of growth is related to the expected jobs created by the increased accessibility and transport improvements in the West Yorkshire Plus Transport Fund programme. Proposals in the Plan must seek a balance between the spatial and operational requirements of existing and new businesses, the encouragement and provision of local employment opportunities, and the availability of land.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: Table 6.6 Requirement for New Employment Land

Representations

Comment ID **Lpp847**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The amount of employment land allocated in this policy is not accepted for the reasons set out in paragraph 6.16

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1.The amount of allocated employment land is not accepted.

2. Projections of substantial growth presented in the 2016 Leeds City Region Strategic Economic Plan and Calderdale Economic Land Study are inconsistent with recently released 2016 based population projections, which show a decrease in population of working age.

3. Local Plan ignores the space requirements for the non-B uses.

4. The Employment Land Study refers briefly to the issue of homeworking and does not estimate the extent to which future job growth will be located in the same place as people also live.

5. The Employment Land Study does not assess the land requirement, in terms of location and type of premises, for the tourism/visitor sector.

6. Employment land allocations are based on an outdated view and not adjusted in response to significant changes underway in the economy.

Council's Response:

1. The methodology and assessment of the employment land requirement was undertaken as part of the Employment Land Study (EV.01) and undertaken in accordance with National Planning Policy Guidance 2015, and is outlined in Employment Technical Paper (EV.02)

2. The Evidence for the Plan and Leeds City Region Strategic Economic Plan is based on 2014 ONS Sub National Population projections.

3. Sectors outside the B land use classification, (i.e. Included in Section A, C or D of the use classes order), where jobs are forecast to grow, include 'Residential care and social work', and 'Accommodation and Food'. Future growth will be considered in the context of other Policies in the Plan, e.g. Retail and town Centre (including Finance), and Health and Well being, as a land allocation the Plan is not appropriate

4. Recent changes in the use of office space, due to flexible working, hot desking and working at home is reflected in the calculation of the land requirement for office accommodation. The HCA Employment Densities Guide, 3rd Edition 2015 reduced the amount of floorspace required per office worker from the previous guidance, to reflect this change in working practice.

5. Industry sectors providing goods and services for the tourism industry generally fall outside the B land use classification, (i.e. Included in Section A, C or D of the use classes order). Jobs are forecast to grow, for instance, in the 'Accommodation and Food' sector, and future growth will be considered in the context of other Policies in the Plan, e.g. Retail and town Centre, and Health and Well being, as a land allocation the Plan is not appropriate.

6. The methodology adopted in the Employment Land Study, for assessing the land requirement, is in accordance with National Planning Policy Guidance 2015. The Employment Land Study was updated before publication to incorporate the employment forecasts of the most recent Regional Econometric Model.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: Table 6.7 Floorspace requirement (m2) (net)

Representations

Comment ID **Lpp175**

Site ref (if applicable): **LP1232**

Person ID: **1125251**

Name: **Dr Andrew McElligott**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Calderdale's economy is performing well however there is a high level of vulnerability due to its dependence on the manufacturing and financial services sectors. More knowledge intensive businesses, especially Creative and Digital Industries, need to be encouraged into the area; this is a direct quote from para 2.69 of this plan. The overall proposed land use designation seems likely to increase dependence on manufacturing and provide insufficient opportunities for creative / digital in direct contradiction to the Local Authority's own, stated ambition. The final plan should increase the amount of B1a/B1b designated land and reduce the amount of land designated for other 'B' uses. As it stands the plan is not effective and is, therefore, unsound.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Plan to increase amount of land designated for B1a and B1b whilst reducing amount of land designated for other 'B' uses.

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The total proposed employment land allocation will increase dependence on manufacturing and provide insufficient opportunities for creative and digital industries.

Council's Response:

1. New employment sites are allocated for B class use, in order to allow for flexibility and response to the market during the Plan period. Creative and digital industries are generally classified as B1a, B1c and B1c use classes. Future requirements for these uses are included in the overall assessment of B use land required and in the allocations in the Plan.

Sites allocated in the Plan provide a range of characteristics suitable for the different needs of creative/digital industries and manufacturing. Policies EE1 and EE2 seek to protect existing employment areas.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Plan should increase amount of land designated for B1a and B1b whilst reducing amount of land designated for other 'B' uses.

Council's Response:

1. New employment sites are allocated for B class use, in order to allow for flexibility and response to the market during the Plan period. Creative and digital industries are generally classified as B1a, B1c and B1c use classes. Future requirements for these uses are included in the overall assessment of B use land required and in the allocations in the Plan.

Sites allocated in the Plan provide a range of characteristics suitable for the different needs of creative/digital industries and manufacturing. Policies EE1 and EE2 seek to protect existing employment areas.

Document Section: 6.21 Paragraph

Representations

Comment ID **Lpp783**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

Since it's agreed that 'Forecasts of changes in the number of jobs in the Borough over the Plan period are the main factor in assessing the future land requirement', this is the reason why forecast changes in the number of jobs should precede the setting of an employment land allocation, rather than follow it - as we noted on paragraph 6.14.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Forecast of change in the number of jobs should precede the setting of the employment land allocation.

Council's Response:

1. The methodology adopted in the Employment Land Study (EV.01) for assessing the land requirement is in

accordance with National Planning Policy Guidance 2015. The report presents a number of growth scenarios, and the most appropriate scale of growth is related to the expected jobs created by the increased accessibility and transport improvements in the West Yorkshire Plus Transport Fund programme.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.22 Paragraph

Representations

Comment ID **Lpp784**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The three circumstances cited for a change in the number of jobs exclude demographic change, and this omission is contrary to the statement in the ETP 4.2.2 : 'The data in the model consists of historical employment, output, productivity, population estimates and forecasts , and other labour market and environmental information, and data is available at local authority level.' our emphasis . The local plan at 2.44 has already identified a reduction in the working population of 5,200 as a 'significant concern', yet this is not cross-referenced here.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Demographic change is not cited as a circumstance leading to the change in the number of jobs, although referred to in the Technical Paper with regards to the Regional Econometric Model, and a

reduction in the working age population (2016 ONS)is not cross referenced.

Council's Response:

1. The identification of the employment land requirement is based on employment forecasts which take into account projected demographic change (the Regional Econometric Model - West Yorkshire Combined Authority). The evidence base for the Plan uses 200014 ONS SNPP numbers.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.23 Paragraph

Representations

Comment ID **Lpp785**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This continues the misanalysis that the principal requirement for employment land is within/between the B uses. This is not the case.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The principle requirement for employment land is not for B uses.

Council's Response:

1. The land requirement for new employment land relates to the provision of B1a, B1b, B1c, B2 and B8 land uses. The assessment takes into account several factors as indicated in Figure 3 of Section 4 Employment Land Study (EV.01)

Sectors outside the B land use classification, (i.e. Included in Section A, C or D of the use classes order), where jobs are forecast to grow, include 'Residential care and social work', and 'Accommodation and Food'. Future growth will be considered in the context of other Policies in the Plan, e.g. Retail and town Centre (including Finance), and Health and Well being, as a land allocation the Plan is not appropriate.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.25 Paragraph

Representations

Comment ID **Lpp848**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See the comments made on paragraph 6.16

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

- 1.Projections of growth presented in the 2016 Leeds City Region Strategic Economic Plan and Calderdale Economic Land Study are inconsistent with 2016 based population projections, which show a decrease in population of working age.
- 2.Local Plan ignores the space requirements for the non-B uses.
- 3.The Employment Land Study does not assess the land requirement, in terms of location and type of

premises, for the tourism/visitor sector.

4.The Employment Land Study refers only briefly to the issue of homeworking and does not estimate the extent to which future job growth will be located in the same place as people also live.

5.Employment land allocations are based on an outdated view and not adjusted in response to significant changes underway in the economy.

Council's Response:

1.The Evidence for the Plan and Strategic Economic Plan is based on 2014 ONS Sub National Population projections .

2.The land requirement for new employment land relates to the provision of B1a, B1b, B1c, B2 and B8 land uses. The assessment takes into account several factors as indicated in Figure 3 of Section 4 Employment Land Study (EV.01)

Sectors outside the B land use classification, (i.e. Included in Section A, C or D of the use classes order), where jobs are forecast to grow, include 'Residential care and social work', and 'Accommodation and Food'. Future growth will considered in the context of other Policies in the Plan, e.g. Retail and town Centre (including Finance),and Health and Well being , as a land allocation the Plan is not appropriate.

3. Industry sectors providing goods and services for the tourism industry generally fall outside the B land use classification, (i.e. Included in Section A, C or D of the use classes order). Jobs are forecast to grow, for instance, in the 'Accommodation and Food' sector , and future growth will considered in the context of other Policies in the Plan, e.g. Retail and town Centre , and Health and Well being , as a land allocation the Plan is not appropriate.

4.Recent changes in the use of office space, due to flexible working, hot desking and working at home is reflected in the calculation of the land requirement for office accommodation. The HCA Employment Densities Guide, 3rd Edition 2015 reduced the amount of floorspace required per office worker from the previous guidance, to reflect this change in working practice.

5.The methodology adopted in the Employment Land Study, for assessing the land requirement, is in accordance with National Planning Policy Guidance 2015. The Employment Land Study was updated before publication to incorporate the employment forecasts of the most recent Regional Econometric Model.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: Table 6.8 Job growth (Full time equivalents) 2016 - 2032

Representations

Comment ID **Lpp849**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See the comments made on paragraph 6.16 and 6.23.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Projections of growth presented in the 2016 Leeds City Region Strategic Economic Plan and Calderdale Economic Land Study are inconsistent with 2016 based population projections, which show a decrease in population of working age.

2. Local Plan ignores the space requirements for the non-B us. The principle requirement for employment land is not for B uses.

3. The Employment Land Study refers only briefly to the issue of homeworking and does not estimate the extent to which future job growth will be located in the same place as people also live.
4. The Employment Land Study does not assess the land requirement, in terms of location and type of premises, for the tourism/visitor sector
5. Employment land allocations are based on an outdated view and not adjusted in response to significant changes underway in the economy.

Council's Response:

1. The Evidence for the Plan and Strategic Economic Plan is based on 2014 ONS Sub National Population projections .
2. The land requirement for new employment land relates to the provision of B1a, B1b, B1c, B2 and B8 land uses. The assessment takes into account several factors as indicated in Figure 3 of Section 4 Employment Land Study (EV.01).
Sectors outside the B land use classification, (i.e. Included in Section A, C or D of the use classes order), where jobs are forecast to grow, include 'Residential care and social work', and 'Accommodation and Food'. Future growth will be considered in the context of other Policies in the Plan, e.g. Retail and town Centre (including Finance), and Health and Well being , as a land allocation the Plan is not appropriate.
3. Recent changes in the use of office space, due to flexible working, hot desking and working at home is reflected in the calculation of the land requirement for office accommodation. The HCA Employment Densities Guide, 3rd Edition 2015 reduced the amount of floorspace required per office worker from the previous guidance, to reflect this change in working practice.
4. Industry sectors providing goods and services for the tourism industry generally fall outside the B land use classification, (i.e. Included in Section A, C or D of the use classes order). Jobs are forecast to grow, for instance, in the 'Accommodation and Food' sector , and future growth will be considered in the context of other Policies in the Plan, e.g. Retail and town Centre , and Health and Well being , as a land allocation the Plan is not appropriate.
5. The methodology adopted in the Employment Land Study, for assessing the land requirement, is in accordance with National Planning Policy Guidance 2015. The Employment Land Study was updated before publication to incorporate the employment forecasts of the most recent Regional Econometric Model.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.27 Paragraph

Representations

Comment ID **Lpp850**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

In the absence of a credible overall employment land analysis (see the comments on paragraphs 6.16) it is difficult at this stage to support an additional allocation allowing for flexibility, particular when the allocation as a whole will be affecting the proposed landtake from Greenbelt.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. There is no credible employment land analysis, and it is difficult to support additional allocation for flexibility, when land will be taken from the existing Greenbelt.

Council's Response:

1. The Council considers that the assessment of land requirements undertaken in the Employment Land

Study complies with the requirements of National Planning Policy Guidance 2015.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.28 Paragraph

Representations

Comment ID **Lpp852**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

In the absence of a credible overall employment land analysis (see the comments on paragraphs 6.16) it is difficult at this stage to support an additional allocation allowing for these other factors, particularly when the allocation as a whole will be affecting the proposed land take from Greenbelt.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. There is no credible employment land analysis, and it is difficult to support additional allocation for other factors, when land will be taken from the existing Greenbelt.

Council's Response:

1. The Council considers that the assessment of land requirements undertaken in the Employment Land

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.35 Paragraph

Representations

Comment ID **Lpp854**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Having in table 6.6 identified a total employment land requirement of 72.5 ha, the LP then proceeds through process to justify increasing the allocation to 97 ha in this paragraph, and 6.40, and policy SD4. In the absence of a credible overall employment land analysis (see the comments on paragraphs 6.16) it is not possible to support this additional allocation particularly when the allocation as a whole will be affecting the proposed land take from Greenbelt.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. There is no credible employment land analysis, an allocation over 72.5ha is not supported especially when land will be taken from the existing Greenbelt.

Council's Response:

1. The Council considers that the assessment of land requirements undertaken in the Employment Land Study (EV.01) complies with the requirements of National Planning Policy Guidance 2015, and the justification is outlined in the Employment Technical Paper (EV.02).

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.36 Paragraph

Representations

Comment ID **Lpp786**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This reflects an unsubstantiated assumption that employment land will be necessary in large sites, despite the fact that the uses that typically required these (e.g manufacturing) are now in decline.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. There is an unsubstantiated assumption that employment land is required in large sites, although manufacturing uses are declining.

Council's Response:

1. Evidence in the Employment Land Study (EV01) indicates that there is a shortage of larger premises above 925 m² , and existing popular industrial estates are nearly fully developed. The Plan seeks to provide

a range of sites to meet the different needs of businesses requiring different premises . More than a third of sites (37%) are less than 1ha in size, and 20% or greater than 5ha.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.40 Paragraph

Representations

Comment ID **Lpp1530**

Site ref (if applicable):

Person ID: **1184942**

Name: **Mr Mark Bullen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

See attached

Do you consider the plan to be Sound?:

Sound Reason:

See attached

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

See attached

Suggested Modifications:

See attached

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5084592>

Comment ID **Lpp860**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Having in table 6.6 identified a total employment land requirement of 72.5 ha, the LP then proceeds through process to justify increasing the allocation to 97 ha in this paragraph, and 6.40, and policy SD4. In the absence of a credible overall employment land analysis (see the comments on paragraphs 6.16) it is

not possible to support this additional allocation particularly when the allocation as a whole will be affecting the proposed land take from Greenbelt. And just to repeat and summarise comments made previously: the employment land allocation exercise has been undertaken in the wrong direction. It should have started with an identification of the size and sectors of employment growth (which are agreed not to be B uses); then considered the particular site/premises/space characteristics of those growth sectors; and then proceeded with a much more bespoke approach to fitting potential employment space requirements to possible sites (assuming that is the growth sectors did actually require specific new land allocation, rather than operate from existing buildings and homes.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The process of employment land allocation is wrong and should have followed steps: identification of the size and sectors of employment growth; then consider the particular site/premises/space characteristics of those growth sectors; then undertake a much more bespoke approach to fitting potential employment space requirements to possible sites.
2. There is no credible employment land analysis and a land allocation greater than 72.5ha is not supported particularly, when land will be taken from the existing Greenbelt.
3. The level of employment allocations is too high as working age population is falling, housing growth will not support employment growth, and will result in increased in commuting.

Council's Response:

1. The Council considers that the methodology adopted in the Employment Land Study (EV.01) to assess the employment land requirement meets the requirements of National Planning Policy Guidance 2015.
2. The factors determining the land allocation are outlined in the Employment Land Study (EV.01) and the Employment Technical Paper (EV.02)
3. The level of growth is based on forecasts of future employment growth which take into account the policies of the Strategic Economic Strategy, including the infrastructure improvements programmed under

the West Yorkshire Transport Plus Fund, and the M62 Corridor Enterprise Zone.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: Policy SD4 Provision of Land for future Employment Use Require

Representations

Comment ID **Lpp1153**

Site ref (if applicable):

Person ID: **960869**

Name: **Stonebridge Homes**

Organisation:

Agent ID: **691692**

Name: **Ms Lucie Jowett**

Organisation: **Senior Planner Barton Willmore**

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

See attachment

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

See attachment

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5086522>

Comment ID **Lpp1433**

Site ref (if applicable):

Person ID: **1185621**

Name: **Clifton Village Neighbourhood Forum**

Organisation: **Clifton Village Neighbourhood Forum**

Agent ID: **1185607**

Name: **Mr Nick Pleasant**

Organisation: **NJL Consulting**

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment for context of comment. SD4 fails to identify the apportionment of employment land across the various areas of Calderdale, despite the Employment Land review identifying different market needs

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5107469>

Comment ID **Lpp1456**

Site ref (if applicable):

Person ID: **1183599**

Name: **Mr Andrew Wood**

Organisation: **Consultant Planner CPRE**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachments for context of comments. Introductory paragraph of Evidence Paper 2 states that: Please note that it was our intention to divide up this document and submit it in relevant sections using the representation form, but having downloaded the form we found that key entry fields were locked. Given that the representation system is in any case not well-suited to comments that develop a narrative and contain figures and tables, we have therefore reverted to submitting full documents. These are structured as carefully as possible to enable you to use them. It is our view that the Publication Draft is not positively prepared to deliver sustainable development. It is not justified by the most appropriate and up-to-date evidence of development needs. And it will not be effective in delivering sustainable development, due to fundamental internal contradictions between the scale and distribution of development and other key policies in the Plan. This evidence paper explains our position on these points, and we conclude that very substantial modifications will be needed to make the Plan sound. Policies HW1 to HW3: Health and Wellbeing In our view the key spatial policies in the Plan (SD3 to SD7) will fail to address key aspects of the health and wellbeing policies, in particular: HW1 (iii) "promoting and enabling healthy lifestyles as the normal, easy choice"; HW2 "" HIA expectation (vi) for active travel, public transport and accessibility; HW3 5th bullet "Strongly encouraging the re-use of vacant and derelict buildings and spaces (brownfield land)". Crucially, these are presented as development management considerations, but there is no evidence offered as to how the spatial policies of the Plan will create the conditions for those considerations to be implemented. We cannot expect an HIA of a development to deal properly with active travel if it is on an allocated site in an adopted Plan, but that site is not well-located to promote active travel. Therefore, in our view, the health and wellbeing policies need to be significantly re-framed to set good standards for enhancing health and wellbeing at the Plan level. It is also very significant, and worrying, that there are no monitoring indicators and targets offered for these policies, and therefore no sense of the direction or rate of progress that is hoped for. This must be addressed if the Plan is to be considered sound.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5102830>

Comment ID **Lpp271**

Site ref (if applicable): **LP1618**

Person ID: **1181961**

Name: **Mrs Julie Bullen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

I object to the level of employment land allocated generally and specifically I object to the allocation of employment site (LP1618) The amount of employment land is too high in the plan because the population and working age population is reducing population growth would NOT support the employment growth outlined the South East (Brighouse) already has high levels of out/in commuting there is a mismatch in jobs to residents and the council's economic plan/strategy does not take account of demographic change allocation of employment sites is not sufficiently justified and is inflated and will generate more in commuting which is unsustainable

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Employment land requirement needs to be revisited in light of demographic change, taking into account new projections to ensure this is not too high

Additional Evidence Link:

Comment ID **Lpp514**

Site ref (if applicable):

Person ID: **961958**

Name: **Crosslee plc**

Organisation: **Crosslee plc**

Agent ID: **1104252**

Name: **Mr Mark Eagland**

Organisation: **Peacock & Smith**

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Policy SD4 confirms that the Local Plan provides for land allocations to provide approximately 97 hectares of land for employment purposes to meet the employment needs of the Borough. Crosslee considers that the plan seeks to provide more employment land than is necessary and that the quantum proposed is not justified or consistent with national policy in that regard. Our main concerns in this regard are as follows. Firstly, we note that the Council's employment land evidence base is predominantly provided by the June 2018 Calderdale Employment Land Study by Lichfields. However the employment land requirements set out in the Lichfield Study do not reflect the Council's recent decision to reduce the annual housing requirement to 840 dpa. The lowest labour supply scenario considered by Lichfields is 872 dpa (which would imply a requirement for 46.79 hectares of employment land) but this has been excluded in the employment land range recommended. The lowest labour supply scenario that has been included in the range is 946 dpa "" far in excess of the housing requirement that is now proposed in the Local Plan consultation. Secondly, the employment land range of 52 to 78 hectares recommended by Lichfields already includes a safety margin equivalent to 2 years take up (8.7 hectares of land) in order to provide for choice and flexibility of provision. Lichfields recognise that there are alternative approaches (e.g. Lichfield District, Nuneaton and Bedworth) to provide for flexibility which could result in a lower safety margin. In this context despite the generous built in safety margin of 8.7 hectares the Local Plan provides for an additional buffer of sites by allocating 97 hectares of employment land for B class uses "" significantly in excess of the upper range recommended by Lichfields. In the light we do not consider that the amount of employment land proposed in the Local Plan is justified. Furthermore, Para 31 of the NPPF requires policies to be underpinned by relevant and up to date evidence, which is not the case in respect of Policy SD4 .

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

The amount of employment land proposed in Policy SD4 should reflect the housing requirement in the plan. Policy SD4 should not allocate more land than necessary and any buffer over and above the safety margin already assumed by Lichfields should be deleted.

Additional Evidence Link:

Comment ID **Lpp861**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Having in table 6.6 identified a total employment land requirement of 72.5 ha, the LP then proceeds through process to justify increasing the allocation to 97 ha in this paragraph, and 6.40, and policy SD4. In

the absence of a credible overall employment land analysis (see the comments on paragraphs 6.16) it is not possible to support this additional allocation particularly when the allocation as a whole will be affecting the proposed land take from Greenbelt.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp903**

Site ref (if applicable):

Person ID: **11797**

Name: **Mr & Mrs Mark & Amanda
Tattersall**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Employment objections Background On 12 February 2018, the Council's Cabinet Members elected to endorse the Standard National Method for calculating housing requirements with no adjustment for employment growth. It follows that there should be no increase to housing for employment growth. However, there is currently a large disparity between Calderdale's working-age population and the Local Plan job growth figure of 8,295. The June 2018 Draft Local Plan (released for Councillors, not for public consultation) showed an increase, since the 2017 Draft, in the allocation of land and jobs within the employment section. Land allocation had been increased from 60ha to 97ha (all potential sites allocated) and jobs increased from 5,955 to 8,295. This was following a 'selective update' using WYCA's REM. At that time, the Infrastructure Delivery Plan showed only a small increase in the working- age population of 172 between 2014 to 2032. Current The latest ONS population figures, 2016-based, show an increase in Calderdale's population of 8,652 for the plan period (2018-2033). This is around 6,000 fewer people than were projected to grow in the previous 2014-based ONS figures. There is a substantial decline in the working age population, with almost all of the increase being in the over-60s bracket. Therefore, not only is there no increase in the working-age population to support the 8,295 jobs, but that population is reducing over the Plan period. We object to there having been no comparison and adequate consideration of the disparity between the working-age population and the increased job growth figure of 8,295 prior to the release of the Local Plan. It is not clear how the extremely large job deficit will be filled or if the proposals to accommodate such a high number are realistic. Page 17 para 4.2.9 of the Employment Technical Paper concludes that 1,129 dwellings per annum would be needed to support the 8,295 jobs. Currently the Local Plan is working on a housing requirement figure of 840 dpa. Barton Willmore have recently released the new housing requirement figure for Calderdale that is based on the New Government Standard Method. It is 566 dpa. This reflects the continued slowing-down of the projected increase of the population. This clearly shows a further disparity between the number of houses based on the population growth (566dpa)

and the number to support the job growth of 8,295 (1,129dpa). The 566 dpa is closer to the UDP figure of 450dpa. Recent completions, which average 505 dpa, are also a similar level to the UDP figure. The Local Plan has not adequately addressed how these disparities will be accommodated or whether this can be done sustainably. As such, we do not consider the Local Plan to be sound Employment land During the employment land allocation there are instances where identified land has not been allocated, including: Current employment planning permissions are not included in the overall 97ha allocation (para 6.37) 'a more intensive use of existing employment land could provide an additional 9ha of employment land'. This 9ha is not allocated. (para 6.38) An additional 37.47ha of land is allocated for employment use for replacement of existing land/premises lost from employment use. However, the land and premises lost have not been accounted for elsewhere. Mixed use sites. These sites have no employment allocation. They have a density multiplier on 50% of the site. Site LP0509 and LP0370 have no housing allocation either. The employment land allocation was increased from 60 hectares to 97 hectares. Paragraphs 4.1.7 and 4.6.1 of the Employment Technical Paper provide reasons for the increase in employment land. However, nearly all of the reasons for the increase in the amount of employment land appear to duplicate the ones already given in the 2017 Draft Local Plan. The only apparent difference is a provision for unmet need and spatial imbalance. The Local Plan allocates all potential new sites, 97ha gross (para 6.35). A large proportion of the employment land allocation is for warehousing, which requires a lot of land but supports very few jobs. It is clear throughout the documents that potential employment land is limited. Para 6.36 'It has however been difficult to identify new land of any significant size, reflecting the topographical and environmental constraints of the Borough.' Given the above points and that overall the need for Green Belt has been triggered, as well as there being a limited supply of employment land in the Borough, we do not consider the Local Plan to be sound. We are unclear why the Employment Land Review dated June 2018 refers to the 2015 SHMA throughout when the Council have recently released a new SHMA dated April 2018, which is prior to the Employment Land Review. The new SHMA has been carried out shortly before the latest release of the 2016-based ONS population projections (June 2018).

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

The increase in employment land to be adequately justified. Consider unallocated land for potential use including alternative uses. Housing need should not be increased due to employment as this has not been agreed with Council members and also because it has not been tested for sustainability.

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Quantum of employment land is not justified or consistent with national policy.
2. Amount of land has increased from Initial Draft Local Plan, and apparent difference is a provision for unmet need and spatial imbalance
3. Employment Land Study does not reflect the decision to reduce the housing requirement and assess in line with the Standard National methodology.
4. Demographic change cannot support the level of growth outlined, and there is a disparity between working age population and increased growth in employment
5. Employment Land Study does not take into account the conclusions of the 2018 SHMA
6. 2016 based population projections should be used in assessment of employment land need.
7. There is a disparity between the planned growth in homes and in jobs.
8. Unallocated sites should be considered for alternative uses
9. The allowance for a safety margin within the land requirement is too high.
10. Employment allocations will generate more in-commuting.
11. Identified land has not been included in allocations (current planning permission, and more intensive use of land)
12. Policy fails to identify the apportionment of employment land across Calderdale, despite the Employment Land Study identifying different market needs
13. Mixed use sites have no employment allocation, and some have no housing.
14. Absence of credible overall employment land analysis, and consequently no justification for taking land out of Greenbelt.
15. Whole allocations will affect the proposed land take from the Green belt.
16. Policies are not underpinned by relevant and up to date evidence as required in para 31. NPPF.
17. The Council's evidence base documents confirm that adoption of 840 homes per annum would fail to deliver the economic growth ambitions clearly set out in the Calderdale Local Plan.
18. Policy fails to address key aspects of health and wellbeing policies.

Council's Response:

1. The methodology and assessment of the employment land requirement was undertaken as part of the Employment Land Study (EV.01) and undertaken in accordance with National Planning Policy Guidance 2015, and is outlined in Employment Technical Paper (EV.02).
2. The methodology adopted in the Employment Land Study (EV.01) for assessing the land requirement is in

accordance with National Planning Policy Guidance 2015. The Employment Land Study was updated before publication to incorporate the employment forecasts of the most recent Regional Econometric Model which had increased.

3.The Council took the decision to assess the housing requirement in line with the Standard Methodology - see CC.01 Calderdale Council Response to INS/01.

A growth in workforce supply can be achieved from a number of sources including: an increase in the local employment rate, a change in the balance of commuting patterns through either an increase in in-commuting, or a decrease in out commuting, and changes in local population.

4.The identification of the employment land requirement is based on employment forecasts which take into account projected demographic change (the Regional Econometric Model - West Yorkshire Combined Authority).

5. The 2018 Strategic Housing Market Assessment (EV.36) was compleaed after the Employment Land Study was published (EV.01).

6. The evidence for the Plan is based on the 2014 ONS sub regional population projection.

7.The Council took the decision to assess the housing requirement in line with the Standard Methodology - see CC.01 Calderdale Council Response to INS/01.

The workforce supply can increased through a number of sources including: an increase in the local employment rate, a change in the balance of commuting patterns through either an increase in in-commuting, or a decrease in out commuting, and changes in local population.

8. Policy EE1 seeks to safeguard existing employment areas, land and premises, unless specified circumstances can be demonstrated.

9.The amount of developable land within the allocated sites comprises 84ha which represents an additional 11 ha or 15% above the land requirement identified in the Employment Land Study.This is considered an appropriate amount to allow for the flexibility for the nature of requirements of different businesses over the Plan period, and the timescale of site coming forward .

10.The workforce supply can increased through a number of sources including: an increase in the local employment rate, a change in the balance of commuting patterns through either an increase in in-commuting, or a decrease in out commuting, and changes in local population.

11. The possible supply of land from existing planning permissions, and a more intensive use of existing sites is outlined in document CC.01 Calderdale Council response to INS/01 .

12. Proposals in the Plan seek a balance between the locational and operational requirements of existing and new businesses, the encouragement and provision of local employment opportunities, and the availability of suitable land.

13. Appropriate uses within a Mixed use site are specified in the Appendix 1 Supporting Information for each Mixed use site.

14. The Council considers that the assessment of land requirements undertaken in the Employment Land Study complies with the requirements of National Planning Policy Guidance 2015.

15. The Employment Land Study(EV01) and Employment Technical Paper(EV.02) present the assessment of the employment land requirement, and the evaluation of potential employment sites. Proposals in the Plan seek a balance between the locational and operational requirements of existing and new businesses, the encouragement and provision of local employment opportunities, and the suitability and availability of land. Detail of the amount of land proposed in what is currently designated Green Belt is indicated in CC01 . Calderdale council response to INS/01.

16.The methodology adopted in the Employment Land Study, for assessing the land requirement, is in accordance with National Planning Policy Guidance 2015. The Employment Land Study was updated before publication to incorporate the employment forecasts of the most recent Regional Econometric Model.

17.The Council took the decision to assess the housing requirement in line with the Standard Methodology - see CC.01 Calderdale Council Response to INS/01.

The workforce supply can increase from a number of sources including: an increase in the local employment rate, a change in the balance of commuting patterns through either an increase in in-commuting, or a decrease in out commuting, and changes in local population.

18. Health and wellbeing policies are detailed in Chapter 12: Health and Wellbeing of the Local Plan. A health impact assessment (HIA) helps ensure that health and wellbeing are being properly considered in planning policies and proposals. The policies and proposals of the Local Plan have been subject to HIA through the Sustainability Appraisal that was undertaken prior to its publication.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

- Revise Employment land requirement to take into account new household projections and demographic change
- The amount of employment land proposed in the Policy should reflect the housing requirement in the plan.
- Policy should not allocate more land than necessary and assessments should not include any additional buffer above the safety margin identified by Lichfields .

Council's Response:

Document Section: 6.2 Distribution of Growth

Representations

Comment ID **Lpp1170**

Site ref (if applicable):

Person ID: **1069334** Name: **Ms Megan Pashley**

Organisation: **Gladman Developments Ltd**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

Gladman consider that it is appropriate that development is focussed upon the main settlements of Halifax, Brighouse, Hebden Bridge, Todmorden, Sowerby Bridge and Elland, as these represent the most sustainable locations for growth. However, the Council should recognise that directing further growth to Calderdale's Local Centres and Neighbourhood/Small Rural Centre will result in a number of benefits for their ongoing vibrancy. Indeed, paragraph 55 of the 2012 Framework makes clear that "housing should be located where it will enhance or maintain the vitality of rural communities." This statement highlights the need for a strategy to promote sustainable development in rural areas and locate housing where it will enhance and maintain the vitality of rural communities.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5089285>

Comment ID **Lpp1274**

Site ref (if applicable):

Person ID: **1185592** Name: **Yorkshire Housing**

Organisation: **Yorkshire Housing**

Agent ID: **1185594** Name: **Mr Mark Johnson**

Organisation: **Managing Director Johnson Mowat**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5102264>

Comment ID **Lpp1326**

Site ref (if applicable):

Person ID: **1183599**

Name: **Mr Andrew Wood**

Organisation: **Consultant Planner CPRE**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment for context of comments. Introductory paragraph of Evidence Paper 2 states that: Please note that it was our intention to divide up this document and submit it in relevant sections using the representation form, but having downloaded the form we found that key entry fields were locked. Given that the representation system is in any case not well-suited to comments that develop a narrative and contain figures and tables, we have therefore reverted to submitting full documents. These are structured as carefully as possible to enable you to use them. It is our view that the Publication Draft is not positively prepared to deliver sustainable development. It is not justified by the most appropriate and up-to-date evidence of development needs. And it will not be effective in delivering sustainable development, due to fundamental internal contradictions between the scale and distribution of development and other key policies in the Plan. This evidence paper explains our position on these points, and we conclude that very substantial modifications will be needed to make the Plan sound. 6.2 Distribution of Growth In principle, we welcome and support the way in which the spatial pattern of growth has been informed by the physical and environmental constraints of the Borough. We also start from the positive perspective that urban extensions and new settlements might have potential to offer the most sustainable option for growth. Unfortunately, having considered Calderdale's proposals carefully we have concluded that they do not amount to sustainable development. Our reasons for this are set out below. The emphasis on Brighouse for new housing development is a major departure from the established settlement hierarchy, effectively drawing the focus away from Halifax. This appears to be a decision based primarily on site availability, rather than on a positive strategic choice for sustainable development. In our view, any urban extension or new settlement should be highly accessible by rail or tram to the main relevant destinations for employment and leisure; to minimise the generation of additional car commuting. A journey by rail from the strategic sites (walking to Brighouse station) to Leeds or Bradford centres takes twice the time of driving, and it is very unlikely that rail would be the main modal choice for residents of those sites. From a transport point of view we therefore regard the strategic sites as unsustainable locations. The Garden Suburbs at Brighouse encroach into the same broad area of countryside that maintains openness between

Brighouse, Huddersfield and Cleckheaton, and which Kirklees Council are also proposing significant site allocations. Figure 5 shows the Calderdale and Kirklees Plan maps overlaid to illustrate the extent of cumulative reduction in openness in the area. With Huddersfield, Elland and Halifax already almost converging, and increasing risk of coalescence from Halifax, through Northowram and Shelf and into Bradford, there is a significantly less open settlement pattern emerging. The Garden Suburbs have been presented as quite self-contained additions to Brighouse, whereas in reality they form part of a much wider system of conurbation. The sustainability credentials of that conurbation have not been tested. See Fig. 5: Calderdale and Kirklees Plan Maps overlaid to show cumulative extent of new allocations (CPRE West Yorkshire Evidence Paper 2: CPRE Core Evidence page 17) The Green Belt Review shows that the majority of the Green Belt across Calderdale is performing strongly; whilst the spatial distribution removes land from the Green Belt in a concentrated area on the edge of Brighouse. To the extent that the benefits of new development may be claimed to accrue to everyone in the Borough (meeting housing and employment needs), the harmful impacts of new development (loss of openness, increased congestion and pollution) will clearly be borne by some communities much more than others. Whilst it may be possible for the Garden Suburb approach to mitigate such issues, there is no evidence that the risks of these inequitable impacts have been assessed; and therefore the sustainability of the approach is unproven. Therefore, in our view, the proposed distribution of growth has not been justified by adequate evidence that it would be effective, sustainable and equitable.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5122736>; <http://calderdale-consult.objective.co.uk/file/5102830>

Comment ID **Lpp1535**

Site ref (if applicable):

Person ID: **960869**

Name: **Stonebridge Homes**

Organisation:

Agent ID: **691692**

Name: **Ms Lucie Jowett**

Organisation: **Senior Planner Barton Willmore**

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

See attachment

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

See attachment

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5086522>

Comment ID **Lpp222**

Site ref (if applicable):

Person ID: **1123390**

Name: **Miss Gillian Sowerby**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

There are already well documented infrastructure problems in Brighouse primarily with road congestion and lack of schools, doctors etc 2000 additional homes and an enterprise zone would exacerbate these problems and add to air pollution and increase risk of flooding I do not believe destruction of green belt should be approved to create a garden suburb

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

The current plans seem to not take account of proposed development in Kirklees or Highways England dropping plans for additional M62 junction The proposed enterprise zone seems an unnecessary destruction of fields considering 1.5m square foot of empty warehouse within a 5 mile radius

Suggested Modifications:

The current plans give a disproportionate allocation to Brighouse This needs to be amended so other areas share the burden

Additional Evidence Link:

Comment ID **Lpp261**

Site ref (if applicable):

Person ID: **1182636**

Name: **Ms Christine Taylor**

Organisation: **Administrative Assistant
Todmorden Town Council**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

CALDERDALE DRAFT LOCAL PLAN FORMAL CONSULTATION AND TOWN COUNCIL'S RESPONSE At the Development Committee meeting on 12 th September 2018 the Local Plan was discussed. As a result I have been asked, by the Committee, to write to you stating Members' objections to the geographical and geological issues in relation to the proposed house building sites and the access to employment sites including the lack of provision in Todmorden.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp603**

Site ref (if applicable):

Person ID: **1120241**

Name: **Mr Ben Sykes**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

N/A

Do you consider the plan to be Sound?: **No**

Sound Reason:

Unfeasible and unjustified weighting of allocation towards south east Calderdale The Sustainability Appraisal of the Local Plan 2018 makes a coherent argument for the Garden Suburb approach versus the pepper pot approach and I agree that this makes sense. The placement of the only two proposed garden suburbs in Brighouse however is fundamentally flawed for the following reasons: road infrastructure adjacent with other demanding developments Clifton Enterprise Zone and large scale proposal in Kirklees (Bradley) unjust and skewed benefits of development lack of focus on an ageing population air quality flooding Road Infrastructure The creation of such major developments in Brighouse and surrounding areas of other councils will have dramatic impacts on traffic flows around an area which is already extremely congested and very quickly becomes gridlocked following even small issues on the M62. The local plan does not provide any clarity on how it will be possible to manage this situation. Adjacent to other demanding developments The cumulative effects of the 2x garden suburbs, the Clifton Enterprise zone and the Kirklees Bradley development, all in very close proximity, have not been thought through coherently. The combined impact on infrastructure, congestion, risk of flooding and air quality will not be possible to mitigate. Unjust and skewed benefits of development Any benefits which may result from the additional development will not be evenly distributed across the borough. There are numerous upper valley locations which are much less prosperous than Brighouse where such benefits would have a much increased impact. Lack of focus on an ageing population The proposal seems to have overlooked the fact that, with an aging population, there will be an ever increasing demand for housing suitable for the elderly, the location for

which need not be driven by employment zones. Why not build a "Retirement Suburb" away from areas that are already over congested? It would not require the same levels of road infrastructure to support, and would dramatically increase the rate of downsizing in existing areas, freeing family size homes near areas of employment. Air Quality Brighouse is one of seven Air Quality Management Areas in Calderdale. I find it very hard to believe that the cumulative effects of the focusing of development in this area will not significantly worsen the current situation. The councils view seems to align with this concern, the air quality strategy document citing a key challenge to the problem as "Developing novel solutions with limited financial and staffing resources". The council cannot meet its current air quality requirements, never mind the ones that will result from this local plan. Flooding Locating both Garden suburbs, the Clifton Enterprise Zone (and the Bradley and Wykesites) in such close proximity to the Calderwill dramatically increase the risk of downstream floodingbetween Brighouseand Dewsbury. As described in the "Calder catchment Strategic flood risk assessment - volume 1": "downstream of Dewsbury the floodplains of the Calder broaden and include large areas of washland" which indicate impacts only reduce beyond Dewsbury. Locating such a high concentration of development in the lower Calder valley will therefore increase the likelihood of flooding in Brighouse, Mirfield and Ravensthorpe. Brighouse is also at the highest risk of groundwater flooding across the entire borough of Calderdale (see pg21 & 22 ofCalder catchment Strategic flood risk assessment - volume 2). The only proposed mitigation against flooding is the use of SuDS. One of the key reasons cited for locating the garden suburbs in the lower valley are as a result of the flood risks in the upper valley. If the flood risks are equally severe in Brighouse, the use of SuDS should be an equally valid mitigation for placement of the garden suburbs in the upper valley. Conclusion The challenges for any given area supporting a single new Garden Suburb will not be insignificant. Supporting 2x garden suburbs and a new Clifton enterprise zone, alongside the impacts of nearby developments by other councils will be insurmountable for Brighouse. A single, smaller Garden Suburb would be a much more sensible approach, with others being distributed more evenly across Calderdale. It is inevitable that the overall, disproportionate nature of the proposal will generate support from all councilors and residents least affected by the proposition. This has unfortunately led to a situation where an unworkable plan is approved by the majority it impacts least. It is also very unclear what has led to a community infrastructure levy of £40for the Brighouse area, a differential rate much lower than for other areas (i.e. Hebden bridge = £85). Has the level been set to attract developers to this area instead of with the aim of raising sufficient funds to implement the required infrastructure to support it? Have we got sound proof thata CIL at this level will cover all required infrastructure and that the shortfall will not have be be met by the tax payer?

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

The challenges for any given area supporting a single new Garden Suburb will not be insignificant. Supporting 2x garden suburbs and a new Clifton enterprise zone, alongside the impacts of nearby developments by other councils will be insurmountable for Brighouse. I do not believe the cumulative effects of the combined proposals across Calderdale, Kirklees and Bradford have been assessed or addressed as part of the planning process.

Suggested Modifications:

The challenges for any given area supporting a single new Garden Suburb will not be insignificant. Supporting 2x garden suburbs and a new Clifton enterprise zone, alongside the impacts of nearby developments by other councils will be insurmountable for Brighouse. A single, smaller Garden Suburb would be a much more sensible approach, with others being distributed more evenly across Calderdale.

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The distribution of growth is not supported given the need for higher levels of housing growth.
2. The importance of Elland as focus for growth has been underestimated. Housing growth in Elland would support the development of a new station. It also ideally located to support the needs of Halifax which is at the top of the settlement hierarchy.
3. Upper Calderdale Valley requires more development to support regeneration, economic growth and housing need.
4. Directing development to Local and Neighbourhood Centres will be beneficial to their vibrancy.
5. No specific policy or justification for the distribution.
6. Too much reliance is placed on undeliverable (both greenfield and brownfield) sites within the Urban Area.
7. The reduced housing requirement from Initial Draft to Publication Draft has not been evenly imposed across the Borough and therefore the spatial approach has changed significantly.
8. Unsustainable spatial strategy which is contrary to the settlement hierarchy and results in disproportionate allocation of housing development land across the borough.
9. Green Belt should not be used for the Garden Suburbs.
10. There are infrastructure, road congestion, air pollution and flooding issues which will be exacerbated by development in Brighouse.
11. There is a lack of growth identified for Todmorden.
12. Locating the Garden Suburbs in Brighouse is fundamentally flawed, due to issues including road infrastructure, cumulative impacts of development in Kirklees, air quality and flooding.
13. More development should be pepper-potted across the Borough.
14. The focus on Brighouse is a departure from the settlement hierarchy.
15. The approach to distribution is based on site availability not sustainable development. A review of the spatial strategy is required to deliver a more sustainable and proportionate distribution of development.

16. The sustainability credentials of cumulative development in Calderdale, Kirklees and Bradford have not been considered.

17. There is no evidence that the risks of the inequitable impacts of focusing development in Brighouse have been assessed, and therefore their sustainability is unproven.

Council's Response:

1. The Local Housing Needs are established using the new Standard Methodology. Earlier consideration of the SHMA derived Objectively Assessed Needs were indeed higher in terms of housing requirement but the Council has chosen to follow the LHN. The Initial Draft of the Local plan (2017) provided for more housing sites across the district.

2. Elland is an important town within Calderdale. At the LPID the Council did propose to allocate significant growth to the town. Having taken the decision to use LHN as the basis for the housing requirement the Council determined that the most appropriate way forward was to progress the Garden Suburb approach at Brighouse. (See EV40 - Justification for the Garden Suburbs).

3. The ability of the Upper Valley to accommodate significant growth is limited. The Council welcomes the role that the Neighbourhood Plans are taking in promoting growth in the Upper Valley which the Local Plan could not identify.

4. The Council would support growth at these centres. However it has not been able to identify deliverable sites to accommodate this growth.

5. There is no requirement to have a Policy setting out the distribution of development put forward in the Local Plan. Evidence document EV40 establishes the justification for the development of the Garden Suburbs, the Habitats Regulations Assessment (EV12.1; and EV12.4) helps to understand why the Council has chosen to promote more development away from the protected areas of the SPA and SAC.

6. The Council has assessed the deliverability and viability of all sites put forward within the local plan. All sites are considered to be available, deliverable and viable.

7. The paper to the Local Plan Working Party 17th August 2016 attached to evidence document EV09 considers the distribution of development throughout the Local Plan process. The Council considers its distribution of development to be justified and supportive of sustainable development. The Council has chosen to use the LHN rather than the OAN and therefore does not accept that there is a need for higher housing growth than identified in the Publication Plan.

8. The Council has not used the settlement hierarchy as the basis for the distribution of development. During early stages of plan preparation the Regional Strategy assumptions regarding distribution were used. In this case, Halifax had to take over 50% of the growth, with Brighouse taking a further significant proportion. As the Local Plan developed and the work was undertaken to understand the implications of the potential growth, it was found that Halifax could not accommodate as much developments as originally sought, because of the potential for significant effects upon the SPA and SAC as identified through the HRA process. Brighouse therefore became more attractive as a potential location for significant development.

9. The NPPF states that once established, the green belt should only be changed in exceptional circumstances during a development plan review.

Document EV 09 Exceptional Circumstances for the Release of Green Belt (2018) considers the process that

the Council has followed in relation to the potential need to release land from the Green Belt. It can be seen that a methodical approach has been built into each stage of the process and that ultimately this process has dovetailed with the Government's emerging policy on exceptional circumstances. The proposed changes to the Calderdale Green Belt are clearly a last resort and have been minimised. Furthermore, the boundary changes are essential to achieving a sustainable future for Calderdale – one that reconciles economic, social and environmental sustainability. It is considered that the exceptional circumstances have been demonstrated to justify the proposed changes to the Calderdale Green Belt boundary.

10. The large scale developments of the Garden Suburbs in Brighouse and that in Bradley, Huddersfield are part of an ongoing spatial consideration of growth within the Leeds City Region. The large sums being allocated by the West Yorkshire Combined Authority to the A641 Corridor and the Bradley Link indicate a joint consideration of the development implications. Council Document CC01 (Appendix 1.3) in response to the Inspectors Pre-Hearing Note 1 provides further information about the manner in which the Calderdale and Kirklees are working together to manage and mitigate the growth in the South East Calderdale/North Huddersfield area.

Detailed information including required mitigation measures regarding the various subject matters referred to can be found in the relevant chapters of the Local Plan document.

11. All sites assessments have been carried out in a consistent manner following the Site Allocations Assessment Methodology Statement, Publication Draft 2018 (EV51.1). Should a site not be allocated through the Local Plan, where appropriate this does not preclude it coming forward through the express planning application process.

12. Evidence document EV40 establishes the justification for the development of the Garden Suburbs, the Habitats Regulations Assessment (EV12.1; and EV12.4) helps to understand why the Council has chosen to promote more development away from the protected areas of the SPA and SAC.

The master planning of the Garden Suburbs will open opportunities for new and amended public transport services to and through the developments. It is not possible to indicate precisely what public transport services will be provided 10 or more years in advance. However, the opportunities including the layout of the developments, scale of population and ongoing policy development associated with the Council's Transport Strategy will facilitate public transport provision.

In accordance with Policy IM7, the production of a master plan for strategic housing sites should involve all relevant stakeholders, including the Council, infrastructure providers, landowners, developers, the local community, service providers and other interested parties. Master plans should be developed in consultation with the Council prior to the submission of a planning application.

13. The paper to the Local Plan Working Party 17th August 2016 attached to evidence document EV09 considers the distribution of development throughout the Local Plan process. The Council considers its distribution of development to be justified and supportive of sustainable development.

14. The Council has not used the settlement hierarchy as the basis for the distribution of development. During early stages of plan preparation the Regional Strategy assumptions regarding distribution were used. In this case, Halifax had to take over 50% of the growth, with Brighouse taking a further significant proportion. As the Local Plan developed and the work was undertaken to understand the implications of the potential growth, it was found that Halifax could not accommodate as much developments as originally sought, because of the potential for significant effects upon the SPA and SAC as identified through the HRA process. Brighouse therefore became more attractive as a potential location for significant development.

15. The National Planning Policy Framework (NPPF) requires the Local Plan to reflect the presumption in

favour of sustainable development, which is a "golden thread" which runs throughout the NPPF. The Planning Inspectorate (PINS) have created a 'model policy', which they suggest will be an appropriate way to meet the expectation of the NPPF. This policy, along with SD2 is contained within chapter 5 of the Local Plan titled Presumption in Favour of Sustainable Development. The chapter details the Council's approach to the various dimensions of sustainable development.

The site assessment process encompasses the principles of sustainable development.

16. Calderdale is part of the Leeds City Region (LCR) and a member of the West Yorkshire Combined Authority (WYCA). The LCR has a well-established programme for joint working and cooperation at both member and officer levels – planning portfolio holders and heads of planning meeting regularly, and there is specific 'duty to cooperate' group attended by planning policy officers.

17. The paper to the Local Plan Working Party 17th August 2016 attached to evidence document EV09 considers the distribution of development throughout the Local Plan process. The Council considers its distribution of development to be justified and supportive of sustainable development.

Duty to Co-operate

Main Issues:

1. The Local Plan does not take account of development in Kirklees and Bradford.

Council's Response:

1. Full and proper consideration has and is being given to development proposals in Kirklees and Bradford as evidenced in Submission Document SD 13 - Duty to Cooperate Statement Including Statements of Common Ground (January 2009). Further information is provided in the Council's Response to the Inspector's Pre-Hearing Note 1 Question 3 – see CC01 Calderdale Council Response to INS01 Appendix 1.3.

Suggested Modifications

1. Reduce the level of development proposed for Brighouse. Remove one of the Garden Suburbs, with housing pepper-potted across the Borough.

Council's Response:

1. Evidence document EV40 establishes the justification for the development of the Garden Suburbs, the Habitats Regulations Assessment (EV12.1; and EV12.4) helps to understand why the Council has chosen to promote more development away from the protected areas of the SPA and SAC.

Document Section: 6.43 Paragraph

Representations

Comment ID **Lpp787**

Site ref (if applicable):

Person ID: **10988** Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID: Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

We support this changed approach because it represents a necessary and justified response to the constrained factors identified earlier in the plan.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

Council's Response:

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.44 Paragraph

Representations

Comment ID **Lpp149**

Site ref (if applicable):

Person ID: **1171108** Name: **Mr Brian Crossley (SNLPF)** Organisation: **Chairperson SNLPF**

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Why is topography and the challenge of building on steep sites a planning matter, surely that's up to the builder and a suitable engineering solution (example Hebden Bridge). Also, why are topographical constraints being linked to building in a Special Landscape Area, there is nothing to link the two? Looking beyond the life of the plan (15yrs), which hopefully the Council have done; the topography will not have changed and the SCA/SPA's will not have changed. With the east choked with 'sustainable' development and traffic, where is the next tranche of sustainable development to come from?

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp439**

Site ref (if applicable):

Person ID: **1181866** Name: **Mr Nigel Riach** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Brighouse is allocated more new housing than Halifax under the current proposals, which is unrealistic, and disproportionate. The allocation to Brighouse will fundamentally change the character and attraction of

the town, as well as exacerbate its current problems of traffic congestion, air quality and inadequate facilities for the residents (doctors surgeries etc).

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Develeopments in Brighouse have previously been rejected on the grounds of highways objections, for example the business park on Wakefield Road, Brighouse, when a submission was made by PPG. Whilst improvements to the M62 have been made since, motorway traffic has also increased. The planned increase in housing in east Calderdale will produce 600 extra trips in peak morning traffic. Proof nneeds to be given that these trips can be accommodated in the area by the M62 and other roads.

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp788**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

We strongly support the identification of these constraining factors, but the extent of road traffic congestion and the inability to increase road capacity needs to be added as a fundamental constraint on the scale and distribution of development.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Questions whether topography and the challenge of building on steep sites is a planning matter.
2. The issues of topographical constraints and Special Landscape Area should not be linked.
3. Focusing development in Brighouse will change the character of the town, and exacerbate traffic congestion, air quality and infrastructure.
4. Evidence is required that extra trips generated by the development in Brighouse can be accommodated.
5. The extent of road traffic congestion and ability to increase capacity should be added as a fundamental constraint on the scale and distribution of development.

Council's Response:

1. Topography is an important consideration when allocation sites for development as each site needs to be capable of being delivered to be included in the local plan.
2. The Council considers the wording within paragraph 6.44 is accurate and fully justified.
3. The large scale developments of the Garden Suburbs in Brighouse and that in Bradley, Huddersfield are part of an ongoing spatial consideration of growth within the Leeds City Region. The large sums being allocated by the West Yorkshire Combined Authority to the A641 Corridor and the Bradley Link indicate a joint consideration of the development implications. Council Document CC01 (Appendix 1.3) in response to the Inspectors Pre-Hearing Note 1 provides further information about the manner in which the Calderdale and Kirklees are working together to manage and mitigate the growth in the South East Calderdale/North Huddersfield area.
4. Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.
5. Infrastructure considerations to include the impact of development on the local road network have been taken into consideration as part of the site assessment process.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.45 Paragraph

Representations

Comment ID **Lpp1531**

Site ref (if applicable):

Person ID: **1185995**

Name: **Persimmon Homes (West Yorkshire)**

Organisation:

Agent ID: **1185997**

Name: **Mr Adam Jackson**

Organisation: **Senior Planner Lichfields**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The Sustainability Appraisal ('SA') of the Local Plan (2018) contains a section which compares the effects of the Garden Suburb approach on the sustainability objectives against the potential effects of a 'pepper potting' approach. The conclusions of this analysis are that pursuing a Garden Suburb approach resulted in a greater number of positive effects on the SA objectives compared to the pepper potting approach. It is considered that this analysis does not provide a fair comparison of the two approaches. What this analysis does is compare the individual SA outcomes of the two Garden Suburb sites compared to the outcomes of all of the remaining sites considered for housing. As one would expect, the SA outcomes of the other (i.e. non-Garden Suburb) allocations is varied, resulting uncertain impacts when grouped together. As there are less certain positive impacts in the pepper potting approach, the SA takes this as an indication that the Garden Suburb approach is more sustainable. In doing so, it ignores the benefits that would be created at smaller settlements, such as providing homes for the existing population and helping to support the long-term operation of existing services, infrastructure and jobs.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

See attachment

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5106413>

Comment ID **Lpp440**

Site ref (if applicable): **LP1451**

Person ID: **1181866**

Name: **Mr Nigel Riach**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

6.45.The garden suburb approach may be suitable for some towns, where open space, parkland, farm land etc. is abundant, but Brighouse is already highly developed (arguably overdeveloped), and the garden suburb approach is totally inappropriate, as it removes most of the green space which currently exists. Green belt is allocated to prevent urban sprawl, as recognised in the policy documents, and to provide 'green lungs', which are particularly important in Brighouse, given that it is currently suffering from very poor air quality. Also, the developments will, inevitably, be of larger more expensive houses, which will attract commuters to the cities of Manchester, Leeds and Bradford, further adding to congestion and pollution, and not serve the current local community. Also, the number of houses allocated to these areas does not allow for the schools and infrastructure mentioned.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Kirklees Council are planning to approve a large number of houses on the opposite side of the M62 near PP1451. It would appear that there has been insufficient cooperation between the 2 authorities, and that the impact of their respective nearby proposals have not fully been considered.

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp441**

Site ref (if applicable):

Person ID: **1181866**

Name: **Mr Nigel Riach**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

6.45.The garden suburb approach may be suitable for some towns, where open space, parkland, farm land etc. is abundant, but Brighouse is already highly developed (arguably overdeveloped), and the garden suburb approach is totally inappropriate, as it removes most of the green space which currently exists. Green belt is allocated to prevent urban sprawl, as recognised in the policy documents, and to provide 'green lungs', which are particularly important in Brighouse, given that it is currently suffering from very poor air quality. Also, the developments will, inevitably, be of larger more expensive houses, which will attract commuters to the cities of Manchester, Leeds and Bradford, further adding to congestion and pollution, and not serve the current local community. Also, the number of houses allocated to these areas does not allow for the schools and infrastructure mentioned. Why has no consideration been given to developing the land around Outlane? It is relatively flat and developable, not designated a Special

Protection Area or Special Area of Conservation. Even without upgrading Junction 23 of the M62 to a full junction (which would surely be an excellent use of resources) the junction is capable of dealing with most of the additional traffic that the housing would generate. Also, the A640 across the Pennines to Junction 21 via Denshaw, is now little used, and capable of dealing with westbound commuters.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

The large area allocated for housing at Woodhouse is close to the large housing area allocated at Bradley by Kirklees. This suggests the two authorities have not co-operated sufficiently. The Woodhouse site will almost certainly be impacted by the proposed junction 24A of the M62, so no plan for the area should be finalised until the timing and detailed form of that is established.

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp671**

Site ref (if applicable):

Person ID: **1126037**

Name: **Mr Graham Maslen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp789**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This is a strategically significant paragraph for the Local Plan. It suggests that the LP has a strategic choice to make between just two alternatives - 'the relative merits of a larger number of more modest allocations 'pepper-potted' throughout the district versus a smaller number of large strategic allocations, the 'Garden Suburb' approach' - but in fact there's a third: a strong focus on maximising the brownfield potential within existing and sustainable urban settlements. This is not to imply that the full extent of Calderdale's housing need could be met at such locations, but rather that the entire housing site allocations process should have been rooted in a systematic and proactive examination of urban capacity. It was for this reason that in December 2015 Calderdale FOE asked this question to Cabinet: whether the council would - '1. Undertake an urban capacity study for Calderdale , at an appropriate scale, that will demonstrate proactively and with evidence that all the available brownfield sites are actually going to be used (rather than relying reactively on the offers of landowners, which will tend to prioritise the green sites). This would ensure that the Calderdale Local Plan is plan-led rather than developer-led, directing new housing investment exactly where it's needed: towards the regeneration and reshaping of existing towns and estates.' The response - see this in full in the attached document "" was 'Overall, given the process that we have followed, it is not considered necessary to undertake an Urban Capacity Study as part of the plan-making process for the Local Plan.' Accordingly we need to disagree with the final statement of 6.45 - 'In relation to this there are now relatively few deliverable and viable previously developed sites in sustainable locations that are capable of coming forward without public sector intervention' - in the absence of an analysis of urban capacity in the LP evidence base, which we requested in 2015 but which has not been provided. Later on in the LP process the local plan working party in August 2016 noted that 'The 'Brownfield First' principle remains a driving force on site assessment, even though the NPPF (paragraph 17) only requires council's to 'encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value'. our emphasis quoted in Greenbelt TP 3.10 That technical paper identifies a sequential process prioritising the selection of sites 3.15 which, when applied, selects 'the most sustainable sites' TP 3.16 . But this will only result in successful brownfield optimisation if the 'brownfield within urban area' list of sites has been adequately and comprehensively populated. If it hasn't - if all the possible brownfield sites haven't been included - then this test will fail. We are not clear that the evidence demonstrates that this comprehensive population has happened, and it was for this reason that in 2015 we asked for the urban capacity study to be undertaken.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5067427>

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The comparison of a 'pepper-potting' approach of smaller sites across the district with the two Garden Suburb approach is not a fair comparison.
2. Garden Suburb approach is inappropriate. Brighouse is already highly developed.
3. Garden Suburbs will attract commuters, adding to air quality issues.
4. The infrastructure is not adequate to support the Garden Suburbs.
5. Consideration should be given to development at Outlane.
6. The site allocations process should have been rooted in a systematic and proactive examination of urban capacity.
7. It is not clear that the list of potential brownfield sites has been comprehensively populated in the site allocations process.

Council's Response:

1. The paper to the Local Plan Working Party 17th August 2016 attached to evidence document EV09 considers the distribution of development throughout the Local Plan process. The Council considers its distribution of development to be justified and supportive of sustainable development.
2. Evidence document EV40 establishes the justification for the development of the Garden Suburbs, the Habitats Regulations Assessment (EV12.1; and EV12.4) helps to understand why the Council has chosen to promote more development away from the protected areas of the SPA and SAC.
3. The large scale developments of the Garden Suburbs in Brighouse and that in Bradley, Huddersfield are part of an ongoing spatial consideration of growth within the Leeds City Region. The large sums being allocated by the West Yorkshire Combined Authority to the A641 Corridor and the Bradley Link indicate a joint consideration of the development implications. Council Document CC01 (Appendix 1.3) in response to the Inspectors Pre-Hearing Note 1 provides further information about the manner in which the Calderdale and Kirklees are working together to manage and mitigate the growth in the South East Calderdale/North Huddersfield area.
The Council's response is set out in EV05 the Air Quality Technical Paper 2018 and EV04 the Calderdale Air quality Action Plan 2018.
4. The master planning of the Garden Suburbs will open opportunities for new and amended public transport services to and through the developments. It is not possible to indicate precisely what public transport services will be provided 10 or more years in advance. However, the opportunities including the layout of the developments, scale of population and ongoing policy development associated with the Council's Transport Strategy will facilitate public transport provision.
In accordance with Policy IM7, the production of a master plan for strategic housing sites should involve all relevant stakeholders, including the Council, infrastructure providers, landowners, developers, the local

community, service providers and other interested parties. Master plans should be developed in consultation with the Council prior to the submission of a planning application.

5. All sites assessments have been carried out in a consistent manner following the Site Allocations Assessment Methodology Statement, Publication Draft 2018 (EV51.1). Should a site not be allocated through the Local Plan, where appropriate this does not preclude it coming forward through the express planning application process.

6. Prior work including that of the local Urban Capacity Study and National Land Use Database have helped inform knowledge about potential sites or locations for Development. The site assessment methodology has been open and subject to consultation throughout its preparation. The application of the methodology has allowed the consideration of suitable, deliverable, viable sites. The allocation process requires a willing land owner and developer in order to demonstrate the deliverability of the sites and therefore whilst there are aspirations to use as much brownfield urban land as possible this may not always be demonstrably deliverable.

7. With regards to the site assessment process, in order to identify the most sustainable sites a 'sequential' approach to housing allocations has been adopted that prioritises brownfield sites in the urban area, only using the most sensitive Green Belt when all alternative sites were used.

The Council has published a Brownfield Land Register, which will provide up-to-date and consistent information on sites that the local authority considers to be appropriate for residential development having regard to the criteria set out in regulation 4 of the Town and Country Planning (Brownfield Land Register) Regulations 2017.

The Council has assessed the deliverability and viability of all sites put forward within the local plan. All sites are considered to be available, deliverable and viable.

Duty to Co-operate

Main Issues:

1. Insufficient cooperation between Bradford and Kirklees regarding development in Brighouse/North Huddersfield.

Council's Response:

1. Calderdale is part of the Leeds City Region (LCR) and a member of the West Yorkshire Combined Authority (WYCA). The LCR has a well-established programme for joint working and cooperation at both member and officer levels – planning portfolio holders and heads of planning meeting regularly, and there is specific 'duty to cooperate' group attended by planning policy officers.

Suggested Modifications

Council's Response:

Document Section: 6.46 Paragraph

Representations

Comment ID **Lpp150**

Site ref (if applicable):

Person ID: **1171108**

Name: **Mr Brian Crossley (SNLPP)**

Organisation: **Chairperson SNLPP**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

There are hundreds of sites within the main built up areas of the main towns that have been filtered on environmental, traffic, infrastructure or ecology grounds. Yet when sites in Shelf and Northowram face these same constraints they are regarded as 'not significant' and therefore suitable for housing. Isn't it more likely that the many hundreds of sites within the built-up areas are seen as unattractive or uneconomical to developers whereas the huge swathes of greenbelt to be destroyed in Shelf and Northowram will be easy and profitable pickings for developers. It would seem that in the Western part of the borough, constraints such as e.g. access, environment, infrastructure, ecology, greenbelt and open space are all sufficient to have a site filtered out whereas in Shelf and Northowram all such constraints can be overcome by 'mitigation' thereby making the sites suitable for housing. Extract; 'This area of Calderdale [Shelf and Northowram] is generally free from flood risk, not in close proximity to the Special Landscape Area and the South Pennine Moors, sites have no known ecological value and no issues with regards to topography.' (Our square brackets) A quick examination of the Policies Map reveals that there are 18 sites in Shelf and Northowram within 0.5km of the Shibden Valley Special Landscape Area, two of which butt up to the SLA and one of which is actually in it, but these constraints are being ignored because the sites are in the east and that's where the Council are determined to build. 'No known ecological value' - we beg to differ and refer the council to their own Site Assessments; LP0221 in Northowram has two Priority Habitats; Deciduous Woodland and Lowland Meadow; LP0782 and LP1543 in Shelf are both part of the WHN; LP1041 in Shelf is part of the WHN, contains a Priority Habitat and is the last remaining link between Ancient Woodland to the south and WHN to the north, a fact identified in the site assessment.

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp1532**

Site ref (if applicable):

Person ID: **1185995**

Name: **Persimmon Homes (West Yorkshire)**

Organisation:

Agent ID: **1185997**

Name: **Mr Adam Jackson**

Organisation: **Senior Planner Lichfields**

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Additionally, the evidence base repeatedly claims that the Garden Suburb approach will avoid development in areas of high landscape and ecological value. However, the allocations contained in the LPID around Northowram and Shelf did not affect these protected areas, and were in fact located in some of the least constrained parts of the District, as stated at paragraph 6.46 of the PDLP. In reviewing the distribution of housing sites following a reduced housing requirement, it is therefore considered that the PDLP should have retained an appropriate amount of development in Northowram and Shelf, and reduced (or removed completely) land within one or both of the Garden Suburb allocations. This would enable the Local Plan to maintain a sustainable distribution of growth which supports an even balance of development across the settlements based on their size and level of service provision.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

See attachment

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5106413>

Comment ID **Lpp55**

Site ref (if applicable):

Person ID: **232440**

Name: **Mr Philip Thomas**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

I wish to register my concerns and objections to these proposals described within the Calderdale Local Plan on the following grounds. My first reaction is that it is disappointing that the Clifton Village Neighbourhood Forum, that is recognised by Calderdale Council, only includes the area of Clifton Village to the one side of Highmoor Lane / Walton Lane and includes a Golf Club, and not included is the Hamlet of Thornhills, and the main area under threat from this proposed development, is on other side of the Highmoor Lane /

Walton Lane Roadway with Thornhills Hamlet at its centre. A formal objection and review of this decision must be considered. a. There needs to be a strong element of trust between the Residents of Calderdale, and Calderdale's Elected & Appointed Officials employed to make decisions on our behalf. There have been, over the years, many applications for development of one sort or another in this unique area of Thornhills Hamlet and surrounds. Calderdale Planning Department have maintained a consistent policy on these applications and refused approval. In a number of cases appeals have been lodged and Calderdale Planning Departments decisions upheld at these appeals. Any residential redevelopment within the Hamlet that has gained planning approval has been by converting existing farm buildings, barns etc., into residential homes. My Wife & I have lived in our property for around 45 years, there are others in Thornhills Hamlet who have lived here even longer, and we all expect the level of trust and responsibility shown by the Council & its Officials to be consistent and long lasting. I hope this trust and consistency can be maintained and this potential loss of Green Belt / Agricultural Land is not considered and approved. b. It has recently been reported in the press and on Television that many Authorities within the Yorkshire area including Calderdale have met their targets for new build housing and there is no necessity for additional housing particularly in the Lower Calder Valley. c. Even in the current financial situation the number of houses/apartments for sale within the Brighouse area suggests that there are sufficient properties available for residential purposes. d. The proposed area for this housing development, off & near Thornhills Lane is visible from the middle of Brighouse and from the opposite valley slopes as an area of green countryside that opens up the whole aspect of the town as a result of its position. Covering this whole area with houses, and industrial buildings, will have a detrimental visual impact on the whole Brighouse community. e. Thornhills Lane/Thornhill/Beck Lane/Jay House Lane area gives the opportunity of wide ranging views across and up the Lower Calder Valley. The Calderdale Way Footpath follows Thornhills Lane and crosses through the site of this whole proposed development. These Lanes are used as a view point by many to survey the local scenery, the proposed developments will remove this opportunity for ever. f. There are rights of way and footpaths indicated on maps of this whole area of proposed development, including the Bronte Way, the minor rights of way appear not to be indicated on the proposed plans. Some of these paths have fallen into disrepair. Will these footpaths be retained and allowed to continue in use when 2000 house are built here? g. The current utility infrastructure will not, it would appear, support additional new development. There is already a problem with the provision of electricity to the area with regular blackouts as a result of overland provision of electricity. Those of us living in Thornhills Hamlet experience lengthy periods without electricity & this has become a regular local feature. Every winter for the past 40 odd years we have at least two blackouts due to weather conditions. New business and housing developments will not accept that standard of service. h. Water & Sewage similarly pose problems; we are reliably informed by the Utility Companies that the pipes and services for this area of Thornhills Hamlet are being used to their maximum at the moment without the addition of developments of this nature. i. Local services are already stretched to the limit. The Clifton Village School is over subscribed with little scope to expand to take the number of students that over 2000 houses would generate. Other services such as Shopping, Public Transport, Health, Doctors Surgeries etc., are similarly stretched. There is no village shop in either Clifton Village or Thornhills Hamlet. New provision will need to be put in place before such a housing development could be considered. j. There is very much a Hamlet feeling about Thornhills, and a Village attitude about Clifton, these are unique community reactions that should be retained not lost as a result of un-necessary expansion. In Thornhills Hamlet no residential property faces another residential property across the Thornhills Lane, none of the properties on the Lane are overlooked by other residential properties. This gives the Hamlet and very unique feeling and living experience. k. This is an area that is unique. It is very much appreciated & enjoyed as a Community resource by those of us who are fortunate the live here, and those who come to visit the area for rest and relaxation by walking, cycling or horse riding the lanes. Walkers, Horse riders, cyclists are regular daily addition to the local scene, this opportunity will be lost within the 2000 houses that are being considered to be build here. l. I am sure the Planners & Decision Makers will recall 1976 the Summer when tankers were delivering water to Scammenden Dam and the decision to build a piped water support system from

Keilder Reservoir to help with future water shortages. It will be recalled that the main water pipe was laid across the fields & across Jay House Lane not far below the ground surface level. I watched this being built. To complete this task the railway embankment that used to take coal trucks by rail from the Clifton Pits to the canal in Brighouse was demolished and rebuilt when the pipe was laid. This embankment was regarded as a significant historical feature that was to be protected at all costs. This proposed building of 2000 houses will remove this embankment for ever and another piece of local history lost. It goes without saying that some of the mine shafts, spoil heaps and open cast workings still exist in the area that will cause significant disruption to development and potential risk to future resident safety. I sincerely hope that you will not give approval to these developments that will take away an area of green belt that is a visual, social, historical and recreational attraction to the BRIGHOUSE COMMUNITY as a whole and once lost cannot be replaced. According to published material to support this Local Plan it would appear that a New Junior & Secondary School are planned, these along with 2000 houses and all the support utilities & services, Water & Sewage, Electricity, Shops, Doctors, Improved Bus Services etc., etc., will lead to quite an upheaval and disruption of the local Community and none of it appears to be necessary to improve the housing stock of the area. I would like to finish by reiterating one of my earlier comments "I" I.. There needs to be an element of trust between the residents of Calderdale and Officials, like yourself, employed to make decisions on our behalf. There have been, over the years, many applications for development of one sort or another in this unique area. Calderdale Council & its Officials have maintained a consistent policy on these applications and refused approval. In a number of cases appeals have been lodged and Calderdale Planning Departments decisions upheld at these appeals. I hope this trust and consistency can be maintained. I hope you will make a decision to reject the Local Plan and work rather so that the Council will retain and enhance the area for the benefit of all Brighouse residents.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp56**

Site ref (if applicable):

Person ID: **1181638** Name: **Jane and Simon Greenwood** Organisation:

Agent ID: Name: Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?:

Sound Reason:

With regard to the revised local plan as a current resident in Exley Lane i am expressing our support for the revised plan.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp790**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The Plan's argument that the two Garden suburb allocations provide 'an opportunity for sustainable development as these sites are of sufficient scale to provide a planned 'garden village' layout with enhanced local facilities and infrastructure' rests primarily on the ability to provide transport access to developments of this much larger scale within either existing or proposed road infrastructure (as supplemented by the rail network). We do not believe this has been demonstrated. The Friends of the Earth overview note provides more general comments on the viability and sustainability of the LP's proposals for large-scale development in SE Calderdale. The statement that 'Sites in the Northowram and Shelf area, particularly at Shelf, have also been identified as being some of the Borough's most suitable sites for development' is also contested in that our detailed examination of the characteristics and capacity of the local highway network using Calderdale's strategic transport model indicate that the particular allocations proposed cannot be developed with adequate access and without further intensifying the existing saturation of the LHN.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The distribution of sites is flawed. The Local Plan states that sites have been located to avoid high landscape and ecological value which is why Brighouse has a high percentage of development. However, Northowram and Shelf did not affect these protected areas.
2. It has been reported in the press that Calderdale has met its target for new build housing.
3. The number of properties for sale suggests there are sufficient properties available.
4. Sites do not appear to have been assessed consistently with regards to access, environment, infrastructure, ecology, greenbelt and open space.
5. The text referring to the distance of Shelf & Northowram sites from the SLA and sites of ecological value is incorrect.
6. Constraints on sites in the east of the borough are being ignored as there is a bias for allocating sites in this area.
7. It has not been demonstrated how public transport access using existing or proposed infrastructure will be delivered in terms of the Garden Suburbs.
8. Contest that Shelf and Northowram do not have the most suitable sites as the transport model indicates saturation of the local highway network.

Council's Response:

1. All constraints have been considered as part of the assessment of sites. The weight attached to protecting the Special Protection Area and Special Area of Conservation which are designated under European Legislation has been instrumental in diverting development away from the western part of the district and the north and west of Halifax. There is no built in bias in favour of placing development around Brighouse but this has become a logical conclusion of the informed by the evidence.
2. Paragraph 6.2 of the Local Plan establishes the extent of Calderdale's housing need.
3. There needs to be properties on the market in order for it to function with around 3% normally being the accepted level. This is not an indicator of the level of housing need.
4. All sites assessments have been carried out in a consistent manner following the Site Allocations Assessment Methodology Statement, Publication Draft 2018 (EV51.1).
5. The Council considers the content of paragraph 6.46 to be accurate.
6. All constraints have been considered as part of the assessment of sites. The weight attached to protecting the Special Protection Area and Special Area of Conservation which are designated under European Legislation has been instrumental in diverting development away from the western part of the district and the north and west of Halifax. There is no built in bias in favour of placing development around Brighouse but this has become a logical conclusion of the informed by the evidence.

7. The master planning of the Garden Suburbs will open opportunities for new and amended public transport services to and through the developments. It is not possible to indicate precisely what public transport services will be provided 10 or more years in advance. However, the opportunities including the layout of the developments, scale of population and ongoing policy development associated with the Council's Transport Strategy will facilitate public transport provision.

8. All sites have been assessed in accordance with the Site Allocations Assessment Methodology (EV51.1). The Council does not agree that sites around Shelf and Northowram are unsuitable.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.47 Paragraph

Representations

Comment ID **Lpp792**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We agree with the principle that 'In order to reduce levels of commuting it is important that housing growth is aligned with opportunities to increase employment growth' but this is dependent on i) an actual demonstration at a level of detail that co-location has been successfully achieved (we don't think it has been demonstrated), and ii) that the combining of housing + employment growth in one location not being on such a substantial scale as to overload the infrastructure capacity. In the case of Brighouse this is what we think will happen, when the Calderdale growth proposals are also set alongside those already supported by Kirklees at Bradley Park and Cooper Bridge. The Friends of the Earth overview note provides more general comments on the viability and sustainability of the LP's proposals for large-scale development in SE Calderdale; and see also our comments on the transport aspects of sites LP 1232, 1451 and 1463.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. It has not been demonstrated that co-location of housing and employment opportunities has occurred.

Council's Response:

1. The vast majority of housing and employment opportunities in the Borough are already in existence. The Local Plan assumes that there is some movement between homes and work places and plans. In SE Calderdale the proximity of the Enterprise Zone with the Garden suburbs shows that proximity is important to help manage growth.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.48 Paragraph

Representations

Comment ID **Lpp1262**

Site ref (if applicable): **LP1141**

Person ID: **1183427** Name: **C/O Agent DPP .**

Organisation: **Northowram Stone LLP**

Agent ID: **965602** Name: **Matt Rhodes**

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

Please see section 5.0 of the accompanying report for full details The Development Plan status of the Site is mainly that of Protected Land which is land that has been safeguarded for possible future development. It is noted that the Local Plan does not propose to safeguard any land within the borough for future development needs. The Local Plan does however retain land previously designated as 'Protected Land' that has not been allocated for development purposes, such as the Site, within the development limits as 'white land'. Paragraph 83 of the NPPF states that: 'Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances" ;' Whilst we say that the Site, as safeguarded land which is excluded from the Green belt, should be developed before Green Belt land is released we nevertheless support the Council's approach to retain safeguarded land in the proposed development limits. This approach is consistent with the NPPF which states that Green Belt boundaries should only be altered in exceptional circumstances. The Client supports the Council's approach and the retention of the majority of the Site within the development limits. The Council's approach to retain land currently designated as Protected Land within the development limits complies with national policy and is therefore sound .

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5101980>

Comment ID **Lpp971**

Site ref (if applicable):

Person ID: **1183426** Name: **DPP on behalf of Mr Kevin Whittam**

Organisation:

Agent ID: **965602** Name: **Matt Rhodes**

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **Yes**

Sound Reason:

Please see section 8.0 of the accompanying report for full details

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

No modifications as drafted.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5076027>

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. The Plan should consider all land outside the Green Belt before allocating vast tracts of Green Belt.

Council's Response:

1. The NPPF states that once established, the green belt should only be changed in exceptional circumstances during a development plan review.

Document EV 09 Exceptional Circumstances for the Release of Green Belt (2018) considers the process that the Council has followed in relation to the potential need to release land from the Green Belt. It can be seen that a methodical approach has been built into each stage of the process and that ultimately this process has dovetailed with the Government's emerging policy on exceptional circumstances.

The proposed changes to the Calderdale Green Belt are clearly a last resort and have been minimised.

Furthermore, the boundary changes are essential to achieving a sustainable future for Calderdale – one that reconciles economic, social and environmental sustainability.

It is considered that the exceptional circumstances have been demonstrated to justify the proposed changes to the Calderdale Green Belt boundary.

With regards to the site assessment process, in order to identify the most sustainable sites a 'sequential' approach to housing allocations has been adopted that prioritises brownfield sites in the urban area, only using the most sensitive Green Belt when all alternative sites were used.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Allocate LP1141 for residential development.

Council's Response:

1. Site specific comment.

Document Section: 6.49 Paragraph

Representations

Comment ID **Lpp793**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This is another strategically significant paragraph, which is particularly discussed in our Overview Paper. Correctly it notes that 'New development will increase demands on infrastructure in the Borough' and 'A key consideration across Calderdale is highway infrastructure and the impact of growth on the highway network'. Unfortunately the reference to 'the forecast increase in car growth' is not substantiated by any quantification of the amount of that increase throughout the local plan document; its continuation that this 'will place pressures on the transport network which can be better addressed around settlements in eastern Calderdale where the proposed 'Garden Suburbs' will provide the scale of development necessary to attract funding for enhanced infrastructure provision' is therefore contestable. The Friends of the Earth overview note provides more general comments on the viability and sustainability of the LP's proposals for large-scale development in SE Calderdale; and see also our comments on the transport aspects of sites LP 1232, 1451 and 1463.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. No quantification of the increase in car growth.

Council's Response:

1. The traffic modelling has informed the Council about the implications of the development strategy and has helped with the identification of interventions within the IDP and the Transport Strategy. The Council does not accept that the Local Plan fails to respond to the clear evidence relating to road traffic growth.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.50 Paragraph

Representations

Comment ID **Lpp1053**

Site ref (if applicable): **LP1451**

Person ID: **959174**

Name: **Mrs Barbara Shaw**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

I object to the council's strategy for growth (section 6) which concentrates development in Brighouse and specifically the allocation of the Woodhouse Garden Suburb site 1451 and employment site 1618. This is because it will result in a:- Disproportionate concentration of new homes and employment land in Brighouse especially when there are housing sites approved just over the boundary in Kirklees in their Local Plan (2000 homes) Plan seeks to build on 90% green belt land and only 10% brownfield land - development should concentrate on brownfield land first. A 32% increase in the town's size is not sustainable when the roads and infrastructure are already bursting. There is no evidence that the required infrastructure to support development will be in place at the time needed or will be able to support the proposed increase in traffic. Key highway schemes are not even committed or planned yet eg. M62 24a junction which is deemed essential for Brighouse and Bradley/Fixby housing and employment sites is not in highway England plans. There is a forecast increase in car growth with no accompanying high level public transport plan. The vision for garden suburbs suggests they will be 'bolt on' estates - not self contained with only a school - this will not prevent trips by car into and out of Brighouse to access vital services and facilities. There is no site by site analysis of green belt release to measure the scale of impact of garden suburbs. Air quality in the area will suffer especially since Brighouse is already designated as an Air Quality Management Area. Air quality is also being monitored close to the motorway and toothill area where the employment and housing sites are located. It is likely the accesses required will lead to stationary traffic and increase air pollution. There is strong evidence to suggest that this impacts on the well being and development of children and yet family homes will be located here. Overall the concentration in the SE will have an unacceptable negative impact on area.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

The plan should be amended to reflect a more proportionate, sustainable spread of development to support Calderdale's housing needs. Over development of Brighouse should be reduced.

Additional Evidence Link:

Person ID: **1181961**Name: **Mrs Julie Bullen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

The plan is not legally compliant as it is NOT consistent with National Policy and Legislation "" Spatial strategy section para 6.5 The Council's spatial strategy to concentrate an over proportionate amount of development in the south east of Calderdale and specifically to allocate two large garden suburbs in Brighouse as well as other sites is inconsistent with the NPPF in terms of :- settlement hierarchy "" Halifax should take the greatest amount of development (section 2.15) not least because it is one of the LCR LEP's Spatial Priority Areas and Growth Areas where investment is being focused. Brighouse is NOT shown as a housing Growth Area the distribution of proposed housing allocations, in particular the proposed garden suburbs (LP 1451; LP 1463), which involve a Green Belt boundary alteration, cannot be justified using a rationale of improving delivery of housing. This places inequitable burden in one location The garden suburbs are NOT sustainable locations "" they do not include plans for people to travel sustainably and they would encourage both car-dependency and congestion, affecting the well-being of the community. The inequitable spread and concentration of allocations risks putting Calderdale in breach of its duty under the Climate Change Act. Brighouse is already an AQMA and the Toothill area is being monitored (close to A641 and M62). Both Calderdale, Bradford and Kirklees are identified as having the worst air quality in England (Air Quality Report on Court action Feb 2018) and are already shown to be illegal. Additional measures are required for these authorities. The concentration of development in Brighouse and Kirklees, especially adjacent to the M62 motorway will worsen this and in all likelihood will result in a breach. Brownfield land has not been sufficiently assessed and utilised in the Council's approach and should be brought forward first. There is insufficient evidence provided at this stage and further assessment will be brought back at the next stage. It is unclear how the Green Belt review has been used to determine the spatial strategy and decisions on growth for each settlement. Some green belt sites score lower than those selected. Why have the most sensitive sites been selected? The decision to lump the achievement of 3-5 green belt criteria is not satisfactory. Firstly none can score 5, as the council have removed 'impact on a historic town'. This in effect also removes any recognition of those that do have heritage value. Green belt should only be released in exceptional circumstances, where it can be shown the benefits outweigh the harm. Why should those that score 3 or 4 be treated equally "" this does not allow the harm to be properly assessed? The spatial strategy is flawed and should be revisited to address these points.

Do you consider the plan to be Sound?: **No**

Sound Reason:

I object to the plan because the Spatial Growth Strategy Policy (Section 6 and specifically para 6.2 , 6.52) is unsustainable and unsound for the following reasons:- Housing needs to be provided in the right location and of the right type to meet identified need which I assume the Inspector will check thoroughly in relation to the SHMA and current guidance on NPPF housing needs assessment. Within the overall requirement, there is a requirement for strategic policies to set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations (NPPF para 65). There is no evidence that the council has done this. There is no evidence that there is a significant, disproportionate need for new homes in Brighouse. Housing completions within Calderdale have remained very low over the last few years when compared to the

other Leeds City Region authorities. The housing delivery strategy taken relies on a dramatic increase in land supply as the principal mechanism to deliver growth in housing completions. Given current delivery this is NOT realistic as it relies on the expectation that a sudden influx of additional, greenfield sites into the land supply will result in rapid acceleration in housebuilding to reverse long-term trends. Flooding Brighouse with development sites is not a realistic approach. There is insufficient evidence/justification that the strategy to focus significant housing and employment growth in the south east would be a sustainable pattern of development. This is at odds with the settlement hierarchy and the Leeds City Region Strategic Economic Plan/regional policy. Halifax is the principal town and should take the highest level of development. Brighouse is not a strategic housing growth area "" it should not therefore be chosen for the bulk of housing growth. The strategy for delivery will result in the over development of the town. It will take a third of all new development, increasing its size by almost 32% stretching already creaking infrastructure - this is unsustainable and the burden on this community will be disproportionate. I am extremely concerned about the reckless consideration of highways infrastructure information. The timely delivery of necessary infrastructure is vital but with the substantial growth around Brighouse, it is an exceptionally critical issue. We already suffer from long delays and high levels of congestion in the town. Just accessing the town centre from the Woodhouse area can take 20 to 30 minutes throughout the day for a very short journey to access everyday needs such as shops, doctors, the leisure centre etc. The transport evidence is not well founded, parts are not yet available and it does NOT demonstrate that the necessary infrastructure will be in place at the point needed or that it will be sufficient and not worsen the current issues that exist. Furthermore, I can see no proper assessment of the cumulative impact of all the housing and employment developments on highways infrastructure or flooding which is proposed in the South East and nearby adjoining authority development sites across the border, specifically Kirklees but also Bradford. As an example I note from the Kirklees EIP that further information on Bradley Bar roundabout modelling was provided by Optima in March 2018. I have attached a copy of this but would point the inspector to the conclusions 'the junction operates above the desirable capacity but within absolute capacity in both the AM and PM peak hours. The addition of development traffic associated with the allocations will worsen the operation of the junction as demonstrated by the Kirklees modelling. This will make the Bradford Road access difficult to turn into and out of, due to queuing traffic on the approach. This will also make it undesirable for bus operators who would need to route through the Bradley Bar Roundabout twice on northbound journeys. The above does not take into account the Calderdale sites and impact will be even greater. The cumulative impact of all developments within Calderdale and close by in other authorities will concentrate traffic in Brighouse and have a detrimental impact on both congestion and air quality. The council indicate that the WYTP and Highways England transport improvements proposed can provide some mitigation to existing constraints and the level of development proposed and support more sustainable modes of travel. Yet Para 2.32 of the plan confirms traffic problems on the M62 have significant impacts upon the local road network leading to delays and congestion at any time of day. Future increases in congestion on the M62 are likely to have 'knock-on' implications for our local roads. On a regular basis we already suffer from issues on the stretch of M62 between Ainley Top and Chain Bar which leads to traffic coming off the motorway at junctions 24 and 25 and grid locking Brighouse. Highways England state in the Site Assessment Main Report that that the Woodhouse Site L1451 is reliant on improvements that will not take place until 2026 and 2030 and as such recommend that the site SHOULD NOT be allocated until late in the plan period. The Council and Highway reports fail to acknowledge this and show the site as a medium term site "" but the required transport improvements will NOT be in place by then according to Highways England comments so why do all the reports say everything will be fine? A depth investigation of the highways assessment and infrastructure requirements is required as information is currently inadequate and confirmation of how the council will improve traffic congestion needs to be provided. There is insufficient clarity that the infrastructure required to support the significant growth will come forward at all or in a timely fashion. Some improvements required are not even planned or committed in the relevant transport programmes yet and those that are, are subject to slippage /funding. A key concern is the M62 24a junction (which has been identified as essential to meet the growth needs

not only of Brighouse but also the recently approved Kirklees' sites at Bradley/Fixby as well as making employment site LP1618 desirable) BUT this is not currently in Highway England plans at all. The case, demand risks and costs have yet to be identified as does the completion date. I note the council's Highways development manager on the site assessment report indicates that development of LP1451 will have a severe impact on the delivery of the M62 new junction. How can this site or the adjacent employment site be allocated until regional plans have been confirmed. Development in this location is premature pending confirmation of regional infrastructure plans and an assessment of their impact. The Council are assuming people will swap their cars for bikes and walking but we all know in reality this is not going to happen save for a few and certainly not without the required facilities to allow a change to happen "" time, convenience and physical ability don't allow. I can see no firm plans to support sustainable transport modes to support the delivery of Woodhouse and Thornhill garden suburbs or other large allocations in the town. It is not a pleasant walk down Huddersfield Road (narrow footways and high volume of traffic) or Birds Royd (industrial traffic and area) to access the town. The council should provide evidence to demonstrate/confirm with some certainty that highways infrastructure will come forward to demonstrate adequately that development growth is sustainable (ie can the modal shift from cars to other modes be substantiated and can be delivered in the proposed timeframe in these locations) and that the cumulative impact will not impact on congestion and air quality. The Council's justification for removal of the Brighouse Garden Suburbs from highly sensitive green belt is made on the basis they provide sustainable locations for development. Significantly the Woodhouse site (LP1451) was originally discounted on the grounds of green belt /sustainability early in the process. The location of site LP1451 on a transport route does NOT confirm it is a sustainable. Carbon emissions will be increased as a result of the housing and growth plans proposed due to increases in commuting both into and out of the south east. The garden suburbs are at odds with Policy SD2 and the council's greenhouse gas reduction targets. The 'Garden Suburbs' depend on 'enhanced infrastructure provision' and are accompanied by a forecast 'increase in car growth'. Urban extensions and new settlements can only be considered sustainable if they have exceptional levels of public transport accessibility "" in which case they would also be expected to deliver high residential densities and a mix of uses. The evidence does not suggest this is the case and the Garden Suburb proposals are unsustainable. There is no evidence to confirm the garden suburbs will be self contained, sustainable communities in accordance with the government's expectations for garden communities. Certainly within the Woodhouse LP1451 site the vision provides nothing more than a primary school to cater for the new housing development. The site will be no more than a large commuter settlement which has been allocated on the basis of its location close to a main transport route and which will add to the already overburdened infrastructure and capacity of Brighouse. The plan justifies the allocation of sites in more strongly-performing Green Belt parcels, such as at Woodhouse, without a site-by-site analysis so it is not apparent what the scale of this impact is on the purposes of the Green Belt. For example the Woodhouse site fulfils 4 out of 5 of the criteria of greenbelt as well as fulfilling part of the fifth in that it includes heritage assets (but this is not included as it is not an historic town). Any justification of exceptional circumstances for taking land out of the Green belt must show, on the one hand, that doing so will realistically and sustainably deliver the intended scale of development; and on the other hand, that the degree of impact on the purposes of the Green Belt will not be unacceptable. This has not been properly evidenced within the strategy. Employment Sites are also concentrated within Brighouse adding further to the likely congestion/impact on air quality. It is unrealistic to assume that people will both live and work in Brighouse and this will not generate commuting. There are already high levels of out/in commuting in the south east. Without matching jobs to homes it is unrealistic to assume that those that live in the garden suburbs will work in Brighouse. How will this be achieved? The spatial strategy is flawed in that:- the impact on communities is disproportionate the local economy will be jammed as out/in commuting continues. infrastructure is inadequate and improvements do not justify the scale of development air quality and congestion will increase settlements will merge no greenbelt space is left in the east across a number of boundaries it is contrary to the Council's strategic objective to use brownfield for Housing (SO4)

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

The spatial strategy is unacceptable and needs to be revisited to reflect a more proportionate, sustainable spread of development to support Calderdale's housing needs reducing the over development of Brighouse and south east.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5069610>

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Disproportionate level of development in Brighouse, with no evidence to suggest required infrastructure will be provided. Issues also include air quality, congestion, cumulative impacts with development in Kirklees.

Council's Response:

1. The large scale developments of the Garden Suburbs in Brighouse and that in Bradley, Huddersfield are part of an ongoing spatial consideration of growth within the Leeds City Region. The large sums being allocated by the West Yorkshire Combined Authority to the A641 Corridor and the Bradley Link indicate a joint consideration of the development implications. Council Document CC01 (Appendix 1.3) in response to the Inspectors Pre-Hearing Note 1 provides further information about the manner in which the Calderdale and Kirklees are working together to manage and mitigate the growth in the South East Calderdale/North Huddersfield area.

Evidence document EV40 establishes the justification for the development of the Garden Suburbs, the Habitats Regulations Assessment (EV12.1; and EV12.4) helps to understand why the Council has chosen to promote more development away from the protected areas of the SPA and SAC.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Distribution should be more proportionate and sustainable. Over development of Brighouse should be reduced.

Council's Response:

1. The paper to the Local Plan Working Party 17th August 2016 attached to evidence document EV09 considers the distribution of development throughout the Local Plan process. The Council considers its distribution of development to be justified and supportive of sustainable development. Evidence document EV40 establishes the justification for the development of the Garden Suburbs, the Habitats Regulations Assessment (EV12.1; and EV12.4) helps to understand why the Council has chosen to promote more development away from the protected areas of the SPA and SAC. No modification required.

Document Section: Table 6.10 Distribution of Housing Growth by Local Plan Area

Representations

Comment ID **Lpp1072**

Site ref (if applicable): **LP1078**

Person ID: **229412**

Name: **Thornhill**

Organisation: **Thornhill Estates**

Agent ID: **229408**

Name: **Mr Jonathan Dunbavin**

Organisation: **Associate I D Planning**

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

See attachment

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

See attachment

Suggested Modifications:

See attachment

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5081642>

Comment ID **Lpp355**

Site ref (if applicable): **LP1463**

Person ID: **1182847**

Name: **Mr Andrew Pullen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Not knowledgeable enough to comment

Do you consider the plan to be Sound?: **No**

Sound Reason:

The number of planned houses for Clifton is totally disproportionate. The numbers speak for themselves. The concept of garden suburbs is unsubstantiated with any detail and sounds like window dressing. It is well documented that developers apply for revisions in planning permissions and, for instance, the

required number of affordable homes in developments are vastly reduced. I am sceptical as to whether the concept would be delivered. The Site Assessment Report contains many factual errors and also appears to rely on desktop studies. Given the factual errors I have spotted how can we have confidence in the data used for the desktop studies. The factual errors I have spotted include: Topography - To describe the site as gentle undulations is inaccurate. The western part of the site has large areas of severe inclines and a number of ravines. Flooding - Conclusion - Henshaw Drain is in the Todmorden area. This has clearly been cut and paste from another site assessment Highways - The smart motorway scheme around Junction 25 has been completed and traffic flow has been improved. However stationary traffic is still an almost daily feature of the motorway. Closures are also still a regular feature. Both these facts cause regular local road chaos as vehicles seek alternative routes. There seems to be no capacity for the extra 10,000+ extra traffic movements this development would cause. Environmental Health - this mentions Turbines. These are not mention anywhere else in the document. Is this another cut and paste error. Other Factors: Landscape Character Area - K1 Thornton - Queensbury Makes no sense - another cut and paste error? Journey Time to General Practitioner - Less than 15 minutes. - Local GPs do not have sufficient capacity for the proposed extra persons so this assessment is inaccurate. Deliverability - Developable area 105.15 hectares - an overestimate given the actual topography. I am also concerned about the local wildlife and in particular bats which are not mentioned. I live on the south edge of this area. At twilight in summer months dozens of bats cross my garden in a north to south direction. It is obvious therefore that their roosts are within the proposed development area. Within the last year I have had several sightings of deer, foxes, badgers, weasels. I am also concerned about the lack of consideration of mine workings. Some are actually present on the map on the website. There are potentially dozens within the area. Within the last 20 years one of my neighbours had a mine shaft open up in their garden. Also not mentioned is the trackbed for the gravity railway which took coal from mines at Hartshead Moor down to Brighouse canal basin. This traverses the whole site. This would be a tragic loss of a heritage earthwork. I strongly question the competence with which the Site Assessment has been completed and therefore the soundness of the Local Plan

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

No opinion

Suggested Modifications:

A complete re assessment as to whether this site is suitable for inclusion in the plan is required

Additional Evidence Link:

Comment ID **Lpp794**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

This issue is particularly discussed in our Overview Paper. FOE will not be making a comment on the detailed distribution of the housing allocations at this stage, prior for example to any review taking account of the impact of the 2016 based population and household projections on the total housing number. However, we will wish to comment on the sustainability of the scale of the individual LP Area allocations at the examination in public in relation to i) the sustainability of their traffic growth impacts, and ii) their requirements for Greenbelt land. And in connection with the latter we note that there is no table identifying the split between brownfield and Greenbelt/greenfield sites by locations across Calderdale, as there is for employment land table 6.11. The important distinction for this local plan is not however between brownfield and greenfield as that table displays, but between brownfield and Greenbelt.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp90**

Site ref (if applicable):

Person ID: **817527**

Name: **Miss Nicola Denford**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

So, looking at Table 6.10, the total number of proposed new dwellings in Calderdale is 9,460. Of which, the total number for Brighouse and Rastrick is 4,633 - effectively half of Calderdale's total allocation, which is totally disproportionate. Of which, 2 sites "" the so-called garden suburbs "" in Brighouse and Rastrick - are for 3,255 dwellings, which is around one third of Calderdale's total new housing allocations. So, one third of the allocations for Calderdale is to be on 2 sites, which are currently high-performing green belt and which do not have the required infrastructure in place, nor has this infrastructure been adequately planned to be implemented prior to any building taking place (additionally they are, in part, reliant on Junction 24a, which may not even be created). In other words, these sites are currently not deliverable. In my opinion, other more suitable sites have been overlooked by the Council; and when other areas received reductions in proposed new housing allocations by a total of 4,000 dwellings, Brighouse sites remained much the same. The following comments about a proposed 'urban extension', which was filtered, sum up the Council's absolute determination to develop and decimate the Brighouse area: 'This site was considered for allocation as a Sustainable Urban Extension in the 'Potential Sites and Other Aspects of the Local Plan' consultation in 2015, along with 13 other areas identified as potential urban extensions . The balance of evidence indicates that Brighouse and Rastrick will be the key focal points for new residential development. This is due to the availability of land and their relative sustainability, with fewer potential

impacts on the important environmental designations in the west of the District. Brighouse and Rastrick are close to the M62 and the border with Bradford and Kirklees. Brighouse as a town is also likely to benefit from capacity improvements to the A641, A644 and potentially also a new M62 junction 24a which could all be delivered through the West Yorkshire + Transport Fund.' What about Green Belt and local wild-life? What about Air Pollution? What about the potential of a further 9,000 vehicles in Brighouse (not forgetting the additional vehicles from houses in Kirklees just a couple of miles away)? How can this be considered a sound / robust plan, when a third of the proposed new housing is on 2 huge areas of Green Belt, which don't have the required infrastructure in place? Green Belt should be a last resort for development and "exceptional circumstances" appear to have been contrived to support the proposal of this plan.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

The proposed allocations in the Brighouse area would suggest that the Council has not conferred with Kirklees Council, as there are large housing sites in the Kirklees Local Plan which are literally within a few miles of Brighouse, thus adding to the inevitable congestion.

Suggested Modifications:

Additional Evidence Link:

Comment ID **Lpp970**

Site ref (if applicable):

Person ID: **1183426**

Name: **DPP on behalf of Mr Kevin Whittam**

Organisation:

Agent ID: **965602**

Name: **Matt Rhodes**

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Please see section 7.0 of the accompanying report for full details

Do you consider that the plan complies with the Duty to Co-operate?: **Yes**

Duty to Co-operate Reason:

Suggested Modifications:

A larger percentage of the housing need should be directed to Halifax.

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5076027>

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. More growth should be allocated to Elland (specifically LP0592) given its position in the settlement hierarchy and more limited growth role in the Local Plan notwithstanding its relatively sustainable location.
2. One third of growth has been allocated on Garden Suburb sites. It is not considered a sound plan. These sites are not currently deliverable, and this level of development is disproportionate.
3. Development on Green Belt should be considered as a last resort.
4. The difference between the supply and housing requirement is minimal. The Plan is therefore not positively prepared as it lacks flexibility should a site not come forward.
5. Distribution of housing growth is not aligned with the settlement hierarchy. Sufficient levels of housing need to be delivered in Halifax.
6. The table does not breakdown the housing figures into brownfield/greenfield or brownfield/Green Belt.

Council's Response:

1. Elland is an important town within Calderdale. At the LPID the Council did propose to allocate significant growth to the town. Having taken the decision to use LHN as the basis for the housing requirement the Council determined that the most appropriate way forward was to progress the Garden Suburb approach at Brighouse. (See EV40 - Justification for the Garden Suburbs).
2. The Calderdale local Plan supports the Leeds City region Strategic Economic Plan (SEP), which identifies the M62 corridor as an important strategic opportunity for employment growth. The New Employment site at Clifton , Brighouse is one of nine strategic employment sites comprising the M62 Corridor Enterprise Zone and this has been included within the land allocations within the Local Plan. Evidence document EV40 establishes the justification for the development of the Garden Suburbs, the Habitats Regulations Assessment (EV12.1; and EV12.4) helps to understand why the Council has chosen to promote more development away from the protected areas of the SPA and SAC.
3. The NPPF states that once established, the green belt should only be changed in exceptional circumstances during a development plan review. Document EV 09 Exceptional Circumstances for the Release of Green Belt (2018) considers the process that the Council has followed in relation to the potential need to release land from the Green Belt. It can be seen that a methodical approach has been built into each stage of the process and that ultimately this process has dovetailed with the Government's emerging policy on exceptional circumstances. The proposed changes to the Calderdale Green Belt are clearly a last resort and have been minimised. Furthermore, the boundary changes are essential to achieving a sustainable future for Calderdale – one that reconciles economic, social and environmental sustainability.

It is considered that the exceptional circumstances have been demonstrated to justify the proposed changes to the Calderdale Green Belt boundary.

4. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative.

5. The Council has not used the settlement hierarchy as the basis for the distribution of development. During early stages of plan preparation the Regional Strategy assumptions regarding distribution were used. In this case, Halifax had to take over 50% of the growth, with Brighouse taking a further significant proportion. As the Local Plan developed and the work was undertaken to understand the implications of the potential growth, it was found that Halifax could not accommodate as much developments as originally sought, because of the potential for significant effects upon the SPA and SAC as identified through the HRA process. Brighouse therefore became more attractive as a potential location for significant development.

6. It is very difficult to provide information on this basis within the context of table 6.10. For example, it is not possible to identify whether windfalls will be greenfield or brownfield. Table 6.12 provides the status of allocations as brownfield/or greenfield. The Council's response to the Inspector's Pre- Hearing Note 1 contained within CC01 App 1.12 provides information about the use of Green Belt and non-Green Belt land. It is not considered necessary to amend the Tables in response to this comment.

Duty to Co-operate

Main Issues:

1. The level of allocations in Brighouse would suggest the Council has not conferred with Kirklees Council.

Council's Response:

1. The large scale developments of the Garden Suburbs in Brighouse and that in Bradley, Huddersfield are part of an ongoing spatial consideration of growth within the Leeds City Region. The large sums being allocated by the West Yorkshire Combined Authority to the A641 Corridor and the Bradley Link indicate a joint consideration of the development implications. Council Document CC01 (Appendix 1.3) in response to the Inspectors Pre-Hearing Note 1 provides further information about the manner in which the Calderdale and Kirklees are working together to manage and mitigate the growth in the South East Calderdale/North Huddersfield area.

Suggested Modifications

1. Specifically states allocate site LP0592 (Saddleworth Road, Greetland, Elland) as opposed to wider distribution including Elland - also covered under Rejected sites.
2. The Plan should allocate more sites to provide choice and flexibility.
3. The Plan should direct more housing allocations to Halifax.

Council's Response:

1. Elland is an important town within Calderdale. At the LPID the Council did propose to allocate significant growth to the town. Having taken the decision to use LHN as the basis for the housing requirement the Council determined that the most appropriate way forward was to progress the Garden Suburb approach at

Brighthouse. (See EV40 - Justification for the Garden Suburbs).

No modification required

2. NPPF 2019 (paragraph 33) requires policies in Local Plans to be reviewed in order to assess whether they need updating at least once every 5 years and then be updated as necessary. Therefore any issues with sites not coming forward will be addressed well before the end of the Plan period. Other relevant factors include the fact that provision in the Plan reflects a significant step change in delivery, an increase in supply will not necessarily equate to greater delivery as the market will only bring forward development at a rate where it is profitable to do so and assumptions for windfalls are relatively conservative.

No modification required.

3. The Council has not used the settlement hierarchy as the basis for the distribution of development. During early stages of plan preparation the Regional Strategy assumptions regarding distribution were used. In this case, Halifax had to take over 50% of the growth, with Brighthouse taking a further significant proportion. As the Local Plan developed and the work was undertaken to understand the implications of the potential growth, it was found that Halifax could not accommodate as much developments as originally sought, because of the potential for significant effects upon the SPA and SAC as identified through the HRA process. Brighthouse therefore became more attractive as a potential location for significant development.

No modification required

Document Section: 6.51 Paragraph

Representations

Comment ID **Lpp795**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

The statement that 'The distribution of potential employment sites for B type uses across the Borough is focused in areas of the strongest market demand, which are also those where the better quality, and also larger sites, are available', and the implied focus of the area of search, is not valid if large B uses sites are not related to the sectors of actual jobs growth. In that situation the LP ends up searching in the wrong locations for the wrong type of premises or sites.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Focus of distribution of employment land is not valid if large B use allocations are unrelated to sectors of actual job growth, as the Plan will consider the wrong locations for the wrong type of premises.

Council's Response:

1. The assessment of the land requirement for B use sectors is presented in the Employment Land Study (EV.01) and the Employment Technical paper (EV.02). Employment allocations provide opportunities for existing businesses to expand and relocate to more suitable locations and premises, in addition to accommodating new business.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: 6.52 Paragraph

Representations

Comment ID **Lpp1060**

Site ref (if applicable):

Person ID: **959174**

Name: **Mrs Barbara Shaw**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **No**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

I object to the council's strategy for growth (section 6) which concentrates development in Brighouse and specifically the allocation of the Woodhouse Garden Suburb site 1451 and employment site 1618. This is because it will result in a:- Disproportionate concentration of new homes and employment land in Brighouse especially when there are housing sites approved just over the boundary in Kirklees in their Local Plan (2000 homes) Plan seeks to build on 90% green belt land and only 10% brownfield land - development should concentrate on brownfield land first. A 32% increase in the town's size is not sustainable when the roads and infrastructure are already bursting. There is no evidence that the required infrastructure to support development will be in place at the time needed or will be able to support the proposed increase in traffic. Key highway schemes are not even committed or planned yet eg. M62 24a junction which is deemed essential for Brighouse and Bradley/Fixby housing and employment sites is not in highway England plans. There is a forecast increase in car growth with no accompanying high level public transport plan. The vision for garden suburbs suggests they will be 'bolt on' estates - not self contained with only a school - this will not prevent trips by car into and out of Brighouse to access vital services and facilities. There is no site by site analysis of green belt release to measure the scale of impact of garden suburbs. Air quality in the area will suffer especially since Brighouse is already designated as an Air Quality Management Area. Air quality is also being monitored close to the motorway and toothill area where the employment and housing sites are located. It is likely the accesses required will lead to stationary traffic and increase air pollution. There is strong evidence to suggest that this impacts on the well being and development of children and yet family homes will be located here. Overall the concentration in the SE will have an unacceptable negative impact on area.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

Suggested Modifications:

The plan should be amended to reflect a more proportionate, sustainable spread of development to support Calderdale's housing needs. Over development of Brighouse should be reduced.

Additional Evidence Link:

Comment ID **Lpp1137**

Site ref (if applicable):

Person ID: **1184942**

Name: **Mr Mark Bullen**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

See attached

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attached

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

See attached

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5084622>

Comment ID **Lpp1328**

Site ref (if applicable):

Person ID: **1183599**

Name: **Mr Andrew Wood**

Organisation: **Consultant Planner CPRE**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

See attachment for context of comments. Introductory paragraph of Evidence Paper 2 states that: Please note that it was our intention to divide up this document and submit it in relevant sections using the representation form, but having downloaded the form we found that key entry fields were locked. Given that the representation system is in any case not well-suited to comments that develop a narrative and contain figures and tables, we have therefore reverted to submitting full documents. These are structured as carefully as possible to enable you to use them. It is our view that the Publication Draft is not positively prepared to deliver sustainable development. It is not justified by the most appropriate and up-to-date evidence of development needs. And it will not be effective in delivering sustainable development, due to fundamental internal contradictions between the scale and distribution of development and other key policies in the Plan. This evidence paper explains our position on these points, and we conclude that very substantial modifications will be needed to make the Plan sound. Para 6.52 and Table 6.11 Distribution of

employment growth This section is flawed because it conflates the pattern of land allocation with the pattern of employment. Referring back to Table 6.8, we see that the gross provision for new B-class jobs is 2,975, of which 2,043 are in offices. This is 43% of gross new jobs, with the remainder being in non-B classes. The overwhelming majority of the proposed floorspace requirement (Table 6.7) is for B8 distribution, yet this accounts for only 13% of new jobs (and that figure may even decrease as greater automation is introduced into warehousing). It is therefore fair to say that distribution is a very minor job growth sector compared to offices and non-B classes. (The extent to which those other job sectors may be interdependent with distribution businesses is not evidenced in the Plan.) But this sets a context for the type and location of job growth that appears inconsistent with Para 6.52 which states: "'a high proportion of land that has been identified for its size and quality is greenfield in nature' the potential [brownfield] land does not provide sufficient opportunities for growth in jobs and productivity'. As a point of principle, offices should be highly accessible by public transport and be close to town centres, where they can support and benefit from the town centre economy. That is also crucial to supporting the growth of non-B class employment by providing office workers with retail, food & drink and cultural opportunities within an easy walk of their place of work. Therefore we must expect the majority of all new jobs in Calderdale to be focused in and around the town centres. It may be justified to allocate land, including greenfield land, for distribution on the basis of implementing a logistics and distribution strategy to support the wider economy; but that case is not made in the Plan. But it is disingenuous to suggest that substantial allocations of greenfield land are needed for employment per se, because that is not borne out by the evidence provided for the types of employment that are envisaged. Further, the dismissal of brownfield land in 6.52 is inappropriate, because re-use of brownfield sites closer to town centres is in itself a driver of the productivity and vitality of urban areas. This 'win-win' scenario does not appear to have been adequately considered.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link: <http://calderdale-consult.objective.co.uk/file/5102830>; <http://calderdale-consult.objective.co.uk/file/5122736>

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. Distribution of employment growth section is flawed as it conflates the pattern of land allocation with the pattern of employment.

2. The greatest employment growth will be in offices and non B uses, but the Plan allocates the majority of

land for B8 distribution, where minor job growth is expected.

3. Office development should be located close to town centres to support the growth of non B type employment.

4. Reuse of brownfield sites is a driver for productivity and vitality of urban areas and has not been adequately considered.

5. It is unrealistic to assume that people will both live and work in Brighouse. There are already high levels of commuting out of and into the south east.

6. Concentration of development in the South east will have an unacceptable negative impact on the area (congestion, air quality). There is a disproportionate concentration of new homes and employment land in Brighouse, with additional new homes (2000) approved in the Kirklees Local Plan over the boundary of the District.

7. No evidence or justification that significant housing and employment growth in the south east is a sustainable pattern of development, and such growth is contrary to the settlement hierarchy and regional policy (e.g. SEP). Highest level of development should be in Halifax.

8. Key highways schemes that are deemed essential are not committed, and there is a lack of evidence relating to highways infrastructure, the existing road system and assessment of the cumulative impacts of development.

Council's Response:

1. Proposals in the Plan seek a balance between the locational and operational requirements of business (both existing and new), the encouragement and provision of local employment opportunities, and the suitability and availability of land.

2. Sectors outside the B land use classification, (i.e. included in Section A, C or D of the use classes order), where jobs are forecast to grow, include 'Residential care and social work', and 'Accommodation and Food'. Future growth will be considered in the context of other Policies in the Plan, e.g. Retail and town Centre (including Finance), and Health and Well being, as a land allocation the Plan is not appropriate.

3. Town centre office uses (A2 use class) are subject to the retail policies in the Plan. The suitability of employment sites for B1 office development is indicated, but not specified, in the Appendix Supporting Information.

4. An assessment of other potential sites was included in the Employment Land Study (EV.01) and in the Local Plan Sites for Allocation Viability Assessment (EV.60, EV.61)

5. Kirklees and Calderdale Councils are jointly committed to the delivery of the SE Calderdale/North Huddersfield Delivery Plan to secure comprehensive development of the cross boundary area. See Council Document CC01 (Appendix 1.3) in response to the Inspectors Pre-Hearing Note 1. The Plan Policy IM7 Master planning will ensure that all aspects are considered.

6. The large scale developments of the Garden Suburbs in Brighouse and that in Bradley, Huddersfield are part of an ongoing spatial consideration of growth within the Leeds City Region. The large sums being allocated by the West Yorkshire Combined Authority to the A641 Corridor and the Bradley Link indicate a joint consideration of the development implications. Council Document CC01 (Appendix 1.3) in response to

the Inspectors Pre-Hearing Note 1 provides further information about the manner in which the Calderdale and Kirklees are working together to manage and mitigate the growth in the South East Calderdale/North Huddersfield area.

7. The Council has not used the settlement hierarchy as the basis for the distribution of development. During early stages of plan preparation the Regional Strategy assumptions regarding distribution were used. In this case, Halifax had to take over 50% of the growth, with Brighouse taking a further significant proportion. As the Local Plan developed and the work was undertaken to understand the implications of the potential growth, it was found that Halifax could not accommodate as much developments as originally sought, because of the potential for significant effects upon the SPA and SAC as identified through the HRA process. Brighouse therefore became more attractive as a potential location for significant development.

8. The policies within the Local Plan support the achievement of the Local Plan Transport Objective, 'To ensure the provision of a sustainable, safe and efficient transport system which reduces car dependency and improves quality of life through a balance of promoting economic growth, enhancing environments and improving transport access for communities'

To achieve these objectives the Council is developing a range of strategies and interventions, and the Local Plan has a role to play in supporting these, but also ensuring development proposals meet these objectives and contribute more widely to an integrated 'active mode' network.

Detailed Information on transport infrastructure in Calderdale is provided in Chapter 13: Infrastructure and Master Planning of the Local Plan and in the WSP Technical Reports (EV54.1 – EV54.12) in the Local Plan Examination Library.

The Local Plan is not predicated on the delivery of Junction 24A. The intervention is not critical to the delivery of the growth scenarios proposed in the Local Plan.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

1. Revise Plan to reflect a more proportionate sustainable spread of developments to support Calderdale's housing needs, and reduce over development in Brighouse and SE Calderdale.

Council's Response:

1. The Council has not used the settlement hierarchy as the basis for the distribution of development. During early stages of plan preparation the Regional Strategy assumptions regarding distribution were used. In this case, Halifax had to take over 50% of the growth, with Brighouse taking a further significant proportion. As the Local Plan developed and the work was undertaken to understand the implications of the potential growth, it was found that Halifax could not accommodate as much developments as originally sought, because of the potential for significant effects upon the SPA and SAC as identified through the HRA process. Brighouse therefore became more attractive as a potential location for significant development. There is no requirement to have a Policy setting out the distribution of development put forward in the Local Plan. Evidence document EV40 establishes the justification for the development of the Garden Suburbs, the Habitats Regulations Assessment (EV12.1; and EV12.4) helps to understand why the Council has chosen to promote more development away from the protected areas of the SPA and SAC. No modification required.

Document Section: Table 6.11 Distribution of Potential New Employment Allocations

Representations

Comment ID **Lpp96**

Site ref (if applicable):

Person ID: **817527**

Name: **Miss Nicola Denford**

Organisation:

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?: **Yes**

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

Looking at Table 6.11 Employment Allocations, the total proposed Gross Area for Employment Allocations in Calderdale is 97.3ha, with Brighouse being allocated 35.7ha over 5 sites and Halifax being allocated 29.31ha over 14 sites. The Brighouse allocation is therefore more than 1/3 of Calderdale's total allocation "" yet again, Brighouse is being allocated the largest proportion of these allocations. This, once more demonstrates the disproportionate nature of the Local Plan. Looking at the total Net Developable Area of 84.10ha for Employment Allocations in Calderdale, 54.72ha of this is proposed for greenfield sites, which is almost 2/3 of the total, and 28.87ha (over half) of this is in Brighouse. How can Calderdale Council justify allocating greenfield sites for industrial use, when derelict and brownfield sites should be considered first? This development of greenfield sites for Industry in Brighouse is in addition to two huge areas of Green Belt in Clifton and Woodhouse which are being proposed for garden suburbs. It could be argued that the proposed Enterprise Zone at Clifton (LP1232 "" 25.42ha) is not necessarily required, should the Council take into account Industrial Sites which are being proposed in neighbouring Kirklees at Bradley and Mirfield.

Do you consider that the plan complies with the Duty to Co-operate?: **No**

Duty to Co-operate Reason:

See final paragraph above.

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

1. More than one third of the total proposed Employment allocations (gross area) is allocated in Brighouse, which demonstrates the disproportional nature of the Local Plan.
2. No justification presented for allocating greenfield sites for industry when derelict brownfield sites should be considered first.
3. The development of greenfield sites for industry in Brighouse is in addition to large areas of Green Belt being proposed for garden suburbs.
4. The proposed Enterprise Zone in Clifton would not necessarily be required if the proposed sites at Bradley and Mirfield in Kirklees are taken into account.

Council's Response:

1. Proposals in the Plan seek a balance between the locational and operational requirements of business (both existing and new), the encouragement and provision of local employment opportunities, and the suitability and availability of land.
2. An assessment of other potential sites was included in the Employment Land Study (EV.01) and in the Local Plan Sites for Allocation Viability Assessment (EV.60, EV.61)
3. Kirklees and Calderdale Councils are jointly committed to the delivery of the SE Calderdale/North Huddersfield Delivery Plan to secure comprehensive development of the cross boundary area. The Plan Policy IM7 Master planning will ensure that all aspects are considered.
4. The New Employment site at Clifton, which is currently allocated in the Replacement Unitary Development Plan, is a regional strategic site which will contribute to the delivery of the Leeds City Region's Strategic Economic Plan. The site is one of nine strategic sites included in the Local Enterprise Partnership's M62 Corridor Enterprise Zone.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response:

Document Section: Table 6.12 Status of Local Plan Allocations - Greenfield/Brownfiel

Representations

Comment ID **Lpp796**

Site ref (if applicable):

Person ID: **10988**

Name: **Mr Anthony Rae**

Organisation: **Coordinator Calderdale
Friends of the Earth**

Agent ID:

Name:

Organisation:

Do you consider the plan to be Legally Compliant?:

Legal Compliance Reason:

Do you consider the plan to be Sound?: **No**

Sound Reason:

We disagree with this table firstly because there needs to be an additional row identifying the amount of percentage of Greenbelt land (as against greenfield) being allocated. Secondly, because the extent of the abandonment of the 'brownfield first' approach previously and successfully secured in Calderdale (see table 4 of the Housing Technical Paper) is neither referenced, explained or justified in paragraph 6.53.

Do you consider that the plan complies with the Duty to Co-operate?:

Duty to Co-operate Reason:

Suggested Modifications:

Additional Evidence Link:

Main Issues and Council Response

Legal Compliance

Main Issues:

Council's Response:

Test of Soundness

Main Issues:

- 1.The abandonment of the brownfield first approach is not referenced, explained or justified.
2. The table should include data identifying the percentage of Green Belt land being allocated.

Council's Response:

1. An assesment of other potential sites was included in the Employment Land Study (EV.01) and in the Local Plan Sites for Allocation Viability Assessment (EV.60 , EV.61). A shortfall in the amount of available and deliverable brownfield land, has required the inclusion of sites which are currently greenfield.

2. The data is provided in Appendix 1.12 of the Council's response to the Inspector's pre Hearing Note 1 - CC.01 Calderdale Council Response to INS/01.

Duty to Co-operate

Main Issues:

Council's Response:

Suggested Modifications

Council's Response: