

Calderdale Local Plan

ADDENDUM TO THE STATEMENT OF COMMON GROUND BETWEEN CALDERDALE COUNCIL AND HISTORIC ENGLAND REGARDING ADDITIONAL MIXED USE AND HOUSING ALLOCATIONS WITHIN THE CALDERDALE LOCAL PLAN

Calderdale Metropolitan Borough Council

June 2020



**Addendum to the Statement of common ground between Calderdale Council and Historic England
regarding additional Mixed Use and Housing Allocations within the Calderdale Local Plan.**

1. Introduction

1.1 This addendum to the Statement of Common Ground (CC41) has been prepared jointly between Calderdale Council (the Council) and Historic England. The statement sets out the areas of common ground between the parties with regards to the additional allocations set out in the 'Housing Requirement Update and Potential Supply' (CC39) document which Historic England made representations on during the 10th January to 24th February 2020 consultation. It sets out where issues have been resolved and includes the parties' agreement over Historic England's objections to the sites. The statement also highlights areas of uncommon ground between the parties. The statement is intended to assist the Inspector during the examination of the Plan.

2. Background

2.1 Calderdale Council submitted the Plan for Examination in January 2019, with the first stage of hearings held 26th June 2019 – 5th July 2019. The Inspector requested that the Council produce a Statement of Common Ground (SoCG) with Historic England and requested that the SoCG should: relate to sites in the submitted Plan which Historic England submitted representations to at Regulation 19 stage; summarise areas of agreement/disagreement and the reasoning of both parties, and set out the Council's response to proposed modifications put forward by HE; and also set out a jointly agreed position on whether the Plan should specify that measures in the Heritage Impact Assessments are implemented. The completed SoCG was submitted to the Inspector on the 18th March 2020.

2.2 As part of Pre Hearing Note 3 (INS09) the Inspector requested that the Statement be revised to deal with any representations made on additional sites proposed by the Council. Historic England wrote to the Council on 24th February 2020 in response to the consultation on the 'Housing Requirement Update and Potential Supply' which sets out additional allocations to meet the proposed modified housing requirement.

2.3 Historic England's objections fell into two groups:

- a) The extent of the indicative developable area does not reflect the recommendations of the HIA, and
- b) Where the HIA has put forward mitigation measures, at present, are not firmly or securely tied into the Local Plan Policies. Therefore, there is no confidence that what is actually proposed will be delivered as part of any development proposals.

2.4 The following section sets out the areas of agreement between Historic England and Calderdale Council which addresses the concerns raised above. The section also sets out areas of disagreement.

Additional Mixed Use Sites

Site Ref	Modifications Recommended by Historic England	CMBC Response to the Modification	Common ground agreed?
LP0573 - Brighthouse	Amend fifth Site Specific Consideration wording to effectively tie the recommendations of the HIA to the relevant Local Plan policies	The mitigation measures identified within the HIAs are recommendations to be considered by applicants and Development Management case officers. At the time of a full application submission, applicants may wish to submit a further HIA, which may make varying recommendations in terms of mitigation where, in practice, other measures may achieve a similar result. It is recommended that the Site Specific Consideration reads: - <i>Implementation of the recommendations provided in the HIA or other suitable mitigation measures agreed by the Local Planning Authority to avoid or minimise the impact on the significance of heritage assets and their settings.</i>	Agreed to changes as set out in CMBC response.
LP1622 - Mytholmroyd	Amend fifth Site Specific Consideration wording to effectively tie the recommendations of the HIA to the relevant Local Plan policies	The mitigation measures identified within the HIAs are recommendations to be considered by applicants and Development Management case officers. At the time of a full application submission, applicants may wish to submit a further HIA, which may make varying recommendations in terms of mitigation where, in practice, other measures may achieve a similar result. It is recommended that the Site Specific Consideration reads: - <i>Implementation of the recommendations provided in the HIA or other suitable mitigation measures agreed by the Local Planning Authority to avoid or minimise the impact on the significance of heritage assets and their settings.</i>	Agreed to changes as set out in CMBC response.
LP0327 - Todmorden	Amend first Site Specific Consideration wording to effectively tie the recommendations of the HIA to the relevant Local Plan policies	The mitigation measures identified within the HIAs are recommendations to be considered by applicants and Development Management case officers. At the time of a full application submission, applicants may wish to submit a further HIA, which may make varying recommendations in terms of mitigation where, in practice, other measures may achieve a similar result. It is recommended that the Site Specific Consideration reads: - <i>Implementation of the recommendations provided in the HIA or other suitable mitigation measures agreed by the Local Planning Authority to avoid or minimise the impact on the significance of heritage assets and their settings.</i>	Agreed to changes as set out in CMBC response.

Elland - Additional Housing Sites

Site Ref	Modifications Recommended by Historic England	CMBC Response to the Modification	Common ground agreed?
LP0177	Amend twelfth Site Specific Consideration wording to effectively tie the recommendations of the HIA to the relevant Local Plan policies	The mitigation measures identified within the HIAs are recommendations to be considered by applicants and Development Management case officers. At the time of a full application submission, applicants may wish to submit a further HIA, which may make varying recommendations in terms of mitigation where, in practice, other measures may achieve a similar result. It is recommended that the Site Specific Consideration reads: - <i>Implementation of the recommendations provided in the HIA or other suitable mitigation measures agreed by the Local Planning Authority to avoid or minimise the impact on the significance of heritage assets and their settings.</i>	Agreed to changes as set out in CMBC response.
LP1567	Amend ninth Site Specific Consideration wording to effectively tie the recommendations of the HIA to the relevant Local Plan policies	The mitigation measures identified within the HIAs are recommendations to be considered by applicants and Development Management case officers. At the time of a full application submission, applicants may wish to submit a further HIA, which may make varying recommendations in terms of mitigation where, in practice, other measures may achieve a similar result. It is recommended that the Site Specific Consideration reads: - <i>Implementation of the recommendations provided in the HIA or other suitable mitigation measures agreed by the Local Planning Authority to avoid or minimise the impact on the significance of heritage assets and their settings.</i>	Agreed to changes as set out in CMBC response.
LP1616	Amend seventh Site Specific Consideration wording to effectively tie the recommendations of the HIA to the relevant Local Plan policies	The mitigation measures identified within the HIAs are recommendations to be considered by applicants and Development Management case officers. At the time of a full application submission, applicants may wish to submit a further HIA, which may make varying recommendations in terms of mitigation where, in practice, other measures may achieve a similar result. It is recommended that the Site Specific Consideration reads: - <i>Implementation of the recommendations provided in the HIA or other suitable mitigation measures agreed by the Local Planning Authority to avoid or minimise the impact on the significance of heritage assets and their settings.</i>	Agreed to changes as set out in CMBC response.

Halifax - Additional Housing Sites

Site Ref	Modifications Recommended by Historic England	CMBC Response to the Modification	Common ground agreed?
LP0983	Amend fourth Site Specific Consideration wording to effectively tie the recommendations of the HIA to the relevant Local Plan policies	The mitigation measures identified within the HIAs are recommendations to be considered by applicants and Development Management case officers. At the time of a full application submission, applicants may wish to submit a further HIA, which may make varying recommendations in terms of mitigation where, in practice, other measures may achieve a similar result. It is recommended that the Site Specific Consideration reads: - <i>Implementation of the recommendations provided in the HIA or other suitable mitigation measures agreed by the Local Planning Authority to avoid or minimise the impact on the significance of heritage assets and their settings.</i>	Agreed to changes as set out in CMBC response.
LP1590	Amend fourth Site Specific Consideration wording to effectively tie the recommendations of the HIA to the relevant Local Plan policies	The mitigation measures identified within the HIAs are recommendations to be considered by applicants and Development Management case officers. At the time of a full application submission, applicants may wish to submit a further HIA, which may make varying recommendations in terms of mitigation where, in practice, other measures may achieve a similar result. It is recommended that the Site Specific Consideration reads: - <i>Implementation of the recommendations provided in the HIA or other suitable mitigation measures agreed by the Local Planning Authority to avoid or minimise the impact on the significance of heritage assets and their settings.</i>	Agreed to changes as set out in CMBC response.

Mytholmroyd - Additional Housing Sites

Site Ref	Modifications Recommended by Historic England	CMBC Response to the Modification	Common ground agreed?
LP0931	Amend sixth Site Specific Consideration wording to effectively tie the recommendations of the HIA to the relevant Local Plan policies	The mitigation measures identified within the HIAs are recommendations to be considered by applicants and Development Management case officers. At the time of a full application submission, applicants may wish to submit a further HIA, which may make varying recommendations in terms of mitigation where, in practice, other measures may achieve a similar result. It is recommended that the Site Specific Consideration reads: - <i>Implementation of the recommendations provided in the HIA or other suitable mitigation measures agreed by the Local Planning Authority to avoid or minimise the impact on the significance of heritage assets and their settings.</i>	Agreed to changes as set out in CMBC response.
LP1372	<p>a) Amend fourth Site Specific Consideration wording to effectively tie the recommendations of the HIA to the relevant Local Plan policies</p> <p>b) Amend the indicative developable area show on the site allocation to reflect the conclusions of the Heritage Impact Assessment</p>	<p>a) The mitigation measures identified within the HIAs are recommendations to be considered by applicants and Development Management case officers. At the time of a full application submission, applicants may wish to submit a further HIA, which may make varying recommendations in terms of mitigation where, in practice, other measures may achieve a similar result. It is recommended that the Site Specific Consideration reads: - <i>Implementation of the recommendations provided in the HIA or other suitable mitigation measures agreed by the Local Planning Authority to avoid or minimise the impact on the significance of heritage assets and their settings.</i></p> <p>b) The buffer recommended in the Housing Requirement Update and Potential Supply as well as careful design in proximity to the Listed Buildings would result in less than substantial harm.</p>	<p>Agreed to change (a) as set out in CMBC response.</p> <p>Disagreed with point (b)</p>

Northowram and Shelf - Additional Housing Sites

Site Ref	Modifications Recommended by Historic England	CMBC Response to the Modification	Common ground agreed?
LP0766	Amend seventh Site Specific Consideration wording to effectively tie the recommendations of the HIA to the relevant Local Plan policies	The mitigation measures identified within the HIAs are recommendations to be considered by applicants and Development Management case officers. At the time of a full application submission, applicants may wish to submit a further HIA, which may make varying recommendations in terms of mitigation where, in practice, other measures may achieve a similar result. It is recommended that the Site Specific Consideration reads: - <i>Implementation of the recommendations provided in the HIA or other suitable mitigation measures agreed by the Local Planning Authority to avoid or minimise the impact on the significance of heritage assets and their settings.</i>	Agreed to changes as set out in CMBC response.
LP1044	Amend second Site Specific Consideration wording to effectively tie the recommendations of the HIA to the relevant Local Plan policies	The mitigation measures identified within the HIAs are recommendations to be considered by applicants and Development Management case officers. At the time of a full application submission, applicants may wish to submit a further HIA, which may make varying recommendations in terms of mitigation where, in practice, other measures may achieve a similar result. It is recommended that the Site Specific Consideration reads: - <i>Implementation of the recommendations provided in the HIA or other suitable mitigation measures agreed by the Local Planning Authority to avoid or minimise the impact on the significance of heritage assets and their settings.</i>	Agreed to changes as set out in CMBC response.
LP1523	Amend seventh Site Specific Consideration wording to effectively tie the recommendations of the HIA to the relevant Local Plan policies	The mitigation measures identified within the HIAs are recommendations to be considered by applicants and Development Management case officers. At the time of a full application submission, applicants may wish to submit a further HIA, which may make varying recommendations in terms of mitigation where, in practice, other measures may achieve a similar result. It is recommended that the Site Specific Consideration reads: - <i>Implementation of the recommendations provided in the HIA or other suitable mitigation measures agreed by the Local Planning Authority to avoid or minimise the impact on the significance of heritage assets and their settings.</i>	Agreed to changes as set out in CMBC response.

2.5 Both parties consider that these amendments largely address the concerns raised by Historic England in their representations on the 'Calderdale Local Plan – Publication Draft' with exception to sites LP1372. The Council are happy to provide further justification for the inclusion of this site and mitigation measures to minimise or avoid the harm to address the disagreement with Historic England as part of the Examination process.

Confirmed as agreed:

Name: James Langler
Role: Historic Environment Planning Advisor
Organisation: Historic England
Date: 17 June 2020

Name: Richard Seaman
Role: Corporate Lead – Planning
On behalf of Calderdale Council
Date: 8 July 2020