

Comments

Sowerby Neighbourhood Plan Regulation 16 Consultation (06/12/19 to 31/01/20)

Comment by	Natural England (Ms Kate Wheeler - 1242748)
Comment ID	SNP16
Response Date	05/02/20 11:57
Status	Processed
Submission Type	Email
Version	0.3
Files	303734 Sowerby Neighbourhood Plan.pdf

Question 1

To which part in the plan does your representation relate? Please provide paragraph number or policy reference.	Overall
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Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer)	General comment
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Question 3

Please give details of your reasons for support/opposition, or make other comments.

See attachment

Additional Information

Please upload any additional information here	303734 Sowerby Neighbourhood Plan.pdf
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Comment by	Robert Halstead Chartered Surveyors & Town Planners (Ms Alison Dumville - 1131061)
Comment ID	SNP14
Response Date	28/01/20 14:41
Status	Processed
Submission Type	Email

Version	0.4
Files	Alison Dumville.pdf

Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer)	Oppose
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Question 3

Please give details of your reasons for support/opposition, or make other comments.

See Attachement

Additional Information

Please upload any additional information here	Alison Dumville.pdf
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Comment by	Historic England (Mr Craig Broadwith - 851198)
Comment ID	SNP13
Response Date	28/01/20 13:40
Status	Processed
Submission Type	Email
Version	0.4
Files	Historic England.pdf

Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer)	General comment
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Question 3

Please give details of your reasons for support/opposition, or make other comments.

See attachement

Additional Information

Please upload any additional information here	Historic England.pdf
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Comment by	Environment Agency (Claire Dennison - 970147)
Comment ID	SNP15
Response Date	21/01/20 15:20
Status	Processed
Submission Type	Email

Question 1

To which part in the plan does your representation relate? Please provide paragraph number or policy reference. SNPP7

Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer) General comment

Question 3

Please give details of your reasons for support/opposition, or make other comments.

We have no objections to the draft plan, we are pleased to see the you have considered surface water flooding.

Following are other environmental issues you could look at putting into your plan.

Flood Risk

I note that the area has a risk of flooding (within Flood Zone 2.3) around the watercourses

We would like to see flood risk policies and that minimising the impact of flooding referred to in an 'Environmental' section. This is a key sustainability issue and will be exacerbated in in the future due to climate change.

In terms of both policy and site selection, flood risk should be a major consideration in your plan. In drafting your flood risk policy, you should:

- Emphasise that inappropriate development will not be considered acceptable in areas of high flood risk.
- Highlight, where necessary, the need to undertake the sequential and exception tests.
- Promote a sequential approach to development layout, to ensure the highest vulnerability development is located in areas at lowest flood risk.
- Address the potential impacts of climate change on flood risk.
- Describe what is expected of developers in terms of surface water run-off rates (for both brownfield and Greenfield sites) and sustainable drainage systems.
- Where possible, expect development to result in a betterment to the existing flood risk situation.
- Ensure that new development does not increase flood risk to others

A sequential approach to flood risk will also need to be taken when allocating sites.

New development proposals should be encouraged to contribute either financially or through physical works to reduce the flood risk to the wider village. This would require a clear understanding of what the flood risk reduction strategy is. This should be reflected in this section/policy.

Surface Water

The Lead Local Flood Authority is now the responsible authority for commenting on the surface water drainage arrangements. We therefore recommend you consult your LLFA regarding the proposed management of surface water within the Plan.

Net Gain

Biodiversity net gain requires developers to ensure habitats for wildlife are enhanced and left in a measurably better state than they were pre-development. They must assess the type of habitat and its condition before submitting plans, and then demonstrate how they are improving biodiversity – such as through the creation of green corridors, planting more trees, or forming local nature spaces.

Green improvements on site would be encouraged, but in the rare circumstances where they are not possible, developers will need to pay a levy for habitat creation or improvement elsewhere.

Water quality

Proper management is important to protect water quality, both for groundwater and surface water resources.

Drainage misconnections can occur in new developments, redevelopments, extensions or through refurbishment. Developers must ensure that they do not connect any foul drainage (including sinks, showers, washing machine/dishwasher outlets and toilets) to a surface water sewer, as this can send

polluted water into watercourses. Similarly, developers should ensure that they do not connect surface water drainage (e.g. roof gutter downpipes) into foul sewers as this can cause overloading of the foul sewer during heavy rainfall.

Polluted surface water flows from areas like car parks or service yards should always have sufficient pollution prevention measures in place to ensure the protection of groundwater and watercourses from specific pollutants like petrol (hydrocarbons) and suspended solids. Developers should follow appropriate pollution prevention guidance when designing formal drainage for large areas of hardstanding.

Ideally, applicants should introduce more 'surface' or 'green' drainage solutions to aid improvements in water quality, such as swales along hardstanding boundaries, or a more advanced reed bed system for larger sites. These solutions are easier to access and maintain than engineered solutions like petrol/oil interceptors, which require regular maintenance to ensure they operate correctly.

We would welcome a policy which requires a net gain in biodiversity through all development, River restoration

We would welcome the inclusion of a specific river policy, addressing the following:

- Minimum of 8 metre (m) buffer zones for all watercourses measured from bank top to provide an effective and valuable river corridor and improve habitat connectivity. A 5m buffer zone for ponds would also help to protect their wildlife value and ensure that the value of the adjacent terrestrial habitat is protected.
- Development proposals to help achieve and deliver WFD objectives. Examples of the types of improvements that we may expect developers to make are: removal of obstructions (e.g. weirs), de-culverting, regrading banks to a more natural profile, improving in-channel habitat, reduce levels of shade (e.g. tree thinning) to allow aquatic vegetation to establish, etc. Proposals which fail to take opportunities to restore and improve rivers should be refused. If this is not possible, then financial or land contributions towards the restoration of rivers should be required.
- River corridors are very sensitive to lighting and rivers and their 8m buffer zones (as a minimum) should remain/be designed to be intrinsically dark i.e. Lux levels of 0-2.

It may be useful to include ownership information details for landowners, applicants or developers who have a watercourse running through or adjacent to their site. Many people believe that the Environment Agency own 'main rivers' which is not the case. Whilst we hold permissive powers to carry out maintenance on main rivers, the site owner is the 'riparian owner' of the stretch of watercourse running through their site (whole channel) or adjacent to their site (up to the centre line of the channel) – and this includes culverted watercourses. Our 'Living on the Edge' publication provides important guidance for riverside owners.

Applicants should remove watercourses from existing culverts where this is feasible. This will help to reduce flood risk from blocked or collapsed culverts, and open channels are significantly easier for the landowner to maintain. Culverts that cause blockages of the watercourse are the responsibility of the owner to repair. Additionally, we will usually object to planning applications that propose new culverts. Your plan policy should also provide details of 'buffer zones' that are left adjacent to watercourses.

We will always ask developers to maintain an undeveloped,

Naturalised, 8 metre buffer zone adjacent to main rivers. We ask that applicants do not include any structures such as fencing or footpaths within the buffer zone as this could increase flood risk - through the inclusion of close-board fencing for example. Any works or structures that applicants intend within 8m of a main river will require a flood defence consent from us, which is separate from and in addition to any planning permission granted.

Sustainable construction

You could also help your community save money through sustainable construction. Neighbourhood planning is an opportunity for communities to encouraging efficient water and waste management systems in new buildings, and use locally sourced wood fuel for heating. You could also help to promote the use of sustainable materials in construction, and encourage energy efficiency measures for new builds. These measures will reduce the cost of construction for developers and help to reduce utility bills for those using the building. This will also help the environment by reducing emissions and improving air quality.

Comment by	Mr Nigel Cox (1134517)
Comment ID	SNP12
Response Date	19/01/20 10:12

Status	Processed
Submission Type	Email
Version	0.3

Question 1

To which part in the plan does your representation relate? Please provide paragraph number or policy reference. 3.3

Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer) Oppose

Question 3

Please give details of your reasons for support/opposition, or make other comments.

Sowerby Neighbourhood Plan Regulation 16 Consultation

Reference: Appendix D, Site F, Ref: LP1391

Address: Upper Bentley Royd, Sowerby Bridge

Site area (hectares): 0.4 Developable area (hectares)

Upper Bentley Royd 20 Dwellings

I wish to object to the proposed 20 dwellings referenced above for the following reasons:

Flooding and Drainage

1. Any development of 10 or more dwellings is well known to significantly increase surface water runoff.
2. Precipitation due to climate change is set to rise over the next decade and any new development should be in harmony with the water environment and avoid working against it
3. A full 4 seasons assessment of this Upper Bentley Royd site proposal is necessary to estimate the quantity of additional surface water runoff and its effect on the likelihood of additional flooding in Sowerby Bridge Town

4. A full assessment of the drainage regime in this Upper Bentley Royd locality is required to assess the impact of these additional 20 dwellings on its capacity

Highways

1. There is no obvious suitable safe highway access from Salisbury Street or Upper Bentley Royd Lane both of which are single track lanes without pavements.
2. Children from Ryburn Valley, Sacred Heart and New Road Schools walk on Upper Bentley Royd, the school footpath and Salisbury Street to and from school.
3. This development would cause additional traffic onto Sowerby New Road which is already gridlocked every morning and evening
4. In 2016 The Council refused planning for dwellings in the adjacent field. The Planning Inspectorate refused the appeal from the applicant – Appeal ref: APP/A4710/W/16/3152415.
5. All these 40 additional vehicles ultimately have to access Rochdale Road (A58) and Wharf Street both of which are already under capacity, and have very high levels of pollution from standing traffic.

Environmental

This site borders onto woodland which is a foraging site and this field is a much used corridor for bats and other wildlife

Infrastructure and Local Services

Do the local doctors, dentists, school, nurseries etc have sufficient capacity to cope with these potential 40 plus additional people?

Comment by	The Coal Authority (Mr Christopher Telford - 1239363)
Comment ID	SNP11
Response Date	16/01/20 16:48

Status	Processed
Submission Type	Email
Version	0.3
Files	Coal Authority.pdf

Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer) General comment

Question 3

Please give details of your reasons for support/opposition, or make other comments.

See Attachment

Additional Information

Please upload any additional information here	Coal Authority.pdf
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Comment by	Mrs Jean Cox (1134341)
Comment ID	SNP9
Response Date	14/01/20 15:31
Status	Processed
Submission Type	Email
Version	0.3

Question 1

To which part in the plan does your representation relate? Please provide paragraph number or policy reference. 3.3

Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer) Oppose

Question 3

Please give details of your reasons for support/opposition, or make other comments.

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Comment by	West Yorks Archaeology Advisory Service (Mr Ian Sanderson - 1024937)
Comment ID	SNP8
Response Date	13/01/20 15:05
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
To which part in the plan does your representation relate? Please provide paragraph number or policy reference.	Sowerby Heritage & Character Assessment Appendix B
Question 2	
Do you support, oppose, or wish to comment on this plan? (Please select one answer)	Support with modifications

Question 3

Please give details of your reasons for support/opposition, or make other comments.

Appendix B in the Sowerby Heritage and Character Assessment by AECOM lists "Schedule of Heritage Assets" but appears to omit the Scheduled Monument Castle Hill motte , SM no. 29952.

(N.B: One should note that this is a separate designated heritage asset to the Listed building Castle Hill, which is included.)

Question 4

What improvements or modifications would you suggest?

Adding the above designated heritage asset to the list.

Question 5

Do you wish to be notified of the local planning authority's decision under Regulation 19 of the Neighbourhood Plan (General) Regulations 2012 in relation to the Sowerby Neighbourhood Development Plan?

Yes

Comment by	West Yorks Archaeology Advisory Service (Mr Ian Sanderson - 1024937)
Comment ID	SNP7
Response Date	13/01/20 14:59
Status	Processed
Submission Type	Web
Version	0.1

Question 1

To which part in the plan does your representation relate? Please provide paragraph number or policy reference.

Document 7 Policy HE1

Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer)

Support with modifications

Question 3

Please give details of your reasons for support/opposition, or make other comments.

The West Yorkshire Archaeology Advisory Service supports the proposed Policy HE1 in the consultation draft of the Sowerby Neighbourhood Plan but suggests that for the benefit of readers/ developers, a statement is added for information to state that details of Class II and Class III archaeological sites (as well as other heritage assets) are held in the West Yorkshire Historic Environment Record , which is curated by the West Yorkshire Archaeology Advisory Service.

Question 5

Do you wish to be notified of the local planning authority's decision under Regulation 19 of the Neighbourhood Plan (General) Regulations 2012 in relation to the Sowerby Neighbourhood Development Plan?

Yes

Comment by	Sports England (Mrs Janet Belfield - 1237802)
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Comment ID	SNP3
Response Date	06/01/20 15:42
Status	Processed
Submission Type	Email
Version	0.4

Question 1

To which part in the plan does your representation relate? Please provide paragraph number or policy reference. 3.3

Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer) General comment

Question 3

Please give details of your reasons for support/opposition, or make other comments.

Sport England has been made aware of this consultation on the Sowerby Neighbourhood Plan and has been directed to the Neighbourhood Plan website. It is not clear from the documents available on the website what stage the plan is at. Appendix D of the documents available suggests that the Plan will designate sites for development but this does not appear to tie in with the policies as there doesn't seem to be a policy that designates or refers to these sites. The Plan for these sites in Appendix D identifies a playing field site as one of the identified sites, Cemetery Fields. The Plan on the Neighbourhood Plan website is different to that on the Calderdale Council website, which is confusing. It is not clear when this site was last used as a playing field, but Sport England assumes that it could be over 5 years ago. Clarification of this would be welcomed. Playing fields are afforded protection through the National Planning Policy Framework and through Sport England's role to protect, enhance and provide playing fields as set out in its' Playing Fields Policy:

Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.

The Town and Country Planning (Development Management Procedure) (England) Order 2015 ("the 2015 Order") defines a playing field as 'the whole of a site which encompasses at least one playing pitch'. This definition is also provided within the glossary to the Government's National Planning Policy Framework. The definition refers to the whole of a site and therefore does not just cover land which is currently laid out as pitches. It also does not differentiate between different types of ownership e.g. public, private or educational ownership. The 2015 Order defines a playing pitch as 'a delineated area which, together with any run-off area, is of 0.2 hectares or more, and which is used for association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo.' In respect of land that has been used as a playing field in the past the 2015 Order does not provide a definition; but Sport England considers the term to mean land which is not currently, but has been used as a playing field and remains undeveloped, including land where a decision may have been taken to no longer mark out any playing pitch or pitches. A lack of use of a playing field, or part of, should not be taken as necessarily indicating an absence of need in an area. Such land can retain the potential to provide playing pitches to meet current or future needs. In line with the requirements of the 2015 Order, if such land was used as a playing field at any time in the five years before the making of a relevant planning application, then

Sport England should be consulted as a statutory consultee. If its use as a playing field was over five years ago, Sport England would still expect to be consulted, albeit as a non-statutory consultee. In such circumstances, Sport England would continue to apply its Playing Fields Policy. The five-year reference in the 2015 Order only relates to the timescale for which Sport England should be consulted as a statutory consultee and therefore to which planning applications the Town and Country Planning (Consultation) (England) Direction 2009 ("the 2009 Direction") may apply; outside that period consultation is still advised but on a non-statutory basis.

In response to this specific Neighbourhood Plan Sport England advises:

1. There are a different range of documents on the Neighbourhood Plan website in comparison to that of the Council, which is misleading.
2. Please make clear the relationship between the Introduction, the policies and the appendices for the documents on the NP website, or remove them and update/direct to those on the Calderdale Council website.
3. In order to bring this site forward for allocation for development the Neighbourhood Plan will need to demonstrate it has been informed by relevant evidence from the Local Authority evidence bases and in particular the Calderdale Playing Pitch Strategy. The Neighbourhood Plan will need to provide evidence of considering whether the playing field is needed to meet strategic need for playing fields; along with demonstration of the lack of strategic need for the playing field. It should also set out what developer contributions are required in accordance with advice from Calderdale Council and how those contributions will be used to enhance in other sporting facilities locally. You are advised to liaise with Calderdale Council's Sports and Leisure Team on this matter.
4. Where a planning application is submitted for development of a playing field site Sport England would assess it in accordance of the National Planning Policy Framework (NPPF) (notably Paragraphs 96, 97 and 182) and against its own planning objectives, which are Protect - To protect the right opportunities in the right places; Enhance - To enhance opportunities through better use of existing provision; Provide - To provide new opportunities to meet the needs of current and future generations. Further information on the objectives and Sport England's wider planning guidance can be found on its website: <http://www.sportengland.org/planningforsport> The Neighbourhood Plan Forum is advised to ensure that bringing this site forward would comply with those policies in the NPPF and with Sport England's Playing Fields Policy.
5. Sport England has produced a guide on how sport should be considered by those involved in preparing, assessing and determining planning applications which either affect, propose or create a need for sporting provision. We would advise that this is taken into account in providing evidence to being a playing field site forward for allocation for development:
<http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/>
6. Sport England reserves the right to object to any subsequent planning application if we do not consider that it accords with our objectives or the NPPF.

If you require any further information please do not hesitate to contact me at

planning.north@sportengland.org Please keep us informed of progress on this Neighbourhood Plan.

Comment by	Mr Glenn Lowcock (1238226)
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Comment ID	SNP10
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Response Date	05/01/20 16:44
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Status	Processed
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Submission Type	Email
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Version	0.3
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Question 1

To which part in the plan does your representation relate? Please provide paragraph number or policy reference.	3.3
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Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer) Oppose

Question 3

Please give details of your reasons for support/opposition, or make other comments.

I am writing to object in the strongest possible terms of the Councils proposal for 20 dwellings to be built on Upper Bently Road, Sowerby Bridge.

This land is adjacent to New Road Junior Infant and Nursery School, it appears that the access road to the new development will be going passed gates which are used by the children - this seem totally inappropriate.

If the access to the development is going via Upper Bently Road this again would be inappropriate as the road is very narrow and is not suitable for an increase in traffic, both while building takes place and with the additional vehicles once the development has been completed.

It would be good to view the minutes of the Council Planning Meeting where the decision was made to develop this land and how the committee arrived at their decision.

I would like to ask if discussions took place at the meeting regarding the residents concerns on various safety issues with the increase in traffic and pollution levels.

It would appear from the outside that decisions have been made on number of houses to be built in Sowerby Bridge not on the locality of the build.

200 yards away on Sowerby New Road is enough land to build 40 houses, why has this not been considered?

I also understand that the Council has withdrawn its policy on renting this land ? This appears to me as though a decision has already been made.

I would also like the Council to comment on its policy of wildlife in the proposed development - on this site wild rabbits live and thrive any development will effect them severely.

I would therefore like ask what the Councils intentions are to deal with these creatures, or even if this issue has been discussed.

Privacy of a number of homes in Springfield will also be put at risk with the development of this land

The layout of the land and design of the houses will allow people from the new development to look straight into the bedrooms of the existing houses - again this can not be allowed.

Council members must be held to account (by legal means) for their decision to give permission to develop this land.

None of the local residents have been consulted and surely their opinions must be taken into account.

All residents believe this proposal will not benefit the area.

Boris Johnson has just stated in the House of Parliament that new housing building developments should be priorities to BROWN FIELD SITES

Comment by	Mrs Yvonne Houghton (1128093)
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Comment ID	SNP2
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Response Date	30/12/19 15:40
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Status	Processed
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Submission Type	Email
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Version	0.3
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Question 1

To which part in the plan does your representation relate? Please provide paragraph number or policy reference. 3.3

Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer) Oppose

Question 3

Please give details of your reasons for support/opposition, or make other comments.

I wish to object to the designation of land at Upper Bentley Royd, Sowerby Bridge as a housing development site (Appendix D, Identified Development Sites, Site F: Reference LP1391).

The site is adjacent to land at Upper Bentley Royd that has, in the past, been the subject of several applications for planning permission for the erection of dwellings. These applications have all been refused by Calderdale Metropolitan Borough Council.

On the last occasion planning permission was refused (Application Ref. 16/00052/OUT, 13 January 2016, refused 13 May 2016), the applicant appealed to the Planning Inspectorate against CMBC's decision (Appeal Ref: APP/A4710/W/16/3162415

Land north-east of Upper Bentley Royd, Sowerby Bridge HX6 1DS). In refusing the applicant's appeal, the Inspector gave the following reasons:

- The only access lane is currently not wide enough for 2 vehicles to pass.
- The north-western end of the lane also includes blind bends and a steep gradient on the approach to Sowerby New Road. Even were part of the lane to be widened, the approach to the site would be far from ideal. Coupled with the difficulties associated with the visibility at the access onto Sowerby New Road this was one of the principal reasons why previous decisions had resulted in planning permission being refused.
- Whilst there have been no recent recorded accidents, and despite traffic calming measures and other alterations at Sowerby New Road, the Inspector was not persuaded that the situation was so different to that considered in an appeal in 2005 (refused) such that circumstances suggest that a different decision should be reached on highway safety. The Inspector was "well aware" that the Council's highway officer had expressed the view that there were no strong reasons for refusal on highway grounds, but disagreed with that view.
- As Upper Bentley Royd meets a footpath access to the nearby school, used by children, this would result in their emerging onto Upper Bentley Royd at a position where there is no footpath alongside the carriageway. It was "clear" to the Inspector that any vehicle using the lane at that time would result in the potential for conflict with pedestrians, particularly when close to the blind bends.
- As a result, the Inspector did not consider that the provision of a wider carriageway alongside the site would bring sufficient benefit to enable planning permission to be granted. In his judgement, even the small amount of extra traffic using the lane and the junction with Sowerby New Road would be prejudicial to highway safety, and considered that the proposal would be harmful to highway safety and in conflict with UDP Policy BE5 which, amongst other things, requires that the design and layout of accesses should ensure the safe and free flow of traffic.
- Regarding drainage and land stability. The site slopes steeply, and there has been land movement in the vicinity. There are also concerns about the drainage of the site, and its potential to interfere with the natural water table or springs. The Inspector thought these concerns "legitimate", and "crucial to any successful development of the land". He could not agree that it would be acceptable to grant an outline planning permission when there must be some doubt, given the differences between consultees (both professional and local people) as to how development could be achieved on this site without causing difficulties further down the slope.
- Another reason for dismissing the appeal was that there was no indication of how the proposed road widening would have been carried out, and its impact on ground stability, and nothing to indicate that a dwelling could be successfully located on the land whilst providing the necessary parking and turning facilities, and no engineering solutions necessary to develop the site had been fully established. The Inspector was not satisfied that it had been shown that the proposal was appropriate for this location.

In addition to the reasons stated by the Inspector, I would also point out that:

- houses built on Site F would overlook dwellings at Springfields, and impinge on their privacy; and that
- land higher up the slope, around the property known as White Windows, drains directly and continually

onto Site F, rendering it waterlogged for much of the year.

- The site also borders on woodland which is a foraging site and corridor for bats and other wildlife.

Question 4

What improvements or modifications would you suggest?

For the above reasons, I would argue that Site F should no longer be considered as a suitable site for housing development, and that the designation should be removed.

Question 5

Do you wish to be notified of the local planning authority's decision under Regulation 19 of the Neighbourhood Plan (General) Regulations 2012 in relation to the Sowerby Neighbourhood Development Plan?

No

Comment by	Mrs Jean Illingworth (1237818)
Comment ID	SNP6
Response Date	19/12/19 16:20
Status	Processed
Submission Type	Letter
Version	0.4
Files	Jean Illingworth.pdf

Question 1

To which part in the plan does your representation relate? Please provide paragraph number or policy reference.

Overall

Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer)

Support

Additional Information

Please upload any additional information here

[Jean Illingworth.pdf](#)

Comment by	Ms Laura Powell (1170852)
Comment ID	SNP5
Response Date	19/12/19 16:15
Status	Processed
Submission Type	Letter
Version	0.4

Files [Laura Powell.pdf](#)

Question 1

To which part in the plan does your representation relate? Please provide paragraph number or policy reference. Overall

Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer) Support

Additional Information

Please upload any additional information here [Laura Powell.pdf](#)

Comment by National Grid plc (Mr Spencer Jefferies - 1006101)

Comment ID SNP4

Response Date 16/12/19 16:06

Status Processed

Submission Type Email

Version 0.4

Files [19-12-12 National Grid - No Assets Standard Response - Neighbourhood Plan SOWERBY.pdf](#)

Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer) General comment

Question 3

Please give details of your reasons for support/opposition, or make other comments.

See Attachment

Additional Information

Please upload any additional information here [19-12-12 National Grid - No Assets Standard Response - Neighbourhood Plan SOWERBY.pdf](#)

Comment by Sam Roberts (1129875)

Comment ID SNP1

Response Date 08/12/19 16:39

Status Processed

Submission Type Web

Version 0.2

Question 1

To which part in the plan does your representation relate? Please provide paragraph number or policy reference. All

Question 2

Do you support, oppose, or wish to comment on this plan? (Please select one answer) Support

Question 3

Please give details of your reasons for support/opposition, or make other comments.

Fully support this plan as it has been made in consultation with the community and covers all aspects they want protected.

Question 4

What improvements or modifications would you suggest?

None

Question 5

Do you wish to be notified of the local planning authority's decision under Regulation 19 of the Neighbourhood Plan (General) Regulations 2012 in relation to the Sowerby Neighbourhood Development Plan? No

Date: 31 January 2020
Our ref: 303734



Mr Dawes
Spatial Planning Team
Spatial Planning
Calderdale Council
Town Hall
Crossley Street
Halifax
West Yorkshire
HX1 1UJ

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Dawes

Planning consultation: Sowerby Neighbourhood Plan

Thank you for your consultation on the above which was received by Natural England on 12 December 2019

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England has no specific comment to make on the plan. The following information may be useful to refer to as the plan progresses.

Natural England, together with the Environment Agency, English Heritage and Forestry Commission has published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans and development proposals. This contains useful information to refer to when implementing the plan and policies. This is available at: <https://neighbourhoodplanning.org/wp-content/uploads/Environment-toolkit-080219-1521.pdf>

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Kate Wheeler on 07769918711. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Kate Wheeler
Yorkshire and Northern Lincolnshire Area

Robert Halstead

Chartered Surveyors & Town Planners

N.C. Willock MRICS MRTPI

Office G of H, 2nd Floor Bridge Mills, Huddersfield Road, Holmfirth, HD9 3TW

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Planning Development

Sowerby Neighbourhood Plan Representation

Robert Halstead Chartered Surveyors and Town Planners have been instructed to submit a representation on behalf of our client in objection to policy SNPP15 in the Sowerby Neighbourhood Plan.

Our client Mr Rawson is currently the landowner of site LP1398, Land on the West Side of Brockwell Lane, Triangle, Sowerby Bridge, which has been allocated for housing development in the Draft Local Plan.

The site is 4.11 hectares in size with a developable area of 2.9 hectares and an indicative residential capacity of 87 dwellings.

Policy SNPP15 in the Sowerby Neighbourhood Plan states the following,

‘Significant Residential Developments should require a significant proportion of affordable to buy or affordable / social rental housing will be supported.’

Paragraph 15.5 which forms part of the supporting information in favour of the policy states,

‘On housing developments of 11 units or more, the SNF will require 40% of the total development to be provided as affordable to buy or rent housing, in line with Annex B Glossary to NPPF. The proportion may be less than 40% where robust viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal.’

Our client strongly objects to the requirement that 40% of the total development on housing sites should be affordable or social housing. This figure of 40% conflicts significantly with the Council’s own policies and evidence-based information in the Draft Local Plan.

Paragraph 16.36 in the Draft Local Plan states, *‘The SHMA has calculated the need for affordable housing in Calderdale, incorporating both current and future need, balanced against supply,’* and paragraph 16.40 states, *‘The actual details of the affordable housing provision in private housing developments will be informed by market location, site size, practicality and viability. The sub-market areas are allocated to one of 4 categories based upon their housing market strength/values.’*

Table 16.6 – Provision of Affordable Housing and Map 16.1 – Affordable Housing Zones indicate that Sowerby Bridge is located in Zone C and as such the proportion of affordable housing where the threshold exceeds 15 dwellings should be 25%.

Part of Draft Policy HS6 – Affordable Housing states the following,

‘In some instances, the proportion may be less than that prescribed in Table 16.6 where robust viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal. For any deviation from the stated requirements, the Council will take account of the most recent evidence, such as the SHMA and any subsequent updates or other relevant and recent information.’

Given what is stated in Draft Policy HS6, it is considered that 25% as a proportion of affordable housing should therefore be the absolute maximum sought through the Neighbourhood Plan, and the policy wording should reflect that of the Draft Policy HS6 to account for viability issues, as well as national planning policy contained within the National Planning Policy Framework.

Paragraph 16.44 of the Draft Local Plan states that, *‘The viability of delivering affordable housing across the Borough has been tested through an Economic Viability Assessment (EVA) model.’*

Paragraph 16.45 goes on to state that, *‘The results of the analysis revealed that the spatial location within which a site is situated is a key influencing factor on scheme viability with Calderdale and hence on the proportion of affordable housing a site can provide whilst remaining economically viable.’*

The EVA undertaken by the Council has demonstrated that the maximum proportion of affordable housing on sites with a threshold of 15 or more dwellings in the Sowerby Bridge area should be 25% for the housing developments to remain economically viable. Anything higher than that, including the 40% indicated in the Sowerby Neighbourhood Plan, would lead to our client’s site (and all other housing allocations in the area) becoming economically unviable for housing development.

It is unclear where the figure of 40% in the Sowerby Neighbourhood Plan has arisen from in terms of an evidence base, however this figure (and the 11 unit threshold) differ significantly from the Council’s own evidence-based percentage / threshold.

Given the above, we would politely request that Policy SNPP15 in the Sowerby Neighbourhood Plan be re-worded to be better aligned with the Draft local Plan as follows:

*‘On housing developments of **15** units or more, the SNF will require **25%** of the total development to be provided as affordable to buy or rent housing, in line with Annex B Glossary to NPPF. The proportion may be less than **25%** where robust viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal.’*

Finally, please note that the Council’s viability evidence (and proposed thresholds / percentages for affordable housing) have yet to be tested at the Local Plan Examination Hearings. It may therefore be the case that the 15 units / 25% figures may be modified by the Inspector. If this is the case, we would suggest that the Sowerby NP should align with the finally adopted Local Plan figures.

Robert Halstead Chartered Surveyors & Town Planners

28th January 2020



Historic England

YORKSHIRE

Spatial Planning,
Planning,
Calderdale Council,
Westgate House,
HALIFAX,
HX 1 1PS

Our ref: PL0063838
PL00654004

Your ref:

Telephone 01904 601 879
Mobile 0755 719 0988

28 January 2020

Dear Ms. Sir or Madam,
Sowerby Neighbourhood Plan
Submission consultation response

Thank you for consulting Historic England in connection with the Submission Draft Sowerby Neighbourhood Plan.

We give limited comments upon the Pre-submission draft of the Sowerby Neighbourhood Plan and do not consider it necessary to make any additional comments at this stage.

We trust the above is satisfactory, and look forward to being notified of the making of the Sowerby Neighbourhood Plan, subject to the outcome of the Examination and any subsequent referendum, in due course.

Yours sincerely

Craig Broadwith
Historic Places Adviser
E-mail: Craig.Broadwith@HistoricEngland.org.uk



Historic England, 37 Tanner Row, York YO1 6WP
Telephone 01904 60 1948 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available.





The Coal
Authority



INVESTOR IN PEOPLE



RTPI
Learning Partner

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Spatial Planning
Calderdale Metropolitan Borough Council

[By Email: spatial.planning@calderdale.gov.uk]

16 January 2020

Dear Spatial Planning

Sowerby Neighbourhood Plan - Regulation 16

Thank you for consulting The Coal Authority on the above.

Having reviewed your document, I confirm that we have no specific comments to make on it.

Should you have any future enquiries please contact a member of Planning and Local Authority Liaison at The Coal Authority using the contact details above.

Yours sincerely

Christopher Telford BSc(Hons) DipTP MRTPI
Principal Development Manager

Calderdale Council Planning Department
C/O The Town Hall,
Crossley Street,
Halifax,
HX1 1UJ



To whom it may concern,

I am writing to give my support for the Sowerby Neighbourhood Plan, I have no objections about it's content.

Name : MRS JEAN ILLINGWORTH

Postcode: Mx6 1JX

Calderdale Council Planning Department
C/O The Town Hall,
Crossley Street,
Halifax,
HX1 1UJ

Calderdale
Council

19 DEC 2019

To whom it may concern,

I am writing to give my support for the Sowerby Neighbourhood Plan, I have no objections about it's content.

L Powell

Name : Laura Powell

Postcode: HX6 1HQ

Our Ref: MV/ 15B901605

T: +44 (0)191 261 2361
F: +44 (0)191 269 0076

16 December 2019

avisonyoung.co.uk

Calderdale Council
Via email only

Dear Sir / Madam

**SOWERBY NEIGHBOURHOOD PLAN REGULATION 16
Representations on behalf of National Grid**

National Grid has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

About National Grid

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators across England, Wales and Scotland.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.

Proposed development sites crossed or in close proximity to National Grid assets:

An assessment has been carried out with respect to National Grid's electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines.

National Grid has identified that it has no record of such assets within the Neighbourhood Plan area.

National Grid provides information in relation to its assets at the website below.

- www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/

Please also see attached information outlining guidance on development close to National Grid infrastructure.

Distribution Networks

Information regarding the electricity distribution network is available at the website below:
www.energynetworks.org.uk

Information regarding the gas distribution network is available by contacting:
plantprotection@cadentgas.com

Further Advice

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:

Matt Verlander, Director

nationalgrid.uk@avisonyoung.com

Avison Young
Central Square South
Orchard Street
Newcastle upon Tyne
NE1 3AZ

Spencer Jefferies, Town Planner

box.landandacquisitions@nationalgrid.com

National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,



Matt Verlander MRTPI

Director

0191 269 0094

matt.verlander@avisonyoung.com

For and on behalf of Avison Young

Guidance on development near National Grid assets

National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

Electricity assets

Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

National Grid's '*Guidelines for Development near pylons and high voltage overhead power lines*' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgridet.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

National Grid's statutory safety clearances are detailed in their '*Guidelines when working near National Grid Electricity Transmission assets*', which can be downloaded here: www.nationalgridet.com/network-and-assets/working-near-our-assets

Gas assets

High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.

National Grid have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.

National Grid's '*Guidelines when working near National Grid Gas assets*' can be downloaded here: www.nationalgridgas.com/land-and-assets/working-near-our-assets

How to contact National Grid

If you require any further information in relation to the above and/or if you would like to check if National Grid's transmission networks may be affected by a proposed development, please contact:

- National Grid's Plant Protection team: plantprotection@nationalgrid.com

Cadent Plant Protection Team
Block 1
Brick Kiln Street
Hinckley
LE10 0NA
0800 688 588

or visit the website: <https://www.beforeyoudig.cadentgas.com/login.aspx>