

PARK WARD NEIGHBOURHOOD PLAN

BASIC CONDITIONS STATEMENT

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APPENDICES

Appendix 1. Strategic Environmental Assessment (SEA)/ Habitats Regulations Assessment (HRA) Opinion Screening Determination

1 Introduction

1.1 This Basic Conditions Statement has been prepared by Park Ward Neighbourhood Forum to accompany its submission to Calderdale Council of the Park Ward Neighbourhood Development Plan. It demonstrates how the Plan meets the statutory requirements set out within the Town and County Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

1.2 The Neighbourhood Plan has been prepared by Park Ward Neighbourhood Forum, a qualifying body, for the Neighbourhood Area covering Park Ward, as designated by Calderdale Council on 1 October 2014. There are no other neighbourhood plans being prepared for this area.

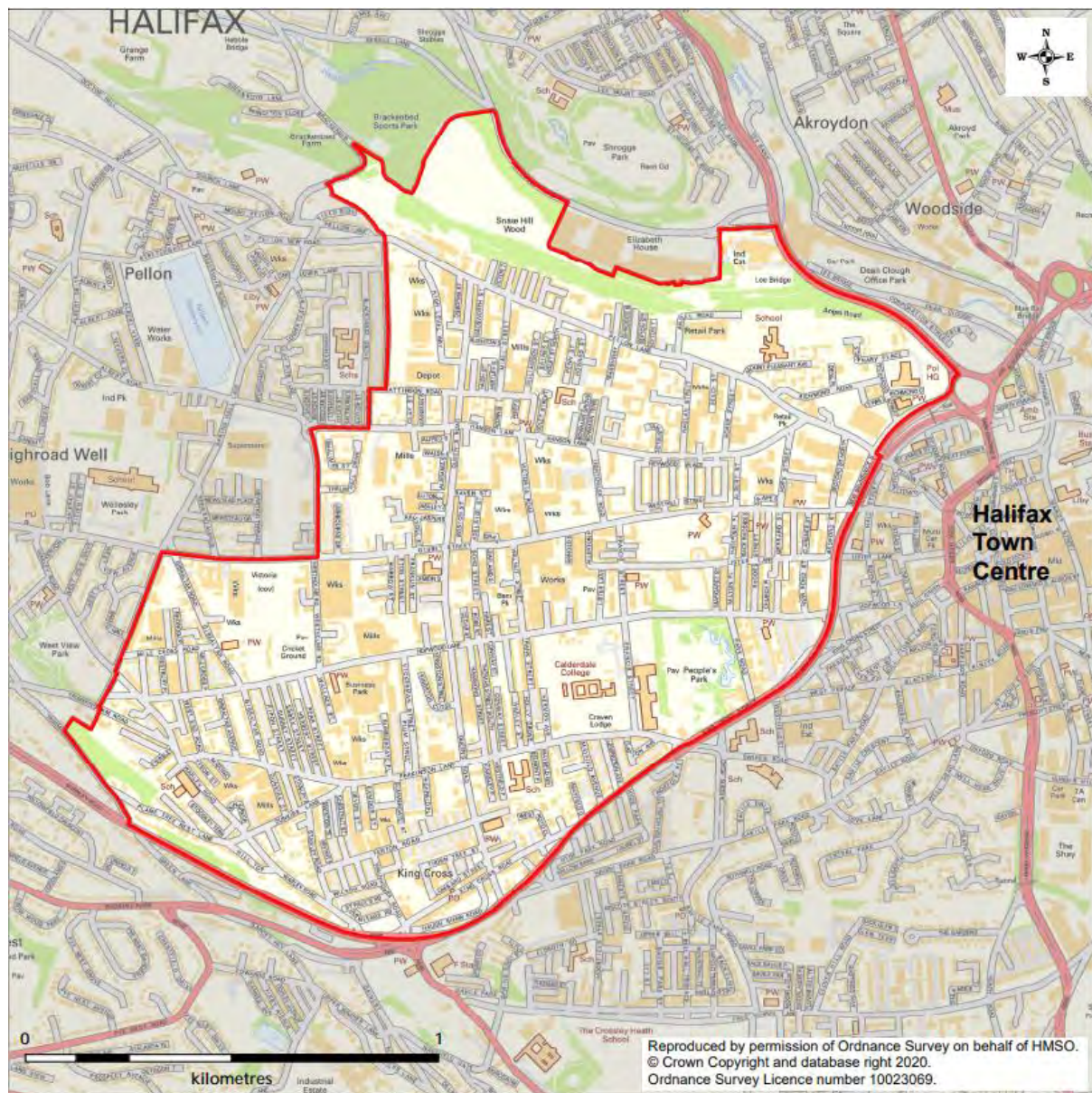


Figure 1: Park Ward: Designated Neighbourhood Plan Area

- 1.3 The policies in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area only. The plan period as stated in the Neighbourhood Plan document is 2021 -2036, and the Plan does not contain policies or provisions relating to excluded development such as mineral extraction or nationally important infrastructure, in accordance with the Regulations.
- 1.4 This Statement addresses each of the 'basic conditions' required by the Regulations and explains how the Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B of the 1990 Town & Country Planning Act, as applied to Neighbourhood Plans by Section 38A of the Planning and Compulsory Purchase Act 2004.
- 1.5 A Neighbourhood Plan can only be made (approved) if it satisfies each of a set of Basic Conditions. The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:
- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Plan
 - (d) The making of the Neighbourhood Plan contributes to the achievement of sustainable development
 - (e) The making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
 - (f) The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations
 - (g) The making of the plan is in accordance with Human Rights obligations
- Basic Conditions (b) and (c) are not included above as these relate to Neighbourhood Development Orders as opposed to Neighbourhood Development Plans.

2 Background

2.1 Park Ward is a vibrant, multi-cultural area on the western fringe of Halifax Town Centre, home to 17,000 people and around 250 businesses of all types. A mix of traditional 19th century terraced housing and more modern developments, interspersed with business operations large and small, and two main shopping areas. Park has many fine heritage buildings and the stunning People's Park, reflecting the area's historical development, and the major educational institution of Calderdale College.

2.2 The neighbourhood planning process, which commenced in October 2014 has developed a coherent vision for the future of the neighbourhood:

“Park Ward will be known as an outgoing community based on strong cultural traditions but welcoming and engaging with everyone. It will be recognised as a vital part of Halifax, offering excellent shopping and leisure facilities, employment and training for residents and visitors alike. It will have an environment to be proud of, both business-friendly and family-friendly”

2.3 To achieve this vision, the neighbourhood plan has developed policies under the following key strategic themes:

- Tackling Dereliction
- New and Improved Housing
- Design of New Development
- Protecting and Improving Open Space
- Revitalising Retail Centres
- Protecting the Area's Heritage
- Getting Around

2.4 Based on extensive and regular consultation and engagement with local residents, businesses and community organisations, a draft Neighbourhood Plan was produced and between March and May 2019 the Regulation 14 (pre-submission) consultation was undertaken. Responses from this consultation have been considered, and appropriate changes have been made to the policies in the Neighbourhood Plan as a result. The Plan was also subject to a Health Check carried out by a qualified person appointed by Calderdale Council. The recommendations in the Health Check have been incorporated in the revised neighbourhood plan. The Consultation Statement which accompanies the neighbourhood plan document sets out in detail the range of consultation activity undertaken.

3. Having Regard to National Planning Policies and Advice *Basic Condition (a)*

3.1 Throughout preparation of the Park Neighbourhood Development Plan (PNDP) regard has been had to the principles and policies set out in the National Planning Policy Framework (NPPF) and other appropriate advice. This applies to the overall approach to producing the Plan (plan-making) and to the individual policies it contains. (Note: there have been a number of revisions to the NPPF over the course of preparation of the neighbourhood plan. References to the NPPF in the final submission neighbourhood plan have been updated where appropriate to relate to the current version of the Framework published in July 2021).

3.2 The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Para 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of **sustainable development**, and goes on to state that there are three overarching and interdependent objectives which the planning system should address in order to achieve sustainable development – an **Economic** Objective, a **Social** Objective and an **Environmental** Objective. These objectives and how the Park Neighbourhood Plan contributes directly to them and to the achievement of sustainable development, are described in detail in Section 4 - Contributing to Sustainable Development.

3.3 Regarding plan-making, NPPF Section 3 sets out 6 principles to guide preparation of plans, which should:

a) be prepared with the objective of contributing to the achievement of sustainable development

PNDP contains policies which contribute positively to one or more of the Economic, Social and Environmental strands of Sustainable Development. Further details are set out in a later section of this Statement

b) be prepared positively, in a way that is aspirational but deliverable

PNDP has been prepared in a positive manner, aiming to address problems and issues of local concern, including by encouraging appropriate new development. It contains a Vision and set of objectives which are aspirational and aims to deliver a positive future for the neighbourhood area

c) be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;

Throughout the plan process there has been consultation and engagement with the local community. This includes the initial Park Ward Summit, focus groups with a variety of community interest groups including women and young people, consultation with local businesses, and joint working with relevant organisations and service providers. Consultation has taken many forms including face-to-face meetings, surveys, presentations at the Forum's AGM and other meetings, and formal consultation on the Regulation 14 draft plan. These activities have informed the PNDP by identifying local issues of concern and opportunities for improvement, and defining the vision for the area

d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals

PNDP contains clearly written policies to guide Local Authority development management when considering planning proposals as well as developers and individuals when drawing up new schemes; several policies include specific criteria to add a local dimension to higher level policies contained in the Local Plan

e) be accessible through the use of digital tools to assist public involvement and policy presentation and

The Park Ward Forum established a web-site at an early stage in the process, which was regularly up-dated throughout the plan process. Reports, survey results, posters, notice and minutes of meetings and other relevant documents were added to the site over time. The Regulation 14 plan and an online comments form were also included on the site. The web-site address was included in all written and online material and communications regarding the plan.

f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant)

PNDP has been prepared in response to a range of issues and opportunities of relevance to local residents and businesses. The plan serves a clear purpose by setting out how the vision for the area can be delivered and local problems addressed, while also capitalising on the opportunities that this relatively disadvantaged area presents to improve quality of life for local residents and a thriving business community. Many policies in the Calderdale Local Plan apply to the neighbourhood area, and are not repeated in the neighbourhood plan. However, the neighbourhood plan includes other policies of specific local relevance and several set out locally specific requirements and criteria to be met by new planning proposals; these aim to assist the development management process and support and shape local development in line with local community needs.

3.4 The NPPF requires neighbourhood plans to take the policies in the Framework into account and states that these policies are material considerations in the determination of planning applications, alongside local documents such as the Calderdale Local Plan (CLP).

- 3.5 The NPPF states that neighbourhood planning groups should develop plans that (i) support the strategic development needs set out in Local Plans, including policies for housing and economic development and (ii) positively support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan.
- 3.6 PNDP contains a minimum density policy for new housing development in the area, which aims to encourage high levels of provision to meet assessed local housing needs and contribute to the overall strategic housing requirement for the Borough as set out in the Local Plan. It also contains a policy to encourage conversion of unused space above retail premises to new uses including housing, which would make an additional, if smaller, contribution. Economic development is supported through policies aimed at encouraging investment in the reuse of named key derelict sites for development, and designation of a new local (retail) centre. In addition, several neighbourhood plan policies aim to raise the quality of design of new development and generally improve the environment of the area, including in the commercial centres, with the intention of encouraging new investment in sites and buildings and increasing footfall, all contributing to further economic development.
- 3.7 Park Ward Neighbourhood Forum considers that this neighbourhood plan supports both these NPPF objectives and in all other respects has regard to national policies and advice contained in guidance issued by the Secretary of State. The following table shows how each of the PNDP policies has had regard to relevant policies in the NPPF. Many policies in the NPPF have no bearing on the NDP; as such they have not been included in the table.

Regard to National Planning Policies and Advice

PNDP Policies	NPPF Conformity (Section numbers in brackets refer to the appropriate section in the NPPF)
<p>PW1 Key Derelict Sites</p> <p>Aims to encourage re-use of prominent and/or long-standing derelict sites to deliver sustainable development, improve amenity and remove negative image of area</p>	<p>Making effective use of land (Section 11; including focus on brownfield sites and remediation of derelict/degraded land). The policy focusses on attracting investment and development interest onto derelict, previously developed land</p> <p>Building a strong competitive economy (Section 6) The policy encourages appropriate development on unused sites, including industrial and commercial uses, leading to increased local employment opportunities. To the extent that new housing development is attracted onto derelict sites, the policy will also contribute to Delivering a Sufficient Supply of Homes (Section 5)</p> <p>Ensuring the Vitality of Town Centres (Section 7) By reducing the amount of derelict and unsightly land, the policy aims to improve the environment and general attractiveness of the area, encouraging increased footfall to support local centres</p> <p>Promoting healthy and safe communities (Section 8) The policy aims to reduce the amount of derelict and degraded land which often attract litter and anti-social activities, impacting on the general health and safety of local residents</p> <p>Achieving well designed places (Section 12) By encouraging development of unsightly derelict sites, the policy aims to improve the appearance and general amenity of the locality</p>
<p>PW2 Minimum Housing Density</p>	<p>Delivering a sufficient supply of homes (Section 5) By setting a minimum required density, the policy aims to encourage high levels of new housing to meet local needs and also contribute a fully as possible to the District-wide requirement</p>

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<p>Sets a minimum density for new housing development to encourage provision to meet local housing needs and contribute to district wide housing requirement</p>	<p>Making effective use of land (Section 11) The minimum density ensures that land will be used as efficiently as possible</p>
<p>PW3 Design of New Housing</p> <p>Sets out criteria to be met by proposed new housing development, to encourage good design and contribute to improving the general amenity of the area</p>	<p>Achieving Well-Designed Places (Section 12) The policy has the direct objective of raising the standards of design in the locality, including locally-specific requirements, to assist the development management process, thereby encouraging general enhancement of the built environment over time</p> <p>Ensuring the Vitality of Town Centres (Section 7) Better design standards and improvements to general amenity will make the area more attractive to visitors, shoppers and potential investors, with associated benefits for local retail and commercial centres</p>
<p>PW4 Design of Dormers and Extensions</p> <p>Supports proposals for dormer and other house extensions subject to meeting specified design requirements, to encourage good design and contribute to improving general amenity of the area</p>	<p>Achieving Well-Designed Places (Section 12) The policy has the direct objective of raising the standards of design in the locality, thereby encouraging general enhancement of the built environment over time</p> <p>Promoting Healthy and Safe Communities (Section 8) Subject to proposals being well-designed, the policy supports house extensions in order to improve household living conditions including reducing overcrowding, and allowing growing households to remain in the area, thereby improving the health of the local community</p> <p>Ensuring the Vitality of Town Centres (Section 7) The policy contributes to the objective of raising design standards in the area, leading to improvements to general amenity which will</p>

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	make the area more attractive to visitors, shoppers and potential investors, with associated benefits for local retail and commercial centres
<p>PW5 Design of New Industrial Development</p> <p>Sets out criteria to be met by proposed new industrial development, to encourage good design and contribute to improving general amenity of the area</p>	<p>Achieving Well-Designed Places (Section 12) The policy has the direct objective of raising the standards of design in the locality, and includes locally-specific criteria to assist the development management process, thereby encouraging general enhancement of the built environment over time</p> <p>Building a Strong Competitive Economy (Section 6) Along with improved overall design, the policy encourages measures which will contribute to operational improvements for new developments</p> <p>Ensuring the Vitality of Town Centres (Section 7) Improved design of new industrial development across the area, including proposals in and around local retail centres, will lead to improvements to general amenity and make the area more attractive to visitors, shoppers and potential investors, with associated benefits for local retail and commercial centres</p>
<p>PW6 Designation of Local Green Space</p> <p>Designates areas as Local Green Space to protect their special qualities and value to the community</p>	<p>Conserving and Enhancing the Natural Environment (Section 15) The policy identifies and designates 6 areas of value to the local community, covering small green spaces, trees and a large area of woodland, affording protection from loss and inappropriate development.</p> <p>Promoting Healthy and Safe Communities (Section 8) The designated areas, located throughout and adjoining the dense built-up urban environment, provide accessible</p>

	opportunities for casual recreation and protection of valuable greenery, contributing to the health and well-being of residents
<p>PW7 Enhancement of Queens Road Neighbourhood Centre</p> <p>Aims to encourage improvements to an important community building to enhance and extend facilities for local residents and preserve or enhance the character of the listed building</p>	<p>Promoting Healthy and Safe Communities (Section 8) The policy supports open space improvements at a site in the heart of the neighbourhood area, to provide opportunities for casual recreation and leisure accessible by all sections of the community</p> <p>Conserving and Enhancing the Historic Environment (Section 16) The policy requires enhancements to the area to preserve and enhance the character of the adjoining Listed Building; increased use of the external area (and associated community services in the Listed Building) will assist in ensuring the future of the historic building</p>
<p>PW8 Designation of New Local Centre</p> <p>Identifies a small, locally-important retail/service centre and designates it as a Local Centre as defined in the District's retail hierarchy</p>	<p>Building a Strong and Competitive Economy (Section 6) The designation of a new small retail centre aims to recognise its importance to the locality and contribute to the overall strength of the local economy</p> <p>Ensuring the Vitality of Town Centres (Section 7) The new centre will have a place in the District's retail hierarchy, bringing it within the focus of policies and other initiatives aimed at improving vitality and viability</p>
<p>PW9 Supporting Development in Retail Centres</p> <p>Aims to encourage development which will support and enhance the vitality and viability of defined retail centres in the</p>	<p>Ensuring the Vitality of Town Centres (Section 7) The policy supports appropriate new development in the area's retail centres, with some locally-specific criteria aimed at improving the design and appearance of developments, thereby making the centres more attractive and increasing footfall</p>

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neighbourhood area, with locally-specific criteria	Building a Strong and Competitive Economy (Section 6) Support for appropriate proposals aims to encourage the development and growth of the local retail centres and contribute to building and strengthening the local economy
PW10 Residential Use Above Retail and Commercial Premises Aims to encourage residential use of redundant space to assist the viability of retail/commercial premises, increase the attractiveness of retail centres and contribute additional housing provision	Ensuring the Vitality of Town Centres (Section 7) and Building a Strong and Competitive Economy (Section 6) Conversion of unused, often unattractive and neglected space above retail premises can result in general improvements to the built environment and assist the viability of the retail operation by providing an additional source of income. Delivering a Sufficient Supply of Homes (Section 5) and Making Effective Use of Land (Section 11) Support for the provision of additional housing accommodation above retail premises will make a further, albeit relatively small, contribution to meeting local housing needs, and by reusing currently unused space, is an efficient means of provision
PW11 Protecting Local Heritage Assets Identifies non-designated heritage assets of local value and aims to ensure their character and significance is taken into account by development proposals	Conserving and Enhancing the Historic Environment (Section 16) The policy has the direct intention of conserving the historic environment of the neighbourhood area by identifying a number of buildings and features of local heritage value which are currently unprotected, and requiring their significance to be recognised
PW12 Improving the Environment of Key Pedestrian Routes	Achieving Well-Designed Places (Section 12) Policy PW12 includes design requirements aimed at improving the general environment and amenity of the key routes used frequently

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<p>Aims to improve the attractiveness of important walking routes between the neighbourhood area and the town centre by setting out locally-specific criteria for development proposals on and around the routes</p>	<p>by residents walking between the neighbourhood area and Halifax town centre, thereby contributing to the achievement of well-designed places</p> <p>Promoting Healthy and Safe Communities (Section 8) and Promoting Sustainable Transport (Section 9) The policy objective of making the key pedestrian routes more attractive will encourage walking as a means of travel, thereby contributing to residents health and well-being as well as reducing reliance on vehicle transport</p>
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4. Contributing to Sustainable Development

Basic Condition (d)

4.1 The NPPF states in paragraphs 7-14 that a presumption in favour of sustainable development is at the heart of the NPPF; at a very high level, sustainable development is development which meets the needs of the present without compromising the ability of future generations to meet their own needs. As set out in the NPPF, there are three overarching objectives which plans and planning policies must address in order to achieve sustainable development:

a) an **economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure

b) a **social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being

c) an **environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy

4.2 A full Sustainability Appraisal of the PNDP has not been undertaken, as this is not a requirement for a Neighbourhood Plan. However, throughout preparation of the Plan, full account has been taken of the need to contribute to the achievement of sustainable development. In addition, each of the policies in the PNDP has been assessed against the three objectives of sustainable development, and a score allocated according to its contribution. The scoring system used is as follows:

Score	Contribution to each strand of Sustainable Development
0	Neutral contribution
1	Positive contribution
2	Very Positive contribution

Across the three sustainable development objectives, the maximum score for any policy is therefore 6.

4.3 The following table summarises the contribution each of the PNDP policies makes to the objectives of sustainable development and shows the assessed score.

4.4 It can be seen from the Sustainability table that all the policies in the Neighbourhood Plan are considered to make a **positive** or **very positive** contribution to the achievement of Sustainable Development.

SUSTAINABILITY TABLE

PW 1 Key Derelict Sites	Sustainability Score
Economic By encouraging investment and development interest onto derelict sites, the policy contributes directly to strengthening the local economy through new industrial, housing, retail, commercial or other development, providing employment opportunities and supporting local retail/service centres.	2
Social The policy aims to reduce the amount of derelict and degraded land in the area, thereby contributing to the achievement of well-designed places, and removing opportunities for anti-social activities including littering which often affects such sites.	1
Environmental The policy will result in a significant environmental improvement to the area and enhance the built environment by reducing the amount of long-standing and often prominent derelict sites, which present a negative image of the area and affect general amenity for residents, business and visitors. It also encourages the efficient use of land by focussing development interest on previously developed land.	2
TOTAL SUSTAINABILITY SCORE	5

PW2 Minimum Housing Density	
Economic The policy does not make a direct contribution to the Economic strand of sustainable development.	0

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<p>Social</p> <p>Policy PW2 sets a relatively high minimum density for new housing developments in the area, with the intention of encouraging delivery of sufficient new homes to meet identified local housing needs and to contribute to the District-wide requirement.</p>	2
<p>Environmental</p> <p>The minimum density requirement will ensure the effective use of land and therefore contributes to the Environmental objective of sustainable development.</p>	1
TOTAL SUSTAINABILITY SCORE	3

PW3 Design of New Housing	
Economic	
The policy does not contribute directly to the Economic strand of sustainable development	0
Social	
By encouraging higher standards of design in new housing developments, including locally-specific criteria, Policy PW3 makes a direct contribution to the Social objective of fostering well-designed, beautiful places	2
Environmental	
The policy aims to bring about enhancements to the built environment through higher standards of design, and therefore makes a direct contribution to the Environmental objective.	2

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TOTAL SUSTAINABILITY SCORE	4
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<p>PW4 Design of Dormers and Extensions</p> <p>Economic</p> <p>The policy does not make a direct contribution to the Economic strand of sustainable development.</p> <p>Social</p> <p>Policy PW4 aims to encourage high standards of design of dormer and other extensions to residential properties in the area, and includes specific local design criteria, thereby directly contributing to the Social objective of fostering well-designed, beautiful spaces. A further benefit is that the policy it contributes to meeting local housing, health and well-being needs by encouraging additional well designed living space, enabling growing households to remain in their current home rather than moving, thereby maintaining links to local employment, services and social networks.</p> <p>Environmental</p> <p>The policy has the direct Environmental benefit of aiming to enhance the built environment of the neighbourhood area</p>	<p>0</p> <p>2</p> <p>2</p>
TOTAL SUSTAINABILITY SCORE	4

<p>PW5 Design of New Industrial Development</p> <p>Economic</p> <p>The policy does not make a direct contribution to the Economic strand of sustainable development. Indirectly, better-designed industrial developments should be more operationally efficient, thereby assisting economic growth</p>	<p>0</p>
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Social Policy PW5 encourages high standards of design of new industrial development in the area, including locally-specific design criteria, thereby directly contributing to the Social objective of fostering well-designed, beautiful spaces	2
Environmental The policy has the direct Environmental benefit of aiming to enhance the built environment of the neighbourhood area	2
TOTAL SUSTAINABILITY SCORE	4

PW6 Designation of Local Green Space Economic The policy does not make a direct contribution to the Economic strand of sustainable development.	0
Social By designating 6 new Local Green Spaces across the neighbourhood area, accessible to all groups in the community, this policy directly satisfies the Social strand of sustainable development relating to the fostering of places with accessible open spaces that support communities' health, social and cultural well-being	2
Environmental The policy contributes directly to the Environmental strand by protecting and enhancing the natural environment	2
TOTAL SUSTAINABILITY SCORE	4

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PW7 Enhancement of Queens Road Neighbourhood Centre	
Economic The policy does not make a direct contribution to the Economic strand of sustainable development.	0
Social Policy PW7 aims to encourage development proposals which will enhance and expand the use of the Centre building and surrounding open space by all sections of the local community; it therefore contributes to the Social strand by promoting well- designed places with accessible services and open spaces supporting the community’s health, social and cultural well-being	2
Environmental The policy supports proposals subject to them protecting and enhancing the character of the listed building, thereby contributing to the Environmental objective relating to the historic built environment. By encouraging the development of facilities and increased use of these by the community, the policy will assist in ensuring the future of the Centre and long-term protection of an important listed building.	1
TOTAL SUSTAINABILITY SCORE	3

PW8 Designation of New Local Centre	
Economic The inclusion of the proposed new local centre within the District’s retail hierarchy will provide protection and support from Local Plan and neighbourhood plan policies, thereby contributing to building a stronger local economy in the neighbourhood area	2

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Social The policy aims to protect an area of locally-accessible retail services, which can help with reinforcing a sense of community, alongside the more obvious economic benefits.	1
Environmental The policy does not make a direct contribution to the Economic strand of sustainable development	0
TOTAL SUSTAINABILITY SCORE	3

PW9 Supporting Development in Retail Centres Economic The policy aims to support appropriate new retail and commercial development within the neighbourhood area's designated retail centres, including the new local centre designated under Policy PW8, thereby assisting in supporting and strengthening the local economy	2
Social The policy includes locally specific design criteria for new retail developments and therefore directly supports the Social strand aimed at fostering well-designed, beautiful places	1
Environmental The design criteria of the policy aim to encourage higher standards of design in new retail developments, thereby enhancing the built environment	1
TOTAL SUSTAINABILITY SCORE	4

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PW10 Residential Use above Retail and Commercial Premises	
<p>Economic</p> <p>The policy does not make a direct contribution to the Economic strand of sustainable development, although indirectly the policy should assist the viability of retail operations with redundant space, thereby contributing in a small way to a stronger local economy</p>	1
<p>Social</p> <p>Policy PW10 encourages the provision of housing accommodation over existing retail premises, thereby contributing, albeit in a limited way, to meeting housing needs. By encouraging the re-use of redundant and often visually unattractive upper storey space in buildings, the policy will also assist in improving the general environment</p>	2
<p>Environmental</p> <p>The policy will have the effect of enhancing the built environment by encouraging the improvement of redundant/vacant upper floor space and re-using it for residential accommodation, thereby removing the often negative visual impact of the building</p>	1
TOTAL SUSTAINABILITY SCORE	4

PW11 Protecting Local Heritage Assets	
<p>Economic</p> <p>The policy does not make a direct contribution to the Economic strand of sustainable development</p>	0

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<p>Social</p> <p>By protecting buildings and features of local historical, architectural and social interest, this policy assists in the aim of achieving beautiful places, complementing other policies in the plan aimed at improving the design of new development</p>	1
<p>Environmental</p> <p>This policy directly meets the Environmental objective of sustainable development by protecting the historic environment of the neighbourhood area</p>	2
TOTAL SUSTAINABILITY SCORE	3

PW12 Improving the Environment of Key Pedestrian Routes	
Economic	
<p>The policy does not make a direct contribution to the Economic strand of sustainable development.</p>	<p>0</p>
Social	
<p>This policy encourages better design of buildings and spaces along key pedestrian routes between the neighbourhood area and Halifax town centre, where major retail, service, leisure, transport and educational facilities are located, fostering well-designed and safe places. More attractive routes, recognising the importance of pedestrian safety, will encourage walking, thereby improving levels of physical activity and the general health of residents of the neighbourhood area. Improved links will also encourage visitors and promote awareness of the area’s cultural diversity, heritage and other attractions.</p>	<p>2</p>

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Environmental The policy has the twin aims of encouraging sustainable travel/movement between the area and the town centre, thus contributing directly to reducing reliance on vehicle transport and associated emissions, and enhancing the built environment of the area through better design of buildings and spaces along the key pedestrian routes.	2
TOTAL SUSTAINABILITY SCORE	4

5 Conformity with the Local Development Plan *Basic Condition (e)*

- 5.1 The Replacement Calderdale Unitary Development Plan (RCUDP) is the current approved local strategic policy document, adopted in 2006 and amended in 2009. The Neighbourhood Plan is therefore required to conform to the strategic policies in this development plan document. However, this plan is out of date and soon to be superseded by the Calderdale Local Plan (CLP). The CLP is continuing to go through the Examination in Public stage and will be the relevant local policy document throughout the period of the Neighbourhood Plan. The CLP is a contemporary piece of work conforming with both the NPPF and EU regulations, unlike the RCUDP. As such, with the CLP about to be ratified and given its link with other current strategic national policies, the forum has worked with the Local Planning Authority to ensure that the Neighbourhood Plan is also in conformity with the CLP.
- 5.2 The CLP was under draft form during the process of formulating the Park Ward Neighbourhood Development Plan. As changes and alterations were made to the CLP the Neighbourhood Plan policies were adjusted to remain consistent with the plan.
- 5.3 The following table demonstrates how the Neighbourhood Plan is in general conformity with the strategic policies in the approved development plan for the area, as required by the neighbourhood planning regulations. As explained above, as the approved development plan is considerably out of date and will soon be replaced by the Calderdale Local Plan (CLP), the table also shows general conformity of the Neighbourhood Plan with the policies of the CLP.

Conformity with Local Development Plan

Park Neighbourhood Plan Policy	RCUDP and CLP Policy Reference	Explanation of General Conformity
<p>Policy PW 1 Key Derelict Sites</p> <p>Development proposals on the key derelict sites listed below and shown on the Policies Map will be encouraged and supported where they:</p> <ul style="list-style-type: none"> a) would contribute to overcoming the negative image of long-term dereliction in the area; b) would deliver sustainable development; c) would contribute to enhancement of the local urban environment; d) in the case of sites fronting main transport routes or in other prominent locations, are particularly well-designed and present an active and attractive frontage; e) would not have a significant adverse effect on the amenity or operation of neighbouring uses; and f) comply with all other relevant policies in the Neighbourhood Plan and Calderdale Local Plan <ul style="list-style-type: none"> - PW1.1 Queens Road/Parkinson Lane – former garage site - PW1.2 Parkinson Lane/Warley Road junction – cleared site - PW1.3 Boston Street/Gibbet Street junction – derelict building 	<p>RCUDP</p> <p>GP1 Encouraging Sustainable Development</p> <p>GP2 Location of Development</p> <p>GE4 Restoration and Reclamation of Derelict Land and Buildings</p> <p>CLP</p> <p>SD1 Presumption in favour of Sustainable Development</p> <p>SD2 Sustainable Development</p>	<p>GP1 encourages sustainable development through improved employment opportunities, mixed use developments, improving the environment and efficient use of resources, including land. GP2 prioritises the use of brownfield land for new development. GE4 specifically supports proposals for reclamation and restoration of derelict and degraded land and buildings.</p> <p>CLP policies reinforce the presumption in favour of sustainable development; policy BT1 requires that high quality inclusive design is integrated into all new developments, and sets broad requirements</p> <p>Neighbourhood Plan Policy PW1 aligns directly with both sets of higher-level policies and takes this further by identifying specific derelict sites and buildings in the area to encourage development interest and proposals for a range of appropriate uses which could include employment, housing and other uses on these sites, subject to meeting specified criteria.</p>

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<ul style="list-style-type: none"> - PW1.4 Williamson Street – vacant industrial building - PW1.5 164 King Cross Road – derelict house - PW1.6 Leafland Street – derelict building - PW1.7 Rear of Ryburn Terrace – vacant industrial buildings - PW1.8 Pellon Lane above Queens Road junction 	BT1 High quality inclusive design	
<p>Policy PW2 Minimum Housing Density</p> <p>Proposals for new housing development, including proposals on mixed-use sites, should achieve a minimum net density of 45 dwellings per hectare. Lower densities may be appropriate in line with part 2 of policy HS2 of the draft Calderdale Local Plan</p>	<p><u>RCUDP</u></p> <p>GH2 Provision of Additional Dwellings</p> <p><u>CLP</u></p> <p>SD3 Housing requirement</p> <p>HS2 Housing Density</p> <p>SD2 Sustainable Development</p>	<p>GH2 covers the overall housing requirement for the Borough, and within this, policy H10 sets out a minimum net density requirement for new housing of 30 dwellings per hectare.</p> <p>CLP policy SD3 sets out the overall housing requirement for the District and HS2 sets a minimum net density of 30 dwellings per hectare, with an ambition to seek higher densities in certain locations.</p> <p>Policy PW2 proposes a higher minimum net density of 45 dwellings per hectare for schemes in the neighbourhood area. This is intended to maximise housing delivery to meet local neighbourhood area housing needs and contribute to the District-wide requirement, and also ensure efficient use of land in line with SD2 Sustainable Development policy SD2</p>
Policy PW 3 Design of New Housing	<u>RCUDP</u>	<p>GBE1 requires all development to achieve high standards of design that will make a positive contribution to the quality of the local environment. Good design is a key component in achieving</p>

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<p>All proposals for new housing, including housing in mixed-use developments, should meet the following requirements:</p> <ul style="list-style-type: none"> a) be well-designed and make a positive contribution to the amenity and appearance of the surrounding area; b) comprise scheme design and materials sympathetic to the predominant style of existing residential development in the locality, or alternatively demonstrate outstanding or innovative design and use of materials; c) pay particular attention to hard and soft landscaping and boundary treatment to enhance general amenity; d) provide sufficient vehicle parking to Local Authority standards within the development site wherever possible; new homes provided through conversion of existing mills and similar large buildings should incorporate basement parking wherever feasible; e) include private garden areas and/or private communal spaces wherever possible; f) where located in the People's Park Conservation Area, preserve or enhance the special character of the area; and g) incorporate sustainable construction and energy efficiency measures. 	<p>GP1 Encouraging Sustainable Development</p> <p>GBE1 Design of the Built Environment</p> <p><u>CLP</u></p> <p>BT1 High quality, inclusive design</p>	<p>sustainable development, which is an underlying principle of the RCUDP as set out in GP1.</p> <p>BT1 requires that high quality inclusive design is integrated into all new developments, and sets broad requirements</p> <p>Policy PW3 conforms directly to these policies by requiring all new housing developments in the neighbourhood area to be well designed, and sets out locally-specific design criteria to assist the development management process when assessing new proposals</p>
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<p>Policy PW 4 Design of Dormers and Extensions</p> <p>Development proposals for dormer or other house extensions will be supported where they:</p> <ul style="list-style-type: none"> a) are well-designed and respect the scale and design of the original property; b) use materials sympathetic to the original property, and where appropriate, any adjoining property; c) if located in the People’s Park Conservation Area, preserve or enhance the special character of the area; d) provide accommodation which meets current appropriate living space standards; e) do not adversely affect the amenity of adjoining properties; f) where appropriate, retain an adequate amount of external private garden/yard space; and g) in all other respects, comply with Calderdale Local Plan policies relating to high quality design and to privacy, daylighting and amenity space. 	<p><u>RCUDP</u></p> <p>GBE1 Design of the Built Environment</p> <p>Policy H4 Improvement of Existing Dwellings</p> <p><u>CLP</u></p> <p>BT1 High quality, inclusive design</p>	<p>GBE1 requires all development to achieve high standards of design that will make a positive contribution to the quality of the local environment. Enhancement of the environment is a key component in achieving sustainable development as set out in RCUDP policy GP1.</p> <p>Policy H4 supports the improvement of existing dwellings in order to reduce the need for new development and use of land.</p> <p>BT1 requires that high quality inclusive design is integrated into all new developments, and sets broad requirements</p> <p>Policy PW4 accords with these policies by requiring dormer and other extensions to existing dwellings to be well-designed and sets out locally specific criteria to encourage appropriate proposals and assist the development management process</p>
<p>Policy PW 5 Design of New Industrial Development</p> <p>Proposals for new industrial and manufacturing operations, including vehicle repair/servicing, should meet the following requirements:</p> <ul style="list-style-type: none"> a) be of good quality design and enhance the appearance of the locality; 	<p><u>RCUDP</u></p> <p>GBE1 Design of the Built Environment</p> <p><u>CLP</u></p> <p>BT1 High quality, inclusive design</p>	<p>GBE1 requires all development to achieve high standards of design that will make a positive contribution to the quality of the local environment. Enhancement of the environment is a key component in achieving sustainable development as set out in RCUDP policy GP1.</p> <p>BT1 requires that high quality inclusive design is integrated into all new developments, and sets broad requirements</p>

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<p>b) minimise any adverse environmental effects on the amenity of adjoining uses;</p> <p>c) include adequate provision for operational and visitor vehicle parking within the curtilage of the business, or if clearly demonstrated that this is not feasible, include sufficient off-site provision;</p> <p>d) where proposals involve provision for the parking of vehicles under repair, or unroadworthy vehicles, this should be made internally or suitably screened within the curtilage of the business; and</p> <p>e) include provision for waste storage within the curtilage of the business</p>		<p>Policy PW5 conforms directly to these policies and additionally sets out locally specific requirements to ensure that proposals are well designed, enhance local amenity and minimise adverse effects and potential conflicts with neighbouring uses, particularly housing.</p>
<p>Policy PW 6 Designation of Local Green Space</p> <p>The sites listed below and identified on the Policies Map are designated as Local Green Space. These sites will be protected in accordance with the provisions of the National Planning Policy Framework and development will not be permitted other than in very special circumstances.</p> <p>PW6.1 Shroggs Valley</p> <p>PW6.2 St Augustine's Centre Garden</p> <p>PW6.3 New Bond Street Community Garden</p> <p>PW6.4 Warley Road Green Triangle</p> <p>PW6.5 Conway Street</p> <p>PW6.6 Vickerman Street Green Space</p>	<p><u>RCUDP</u></p> <p>OS2 Provision of Open Space</p> <p><u>CLP</u></p> <p>GN6 Protection and provision of open space, sport and recreation facilities</p> <p>GN8 Protection of local green spaces</p> <p>HW3 Well Being</p>	<p>Open Space Policy OS2 supports the provision of open space in areas of deficiency and states that improvements in open space provision should be undertaken.</p> <p>CLP policy GN6 restates that improvements in open space provision in areas of deficiency should be undertaken. GN8 provides protection for identified local green spaces, where detrimental development will only be permitted in very special circumstances. HW3 promotes opportunities for safe and healthy lifestyles and recreation, including access to open spaces</p> <p>Neighbourhood Plan Policy PW6 addresses these priorities by identifying 6 open green sites across the densely developed urban neighbourhood area which make a significant contribution to the environment and amenity of the locality, the health and well-being of local residents, and are highly valued</p>

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		and used by the local community. These areas are not currently protected from development or loss. The policy designates these areas as Local Green Space, providing significant protection to the sites from potential development in line with the provisions of the NPPF.
<p>Policy PW7 Enhancement of Queens Road Neighbourhood Centre</p> <p>Proposals for the enhancement of the Queens Road Neighbourhood Centre and Community Garden will be supported where:</p> <ul style="list-style-type: none"> a) the open space is protected and improved to provide facilities for informal recreation/leisure use by the community; b) facilities for the delivery of community services are enhanced; c) measures to improve accessibility to the site for all users are included; and d) the proposals are designed to preserve or enhance the character and setting of the Listed Building 	<p><u>RCUDP</u></p> <p>GCF3 Strategic Framework for Community Facilities</p> <p>GNE2 Protection of the Environment</p> <p>OS2 Provision of Open Space</p> <p><u>CLP</u></p> <p>GN6 Protection and provision of open space, sport and recreation facilities</p> <p>HE1 Historic environment</p> <p>HW3 Well being</p>	<p>GCF3 supports the provision and improvement of social, community, sports, arts health and other facilities. GNE2 aims to protect and enhance the historic and cultural environment to improve quality of life for all.</p> <p>Open Space Policy OS2 supports the provision of open space in areas of deficiency and states that improvements in open space provision should be undertaken.</p> <p>The CLP policies identified aim to protect/improve areas of open space, protect historic buildings and community facilities, and support healthy and fulfilling lifestyles</p> <p>Policy PW7 has several aims – to improve the external space around the building to provide enhance open/informal recreation space accessible to all sections of the community, encourage improvements to the centre’s facilities and community services, and thereby support the listed building’s viability and long-term future. As such, it conforms with and adds to the policies set out in the two higher level planning frameworks.</p>

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	HW4 Safeguarding community services and facilities	
<p>Policy PW 8 Designation of New Local Centre</p> <p>The area defined by the boundary shown on the Policies Map and identified as Queens Road South, containing local retail and service uses, is designated as a Local Centre, as defined in the Retail Hierarchy of the Calderdale Local Plan</p>	<p><u>RCUDP</u></p> <p>GS1 Retail Strategy, including retail hierarchy</p> <p><u>CLP</u></p> <p>RT1 Retail Hierarchy and Town Centre Uses</p>	<p>This policy aims to maintain the vitality and viability of defined retail centres within the retail hierarchy to ensure they remain attractive to shoppers and visitors.</p> <p>The CLP policy develops and updates the retail hierarchy for the Borough and has similar aims in relation to protecting the centres and enhancing their vitality, viability and attractiveness.</p> <p>Neighbourhood Plan Policy PW8 proposes the addition of a new small retail centre into the retail hierarchy, bringing it within the remit of proposed Local Plan policies aimed at supporting designated shopping areas and facilities. Policy PW8 will have the additional effect of protecting a small locally-accessible retail centre with benefits in terms of reinforcing a sense of community</p>
<p>Policy PW 9 Supporting Development in Retail Centres</p> <p>Development proposals for new retail or commercial uses, or alterations to existing retail or commercial premises, in the defined District Centres of King Cross (within the designated neighbourhood area) and Queens Road; and the Queens Road South Local Centre, by new</p>	<p><u>RCUDP</u></p> <p>GS1 Retail Strategy, including retail hierarchy</p>	<p>GS1 aims to maintain the vitality and viability of defined retail centres within the retail hierarchy to ensure they remain attractive to shoppers and visitors. GBE1 requires high standards of design in new development proposals.</p>

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<p>building, conversion or change of use, will be supported where:</p> <ul style="list-style-type: none"> a) their design makes a positive contribution to the appearance of the area; b) any existing features such as traditional shopfronts are retained or enhanced wherever possible; c) any proposed security shutters do not detract from the visual appearance of the premises and surrounding area, with a presumption in favour of internal security grilles or external colour-coated perforated shutters; d) proposed signage complements the shopfront design and avoids clutter; and e) the proposal is appropriate to the role and function of the centre as set out in Local Plan Policy RT1 and complies with other relevant Local Plan policy requirements for retail centres. 	<p>GBE1 Design of the Built Environment</p> <p><u>CLP</u></p> <p>RT1 Retail Hierarchy and Town Centre Uses</p> <p>BT1 High quality inclusive design</p>	<p>CLP policy RT1 develops and updates the retail hierarchy for the Borough and has similar aims in relation to protecting the centres and enhancing their vitality, viability and attractiveness.</p> <p>BT1 requires all developments in the Borough to meet high design standards</p> <p>Policy PW9 aligns with existing strategic policies aimed at enhancing the vitality, viability and attractiveness of designated retail centres, and adds locally-specific design criteria to be met by proposals in the neighbourhood area and to assist the development management process.</p>
<p>Policy PW 10 Residential Use above Retail and Commercial Premises</p> <p>Development proposals for residential use above ground floor retail and commercial premises in the defined District Centres and the Queens Road South Local Centre, will be supported in order to enhance the viability of the business and the vitality and amenity of the centre, subject to the proposals providing adequate standards of</p>	<p><u>RCUDP</u></p> <p>GH2 Provision of Additional Dwellings</p> <p>Policy H4 Improvement of Existing Dwellings</p>	<p>GH2 covers the overall housing requirement for the Borough while H4 supports the improvement of existing dwellings to reduce the need for new development and use of land. H12 specifically encourages and supports proposals for creating dwellings above shops and business premises. Such proposals contribute to the policy objective of enhancing the vitality and viability of retail centres a set out in GS1.</p>

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<p>residential amenity and access and not adversely affecting the operational requirements of the business.</p>	<p>Policy H12 Living Over Shops/Business Premises</p> <p>GS1 Retail Strategy, including retail hierarchy</p> <p><u>CLP</u></p> <p>RT1 retail Hierarchy and Town Centre Uses</p> <p>SD3 Housing Requirement</p> <p>BT1 High quality inclusive design</p>	<p>CLP policies aim to support and enhance the vitality and viability of retail centres and require high standards of design of development proposals.</p> <p>Policy PW10 specifically supports the provision of living accommodation above retail/commercial premises subject to a number of criteria aimed at ensuring good design and safeguarding local amenity as well as business operational requirements. It therefore conforms to RCUDP and CLP policies and add a local dimension to the design requirements. In addition, it also contributes, in a modest way, to increasing the supply of new dwellings, contributing to SD3 Housing Requirement</p>
<p>Policy PW 11 Protecting Local Heritage Assets</p> <p>The local heritage value of the buildings, sites and features listed below should be recognised and development proposals requiring consent should demonstrate an awareness of their historic significance and be sensitively designed. Proposals will be assessed in accordance with the relevant provisions of the NPPF requiring the effect of the proposal on the significance of the asset to be taken into account.</p>	<p><u>RCUDP</u></p> <p>GNE2 Protection of the Environment, including historic environment</p> <p><u>CLP</u></p> <p>HE1 Historic environment</p>	<p>GNE2 states that development should protect, conserve and enhance the character, quality and diversity of the natural, historic and cultural environment to improve quality of life for all and maintain the heritage of the District.</p> <p>HE1 aims to protect the historic environment by requiring development affecting heritage assets (designated or non-designated) to include an understanding of the significance of the asset.</p>

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<p>PW11.1 Perseverance Works pediment, Gibbet Street</p> <p>PW11.2 Queen's Road Mill</p> <p>PW11.3 Mackintosh Chocolate Works frontage, Queen's Road</p> <p>PW11.4 Former Summergate Farm, Parkinson Lane</p> <p>PW11.5 Former Gibraltar Farm, Gibraltar Rd/Parkinson Lane</p> <p>PW11.6 Hill Top houses</p>		<p>PW11 aligns with these strategic policies add adds a local dimension by identifying a number of locally important but non-designated heritage assets which add significantly to the historic and cultural interest of the neighbourhood area. The policy provides important protection for these heritage assets by requiring their historic significance to be taken into account by nearby development proposals</p>
<p>Policy PW 12 Improving the Environment of Key Pedestrian Routes</p> <p>Development on sites adjoining the key access routes to the Town Centre identified on the Policies Map should be designed to enhance the environment of the route, particularly for pedestrians, by ensuring that:</p> <ul style="list-style-type: none"> a) their design contributes positively to the amenity of these areas, particularly the pedestrian environment; b) they retain or enhance the desire line or normal pedestrian route; c) they retain or provide an attractive and active frontage to the route; d) any parking provision is located to the rear of the site, or alternatively is suitably screened; 	<p><u>RCUDP</u></p> <p>GP1 Encouraging Sustainable Development</p> <p>GBE1 Design of the Built Environment</p> <p><u>CLP</u></p> <p>SD2 Sustainable Development</p> <p>HW3 Well Being</p>	<p>GP1 is an over-arching policy promoting sustainable development; GBE1 requires all development to achieve high standards of design that make a positive contribution to the quality of the local environment, and also states that developments should create roads, footpaths and public spaces that are attractive and safe, with emphasis on sustainable forms of transport, including walking</p> <p>CLP policies reinforce the emphasis on achieving sustainable development and encouraging good design. HW3 aims to create opportunities for safe, healthy and active lifestyles through a range of actions. CC1 aims to mitigate the impacts of climate change including promotion of walking, while IM4 promotes sustainable travel modes.</p>

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<p>e) any provision for external storage, including waste storage, is located to the rear of the site, or alternatively is suitably screened;</p> <p>f) they incorporate attractive boundary treatment fronting the route, including structural low-maintenance planting where possible;</p> <p>g) they incorporate opportunities for public access through the development site where appropriate and feasible; and</p> <p>h) they comply with all other relevant design requirements set out in Policies PW4, PW5 and PW6 as appropriate</p>	<p>BT1 High quality inclusive design</p> <p>CC1 Climate Change</p> <p>IM4 Sustainable Travel</p>	<p>Policy PW12 conforms directly to all these policies by requiring development proposals to recognise the importance of, and safeguard and enhance, key pedestrian routes through good inclusive design to make them more attractive and safe, thereby contributing to active healthy lifestyles, reducing reliance on vehicle transport, and improving the general environment</p>
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Compatibility with EU and Human Rights Obligations

- 5.4 The Neighbourhood Plan is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.
- 5.5 The Consultation Statement which accompanies the submitted Neighbourhood Plan gives an overview of the various consultation and engagement methods used to reach to all parts of our very diverse community, including local businesses. Examples include door knocking, surveys (targeting business and residents), focussed discussions in schools, youth groups and women's groups, and participation at community events. All activity was undertaken by staff and community members able to speak the various community languages.
- 5.6 The policies contained in the Neighbourhood Plan aim to improve the environment, economy and facilities of the area to the benefit of all sections of the community. None of the policies discriminates against or disadvantages any particular group in the area's diverse community.
- 5.7 Calderdale Council conducted a screening assessment of the Neighbourhood Plan's policies to determine whether a Strategic Environmental Assessment (SEA) or Habitat Regulation Assessment (HRA) would be required. The Park Ward Neighbourhood Development Plan conforms with the CLP and the screening reports show that there would be no significant effects resulting from the implementation of the policies in the Neighbourhood Plan. The results from the screening reports are inserted at Appendix 1 and 2.
- 5.8 In relation to European legislation on the protection of Heritage, the Neighbourhood Plan does not identify any land allocations for development, and therefore contains no actual proposals which could affect the character or setting of any designated heritage assets. The Plan does identify a number of important non-designated heritage assets and sets out policy requiring their significance to be taken into account by any future developments which may be proposed for sites in the vicinity of such assets.

6 Conclusion.

- 6.1 The Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Park Ward Neighbourhood Development Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Park Ward Neighbourhood Development Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.

APPENDICES

Appendix 1: **Strategic Environmental Assessment (SEA)/Habitats
Regulations Assessment (HRA) Opinion Screening
Determination**

Appendix 1



Our Ref: PWNP Screening
 Your Ref: -
 Please Contact: Philip Dawes
 Telephone: 01422 393386
 Website: www.calderdale.gov.uk
 Email: philip.dawes@calderdale.gov.uk
 Date: 28/01/20

Regeneration and Strategy

Dr F Farooq
 c/o Queens Road Neighbourhood Centre
 Queens Road
 Halifax
 HX1 4NE

Planning Services
 Westgate House
 Halifax
 HX1 1PS

Dear Dr Farooq

Park Ward Neighbourhood Plan Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Opinion Screening Determination

This letter sets out the council's screening opinion concerning the need for SEA and HRA in relation to the Park Ward Neighbourhood Plan and as such whether it meets two of the basic conditions that a neighbourhood plan must meet in order to proceed to referendum; that it does not breach, and is otherwise compatible with, EU obligations; and does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

On the basis of the contents of the neighbourhood plan and consultation with Historic England, Natural England and the Environment Agency, the screening determination is that a **Strategic Environmental Assessment and Habitats Regulation Assessment of the Park Ward Neighbourhood Plan is not required** due to there being no adverse comments from the Statutory Bodies and for the reasons set out in the screening reports. A summary of the statutory consultee responses can be seen in the tables below and full screening reports and consultee responses are provided in Appendix 1.

Table 1: Summary of statutory consultee's response to SEA Screening

Body	Comment
Historic England	On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations (Annex II of 'SEA' Directive), Historic England concurs with your conclusion that the preparation of a Strategic Environmental Assessment is not required for the Sowerby Neighbourhood Plan.
Natural England	We have reviewed the Strategic Environmental Assessment

	screening report and are in agreement with the conclusion. It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.
Environment Agency	Having considered the nature of the policies in the Plan, we consider that it is unlikely that significant negative impacts on environmental characteristics that fall within our remit and interest will result through the implementation of the plan.

Table 2: Summary of statutory consultee's response to HRA Screening

Body	Comments
Natural England	We have reviewed the Habitats Regulations Assessment screening report and are in agreement with the conclusions. It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Although the Environment Agency did not have any comments regarding the Habitat Regulation Assessment screening the EA did however, have a number of general comments on the Plan policies. This is detailed in their response in Appendix 1. In summary the EA has suggested the potential to include further wording to SNPP7 in relation to flood risk, and has included some advice on water quality management, as well as welcoming a policy requiring a net gain in biodiversity through all development. The Council would advise that you take these comments into consideration and if required revise any policies before submitting the Neighbourhood Plan to the Council.

It is the opinion of Calderdale Council that the Sowerby Neighbourhood Plan is in accordance with the provisions of the European Directive 2001/42/EC as incorporated into UK law by the Environmental Assessment of Plans and Programmes Regulations 2004; and in accordance with the Conservation of Habitats and Species Regulations 2017.

This decision has been based on the information provided. If the contents of the Plan are revised and/or there is a material change in the environmental characteristics in the locality (e.g. any additional nature conservation or other environmental designations), then the comments contained in this decision would need to be reconsidered in order to take account of the changes.

Yours sincerely

Philip Dawes
Planning Policy Officer

