

Appendix 1 UDP Planning Policies

The Replacement Calderdale Unitary Development Plan, Adopted 25th August 2006

The Central Elland SPD provides a strategy, specific to Central Elland, that supplements the existing RCUDP (Replacement Calderdale UDP). The RCUDP contains the primary planning policies relevant to planning decisions in the whole of Calderdale. Therefore, even with the adoption of this SPD, planning decisions will continue to be made in accordance with the policies of the RCUDP. The role of the SPD is to provide additional, detailed planning guidance that will complement the primary policies of the RCUDP.

The following policies of the RCUDP are referred to in this SPD.

Replacement Calderdale UDP Policies

Policy	
GP1	<p>ENCOURAGING SUSTAINABLE DEVELOPMENT</p> <p>To promote sustainable development by making Calderdale a place where people want to live, work and visit through:-</p> <ol style="list-style-type: none"> I. The improvement of employment opportunities, mixed use development, traffic reduction measures and better public transport links; II. The effective protection and enhancement of the environment; III. The conservation and efficient use of resources; and IV. The promotion of development which recognises the needs of everyone including safety and security issues.
GP2	<p>LOCATION OF DEVELOPMENT</p> <p>In order to promote development in sustainable locations, reduce travel demand and to protect the countryside, all new development should be sited with regard to the following sequence of locational preferences:-</p> <ol style="list-style-type: none"> I. On brownfield land within an urban area which is well related to the road network, accessible by good quality public transport, and to services/facilities within the urban area; II. On an infill site within the main urban areas accessible by good quality public transport, close to services/facilities and subject to achieving urban greenspace and conserving or enhancing the character of the area; III. On a site within a transport corridor forming an extension to the urban areas of Halifax, Brighouse or Elland, served by good quality public transport, accessible to job opportunities and services/facilities, preference to be given to a previously developed site before greenfield land; IV. Within the market towns of Todmorden and Hebden Bridge or within the smaller settlements of Mytholmroyd, Northowram, Ripponden and Shelf on sites accessible by good quality public transport, well-related to the road network, accessible to job opportunities and close to services/facilities, preference to be given to previously developed land before greenfield sites; V. On a greenfield site in a transport corridor, accessible by good quality public transport, well related to the road network, accessible to job opportunities and close to services/facilities. <p>Greenfield sites should be avoided and only regarded as a last resort.</p> <p><i>(This policy should be read in conjunction with the sequential approaches for shopping, leisure and housing development within the specific sections).</i></p>

Policy	
GP4	<p>PROMOTION OF URBAN AND RURAL REGENERATION AND RENAISSANCE</p> <p>Policies and proposals should seek to promote and contribute to urban and rural regeneration and renaissance by:-</p> <ol style="list-style-type: none"> I. Strengthening and broadening the economic base and increasing employment opportunities, particularly in the economically deprived parts of the District; II. Bringing derelict, redundant, and underused land and buildings back into use; III. The appropriate re-use of land and buildings within existing settlements; IV. Seeking to ensure the protection and enhanced provision of local services, social and community facilities, including recreation facilities and open space, in accessible locations; V. Creating attractive, safe and secure residential and other urban environments; VI. Valuing local distinctiveness and improving the District's image through high standards of design; VII. Recognising existing and potential biodiversity value; VIII. Contributing to a clean, attractive and safe natural and built environment; and IX. Involving the local communities.
GBE1	<p>THE CONTRIBUTION OF DESIGN TO THE QUALITY OF THE BUILT ENVIRONMENT</p> <p>All new development will be required to achieve high standards of design that makes a positive contribution to the quality of the local environment. In particular development should:-</p> <ol style="list-style-type: none"> I. Promote sustainable forms of development and embrace the objectives of sustainable design; II. Promote community safety including crime prevention measures; III. Create or retain a sense of local identity; IV. Create roads, footpaths and public spaces that are attractive and safe, and put sustainable forms of transport and in particular walking, cycling and public transport, before other motor vehicles; V. Promote accessibility by constructing buildings that all sectors of the community can easily reach and enter; VI. Protect and enhance the District's architectural and historic heritage, landscape and amenity, and contribute to its special character; and VII. Not harm the character or quality of the wider environment and improve local biodiversity.
BE5	<p>The Design and Layout of Highways and Accesses</p> <p>The design and layout of highways and accesses should:-</p> <ol style="list-style-type: none"> i. ensure the safe and free flow of traffic (including provision for cyclists) in the interest of highway safety; ii. allow access by public transport where appropriate; iii. provide convenient pedestrian routes and connectivity within the site and with its surroundings; iv. incorporate traffic calming, and speed management and reduction measures where appropriate; v. provide an attractive environment which respects the local character of the area; vi. take account of the Hierarchy of Consideration of POLICY GT4; and vii. help to reduce opportunities for crime.

Policy	
BE7	<p>CCTV and Area Lighting Schemes</p> <p>Where appropriate, schemes for area lighting and closed-circuit television surveillance (CCTV) will be provided in a manner which:-</p> <ul style="list-style-type: none"> i. does not significantly harm amenity; ii. does not have a detrimental impact on the environment; and iii. preserves or enhances Conservation Areas and does not adversely affect Listed Buildings, Historic Parks and Gardens or their settings, where these are material considerations.
BE18	<p>Development within Conservation Areas</p> <p>The character or appearance of Conservation Areas, defined on the Proposals Map, will be preserved or enhanced. New development and proposals involving the alteration or extension of a building in or within the setting of a Conservation Area will only be permitted if all the following criteria are met:-</p> <ul style="list-style-type: none"> i. the form, design, scale, methods of construction and materials respect the characteristics of the buildings in the area, the townscape and landscape setting; ii. the siting of proposals respects existing open spaces, nature conservation, trees and townscape/roofscape features; iii. it does not result in the loss of any open space which makes an important contribution to the character of the Conservation Area or features of historic value such as boundary walls and street furniture; and iv. important views within, into and out of the area are preserved or enhanced.
GT1	<p>PROVISION OF A SUSTAINABLE, SAFE AND EFFICIENT TRANSPORT SYSTEM</p> <p>In order to alleviate problems of congestion, pollution, environmental intrusion, unconstrained traffic growth and those caused by unsustainable development, the provision of an efficient, safe, sustainable and integrated transport system will be sought which, in conjunction with land use planning policy:-</p> <ul style="list-style-type: none"> I. Ensures equality of accessibility including that of the disabled and mobility impaired; II. Encourages the use and provision of public transport and multi-occupancy of vehicles; III. Improves conditions for cycling, walking and non-car borne mobility; IV. Reduces the overall need to travel and supports the reduction of traffic growth whilst also allowing for necessary new highways and traffic management schemes; and V. Assists in securing sustainable development.
GT4	<p>HIERARCHY OF CONSIDERATION</p> <p>To assist in the consideration of development proposals and the design of schemes for transport a hierarchy of consideration has been defined. This will ensure that the needs and safety of each group of road users are sequentially considered and that each user group is given proper consideration so that new schemes will ideally improve existing conditions and in any event will not make conditions worse for the more vulnerable transport users. The Hierarchy of Consideration is as follows:-</p> <ul style="list-style-type: none"> I. Pedestrians, people with disabilities and emergency services; II. Cyclists and horse riders; III. Public transport users; IV. Taxis and motorcyclists; V. Deliveries to local areas;

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	<p>VI. Shoppers travelling by car; VII. Other freight movements; VIII. Other high occupancy vehicles; and IX. Other private cars.</p> <p>The actual priorities and facilities provided for each road user group will vary with individual circumstances and it may not always be possible or necessary to provide adequate facilities for all road users. However, wherever possible facilities should be provided for pedestrians, people with disabilities, cyclists and bus users.</p>																		
T13	<p>Cycleways</p> <p>The following routes are designated as cycleways:-</p> <ul style="list-style-type: none"> • Calder Valley Cycleway (National Cycle Network); • Hebble Trail/ Elland Wood Bottom Lane Link; • Western Halifax; • Ovenden Cycle Route; • Triangle to Sowerby Bridge; and • Old Lane, Halifax. <p>Where detailed route proposals are known these are shown on the Proposals Map. However, there are some circumstances where the details have not yet been determined. Therefore, there are some 'Corridors of Interest' also shown on the Proposals Map. The detailed routes will be kept clear of development to ensure that a continuous linear route is available free of obstruction or other impediments. Along the 'Corridors of Interest', the existence of the proposals for a cycleway will be a material consideration in the determination of any planning application, in order to ensure that the overall connectivity of the cycleway is assured. Planning permission for development that may affect the integrity of the protected cycle routes will only be permitted where arrangements are made as part of the planning application for reasonable alternative routeing, which does not disadvantage cyclists and is secured either through conditions or through a planning obligation.</p>																		
T19	<p>Bicycle Parking Guidance</p> <p>Bicycle parking shall be provided in accordance with the following guidelines:-</p> <table border="1"> <thead> <tr> <th>USE CLASS</th> <th>TYPE OF DEVELOPMENT</th> <th>BICYCLE PARKING STANDARD (Gross sq.m)</th> </tr> </thead> <tbody> <tr> <td>A1</td> <td>Shops</td> <td>1 secure space/stand per 10 employees PLUS 1 stand/space per 200 sq.m;</td> </tr> <tr> <td>A2</td> <td>Financial And Professional Services</td> <td>1 secure space/stand per 10 employees Or 1 space/stand per 300 sq.m;</td> </tr> <tr> <td>A3</td> <td>Food And Drink</td> <td>None Required;</td> </tr> <tr> <td>B1</td> <td>Business</td> <td>1 secure space/stand per 10 employees Or 1 space/stand per 325 sq.m;</td> </tr> <tr> <td>B8</td> <td>Warehousing</td> <td>1 secure space per 10 employees Or 1 stand per 750 sq.m;</td> </tr> </tbody> </table>	USE CLASS	TYPE OF DEVELOPMENT	BICYCLE PARKING STANDARD (Gross sq.m)	A1	Shops	1 secure space/stand per 10 employees PLUS 1 stand/space per 200 sq.m;	A2	Financial And Professional Services	1 secure space/stand per 10 employees Or 1 space/stand per 300 sq.m;	A3	Food And Drink	None Required;	B1	Business	1 secure space/stand per 10 employees Or 1 space/stand per 325 sq.m;	B8	Warehousing	1 secure space per 10 employees Or 1 stand per 750 sq.m;
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Policy			
	C1	Hotels	1 secure stand per 10 employees PLUS 1 space/stand per 10 bedrooms (1 Space Minimum);
	C2	Hospitals/Nursing Homes	1 space/stand per 10 staff in secure facilities PLUS 1 space/stand per 3 Beds;
	C3	Dwelling Houses	None required - but thought should be given within the design process to the storage and parking of bicycles within any housing development;
		Flats/Apartments	Should provide secure parking within the development for cycles;
	D1	Primary Schools	1 space per 20 pupils (Includes Spaces For Staff);
	D1	Secondary Schools	1 space per 10 pupils (Includes Spaces For Staff);
	D1	Further Education And Colleges	1 space per 30 students (Includes Space For Staff);
	D1	Places Of Worship	1 space per 50 Seats;
	D1	Museums, Galleries, Public Exhibition Halls	1 space per 10 staff PLUS spaces for visitors;
	D1	Health Centres/Surgeries	1 space/stand per 2 Consulting Rooms;
	D2	Cinemas	1 secure space/stand per 10 Staff PLUS 1 space/stand per 200 sq.m;
		Stadia	1 space per 10 staff PLUS spaces for visitors;
T27	Safeguarding Aerodromes and Air Traffic Technical Sites		
	<p>Officially safeguarded areas have been established for Leeds/ Bradford Airport and the Hameldon Hill Technical Site. Certain applications for development will be the subject of consultation with the operator of the aerodrome or technical site and restrictions in height, or detailed design of buildings or development (likely to create a bird strike hazard) may be necessary as set out in DfT/ODPM Circular 1/2003.</p>		
E1	Primary Employment Areas		
	<p>Within the defined Primary Employment Areas as shown on the Proposals Map, development proposals within Use Classes B1, B2 and B8 will be permitted provided that the proposed development:-</p> <ul style="list-style-type: none"> i. relates well in scale and character to the locality; ii. does not create any unacceptable environmental, amenity, safety, highway or other problems; iii. is accessible by good quality public transport as existing or with enhancement and offers pedestrian and cycle access; and iv. is consistent with other relevant UDP policies. <p>Any proposals for other employment uses, which can include retail or leisure uses, will be determined having regard to the criteria in this policy and other applicable UDP policies.</p>		

Policy				
E3	Sites Allocated for Employment Use.			
	<p>The following sites are allocated to provide land for employment purposes within Use Classes B1 to B8 and are shown on the Proposals Map.</p> <p>Proposals within Use Classes B1 to B8 will be permitted provided that the proposed development:-</p> <ul style="list-style-type: none"> i. does not create any unacceptable environmental, amenity, safety, highway, or other problems; ii. is not for piecemeal development that would prejudice the comprehensive development of the site; and iii. is consistent with other relevant UDP policies. <p>Proposals for employment uses not within Use Classes B1 to B8 will only be supported in exceptional circumstances where the proposal is justified and complimentary (in terms of size and function) to Use Classes B1 to B8. Proposals for other non-employment uses will be resisted.</p>			
	Site Ref:	Location	Area (Hectares)	Status
	EM1§	Birds Royd Lane, Brighouse	1.31	GF
	EM11A	Atlas Works and Ainleys (formerly EM40), Elland	6.36	PDL/GF
	EM16	Wistons Lane, Elland	1.25	GF
	EM17	Century Road, Elland	1.67	GF
	EM31	Burnley Road, Mytholmroyd	0.7	GF
	EM36§	Former Power Station	8.73	PDL
	EM42*	Wakefield Road, Clifton	25.5	GF
	EM44**	Southedge Quarry, Hipperholme	13.09	GF
	EM46	Adjacent to Surfachem, Huddersfield Road, Elland	3.73	GF
	EM47§	Stainland Road (north of river), Elland	2.5	GF
	EM50§	Halifax Road, Ripponden	1.86	GF
	EM51	Burnley Road, Tenterfields, Luddendenfoot	2.25	GF
	EM52	West of Holmfield Industrial Estate, Holmfield	6.1	GF
	EM53§	Shroggs Road, Ovenden	6.62	GF
	EM54§	Bacup Road, Gauxholme, Todmorden	0.59	PDL
	EM56	North of Holmfield Industrial Estate, Holmfield	6.8	GF
	EM57	Adjacent to Halifax Bank plc, Wakefield Road, Sowerby Bridge	4.02	GF
EM59§	Former Mons Mill, Burnley Road, Todmorden	2.32	PDL	
EM60§	River Street, Brighouse	1.69	GF	
EM61§	Mytholm Works, King Street, Hebden Bridge	2.03	PDL	

Policy			
EM62	Armitage Road, Brighouse	0.73	GF
EM63	Adjacent to Foseco Ltd, Holmfield Industrial Estate, Holmfield	1.73	GF
EM64	Hays Lane, Mixenden	0.57	GF
EM65	Shay Lane, Illingworth	0.61	PDL
EM67§	Lowfields, Elland	5.07	PDL
EM68	East of Brighouse Road, Hipperholme	7.43	PDL/GF
	TOTAL	115.26	
<p>PDL = Previously Developed Land GF = Greenfield</p> <p>§ = A flood risk assessment is required to be undertaken on these sites. It is the responsibility of the developer or applicant to undertake the flood risk assessment.</p> <p>*Use of site EM42 (Wakefield Road, Clifton) will be restricted to office/business park development within Use Class B1 (a) Office uses, and B1 (b) Research and development of products or processes.</p> <p>**EM44 (Southedge Quarry, Hipperholme) A small scale ancillary element of hotel, restaurant and public house development may be acceptable in order to 'pump-prime' B1 to B8 development. Development of this site is dependant upon a satisfactory resolution of traffic issues at the Hipperholme traffic lights. Permission will not be granted unless a solution, which may be financial contributions from developers of the site, has been achieved.</p>			
E4	<p>Sites Allocated for Mixed-Use</p> <p>The sites in the table below are allocated to provide land for mixed-use development and are shown on the Proposals Map.</p> <p>E4A: Within these areas development proposals which include a mix of residential and appropriate employment uses as outlined in the table will be permitted provided that the proposed development:-</p> <ol style="list-style-type: none"> i. relates well in scale and character to the locality; ii. does not create any unacceptable environmental, amenity, safety, highway, or other problems; iii. is not for piecemeal development that would prejudice the comprehensive development of the site; and iv. is consistent with other relevant UDP policies. <p>E4B: Within mixed-use sites, applications for a single use, or that comprise a disproportionately high amount of a particular use, will only be permitted in exceptional circumstances. Such applications will need to be justified either in terms of their non-suitability for mixed-use development or in terms of their contribution to the overall mixture of uses within the locality.</p> <p>E4C: There are significant physical constraints on the development of the former Transco Site (Site MU2), which are regarded as the circumstances justifying an exception to the general restrictions on uses within mixed-use sites. In view of these constraints a residential development or mixed-use development with predominantly residential uses together with limited or ancillary other uses would be acceptable subject to the criteria set out in E4A.</p>		

Policy

E4D: Ancillary community facilities and other forms of land use (including extensions to existing buildings and proposals which support existing uses) will also be acceptable providing that they are compatible with residential development and comply with the above criteria.

Site Ref	Location	Size (Hectares)	Status	Appropriate Use Classes
MU1	West of Boothtown Road, Boothtown, Halifax	15.35	PDL/GF	A2, B1*, C1, C2, C3, D1 and ancillary small scale A1 and A3
MU2 §	Former Transco site, Mulcture Hall Road, Halifax	3.76	PDL	A1*, A2, B1*, C1, C2, C3, D1 (See also clause E4C)
MU3	Former Horses at Work site, South Parade, Halifax	2.92	PDL	A1*, A2, B1*, C1, C2, C3, D1
MU4 §	Sugdens Mill, Mill Royd Street, Brighouse	3.28	PDL	A1*, A2, A3, B1*, C1, C2, C3, D1, D2*
MU5	Dewsbury Road, Elland	4.71	PDL	A1*, A2, A3, B1*, C1, C2, C3, D1, D2*
MU6	Broad Street, Halifax	1.96	PDL	A1, A2, A3, B1*, C1, C2, C3, D1, D2
MU8	Drakes Industrial Estate, Shay Lane, Halifax (formerly EM28)	3.65	PDL/GF	A2, B1*, B2, B8, C1, C2, C3, D1 and ancillary small scale A1 and A3
MU9	Parade of Shops, Mixenden Road, Mixenden	0.40	PDL	A1, A2, A3, B1, C1, C2, C3, D1, D2
MU10	Furness Avenue, Illingworth, Halifax	3.47	PDL	A2, B1*, C1, C2, C3 D1 together with a significant proportion of Open Space

PDL = Previously Developed Land GF = Greenfield

Footnotes:-

* Uses subject to an assessment against the sequential approach for retail, key town centre, leisure and office developments, and an assessment of the need for retail developments ([POLICY GS2](#), [Policy S1](#), [Policy S2](#) and [Policy E8](#) are of particular relevance).

§ = A flood risk assessment is required to be undertaken on these sites. It is the responsibility of the developer or applicant to undertake the flood risk assessment.

Policy	
GS2	<p>THE LOCATION OF RETAIL AND KEY TOWN CENTRE AND LEISURE USES</p> <p>Retail development intended to serve a wide catchment area or which might have a significant effect upon local shopping patterns, or key town centre and leisure uses should be sited within an existing town centre. Where suitable central sites are not available a sequential approach to site selection should be adopted, with edge of centre sites having preference over out of centre locations. Development should be appropriate to the scale, and character of the centre and the catchment that the development seeks to serve. Proposals for retail facilities which in themselves or together with other similar developments with planning permission in the locality could seriously affect the vitality and viability of any nearby town centre, or would give rise to unacceptable environmental, amenity, traffic, sustainability or other problems will not be permitted.</p>
H2	<p>Primary Housing Areas</p> <p>Primary Housing Areas are defined in the main settlements of Calderdale as shown on the Proposals Map. Within these areas proposals for new housing on previously developed land will be permitted, along with changes of use to housing and the improvement and extension of existing housing provided no unacceptable environmental, amenity, traffic or other problems are created and the quality of the housing area is not harmed, and wherever possible, is enhanced. Proposals for new housing on vacant land not previously developed and for other uses in Primary Housing Areas will be assessed against the relevant UDP policies.</p>
NE15	<p>Development in Wildlife Corridors</p> <p>Development will not be permitted in a Wildlife Corridor if it would:-</p> <ul style="list-style-type: none"> i. damage the physical continuity of the Corridor; or ii. impair the functioning of the Corridor by preventing movement of species; or iii. harm the nature conservation value of the Corridor. <p>Where necessary, Environmental Impact Assessments will be required to be submitted with development or other proposals.</p> <p>Where development is permitted the Council will make use of conditions or planning obligations to:</p> <ul style="list-style-type: none"> a. minimise disturbance; b. protect and enhance the site's nature conservation value; and c. where damage is unavoidable, require, where necessary, the developer to provide new or replacement habitats so that the total ecological resource remains at or above its current ecological level.

In addition to the above mentioned policies, a range of other UDP policies will continue to be material planning considerations in Elland. However, it is not intended to list all of them here.

As the policies of the UDP will continue to be material to planning decisions in Elland, and inform the content of the Central Elland SPD, readers should be aware of them. Copies of the Replacement Calderdale UDP are available for viewing at Northgate House, Halifax and on the Calderdale Council website at www.calderdale.gov.uk. Follow the links to planning and the Unitary Development Plan. Both the Written Statement and the proposals Map are available on the website.

Appendix 2 Area 2 Flood Risk Sequential Test

FLOOD RISK: PPS25

Sequential Test & Exceptions Test

Area 2 of the Central Elland SPD

There is a locally recognized need for a railway station in Elland to permit more sustainable travel patterns into and out of the town. The ambition to create a railway station is strongly supported by planning guidance at the national, regional and local levels, in addition to the Sustainability Appraisal and Strategic Environmental Assessment accompanying this SPD.

There is a locally recognized need for a railway station in Elland to permit more sustainable travel patterns into and out of the town. The ambition to create a railway station is strongly supported by planning guidance at the national, regional and local levels, in addition to the Sustainability Appraisal and Strategic Environmental Assessment accompanying this SPD.

However, the proposed facility as it stands in this SPD is only an indicative proposal. In order for a railway station development to actually come forward, Elland will need to be identified in the West Yorkshire PTE's Rail Plan as requiring a railway station, and will then need to be selected ahead of other localities to have a Feasibility Study undertaken. This study, and any subsequent development, would be subject to the availability of funding.

The SPD encourages the eventual delivery of a railway station in Elland, and proposes an appropriate location for such a facility ("the Site".)

The Site was formally used for industrial and employment purposes and now consists of a cleared Brownfield site. It has a combined area of 1.5 hectares. The Site lies adjacent to the Lowfields Business Park and is approximately 450 metres from the Town Centre.

It is a flat site, bounded by Wistons Lane to the west, Lowfields Way to the east, a slip road to the Calderdale Way to the south, and the Lowfields Business Park to the north. The Site is bisected by the Caldervale railway line, which runs on an east-west axis through the Site.

The Site is defined as a Primary Employment Area in the Replacement Calderdale Unitary Development Plan (RCUDP).

The Site is identified in the SPD as a potential location for an Elland railway station, owing to its relationship with a passenger-carrying railway line, and its proximity to Central Elland and the Lowfields Business Park, which is a major employment site. The Site is also highly accessible both by pedestrian and vehicular means, and the size of the Site is sufficient to permit the development of park and ride, and other facilities associated with a railway station.

The Site is defined within the SFRA (Calderdale, Kirklees and Wakefield Strategic Flood Risk Assessment May 2005), as Flood Zone 3a, High Probability, as set out in PPS25. This zone comprises land assessed as having a 1 in 100 or greater annual probability of river flooding. A number of tests within PPS25 therefore need to be applied to ensure that that the Site is appropriate for the proposed development.

Sequential Test

The sequential test aims to determine if there are any other sites that would be suitable for the proposed development that have a lower risk of flooding. To enable a true comparison the sites would have to accommodate the railway line itself, and be of comparable size.

Given these strict criteria for potential sites, there is only one other suitable site for the proposed facility. This alternative site is approximately 1.8km to the east of Elland Town Centre, and has an existing public highway

access from Shaw Lane, which travels northwards towards the railway line from the Elland-Riorges Link. The southern, western and eastern extents of this site are within and surrounded by open space designated as Greenbelt. The northern extent of the site lies within the Lowfields Business Park, on land designated as primary Employment in the RCUDP.

The site is defined within the SFRA (Calderdale, Kirklees and Wakefield Strategic Flood Risk Assessment May 2005), as flood zone 1, Low Probability, as set out in PPS25. This zone comprises land assessed as having a 1 in 1000 or less annual probability of river flooding. A northern access to the site from Lowfields would however be on land defined as High Risk, flood zone 3a.

Shaw Lane is a predominantly narrow access, which proceeds to the site through Greenbelt land. A significant amount of upgrading would be required to allow for higher volumes of traffic and for larger vehicles to reach the site. Access to Lowfields could be permitted through the extension of a roadway, which currently terminates 300m to the north. This however, is a private access, and its use would not only require permission but also significant investment both to lengthen and to widen it for use by general traffic bound for the railway. A tunnel beneath the railway line may also then be required to link this roadway with Shaw Lane.

The infrastructure for pedestrian movements between Central Elland and the site would require significant investment to encourage pedestrians to travel to the site.

Reason for discounting

Name, Size, Current Use Constraints

These compelling arguments against the alternative site, lead to us to conclude that the Site would be the most appropriate location for the proposed development, despite the fact that there is a greater risk of flooding than at the alternative site. However, the nature of the proposed use, and its proposed location in Flood Zone 3a mean that the Exceptions Test must be applied.

Exceptions Test

The proposed use of the Site is identified as “Essential Infrastructure” in Table D2 of PPS25. Table D3 of PPS25 states that the development of Essential Infrastructure in Flood Zone 3a requires the application of the Exceptions Test.

Part A

The development would provide wider sustainability benefits to the community, which are considered to outweigh the flood risk. The site is currently a vacant Brownfield site, in close proximity to Central Elland and to the Lowfields Business Park.

The Site's location and excellent road links make it ideal for the development of a railway station, which has been recognized by the local community and the Council as essential to Elland's needs. The wider sustainability benefits are: -

- **Provision of much needed sustainable transport links**

Currently, commuters into and out of Elland are encouraged to travel by car, particularly to and from more distant regional centres, such as Leeds and Manchester.

A railway service would reduce the need for people to travel by car, and would therefore be more socially, economically and environmentally sustainable.

- **Brownfield Land & Accessibility**

The site is sustainable; it is a Brownfield site, approximately 450 metres from the Town Centre and a major employment site. The site is accessible by public transport and pedestrians traveling from Central Elland.

- **Regeneration**

The provision of a highly sustainable public transport service would contribute to the regeneration of the area by encouraging more people to live in, work in and visit Elland. Inward investors would be more likely to locate in the area, creating employment opportunities.

Part B

The development is on previously developed land. Historically the site has been used for employment and industrial purposes. The benefits of the scheme, which include the redevelopment of a vacant Brownfield site and the provision of a highly sustainable form of public transport, are considered to outweigh the flood risk.

Part C

A Flood Risk Assessment would be required to accompany any planning application on the Site and would be the responsibility of the applicant. The FRA must demonstrate that the Site will be safe, and can be developed with minimal risk to the subsequent occupants and in a manner that would not increase flooding elsewhere, and where possible reduce flood risk overall.

The Flood Risk Assessment should include:

- Assessment of flood risk on site, including flow rates and depths;
- Proposed mitigation measures through design;
- Proposed mitigation measures in the form of floor warning, evacuation procedures, safe access and egress;
- Consideration of climate change precautionary sensitivity ranges, set out in Table B.2 of PPS25;
- Consideration of developer contributions for flood defence maintenance and or flood warning operation.

NB

In order for a development to pass Part C of the Exception Test outlined in PPS25 a flood risk assessment will be required as part of any future planning application. This flood risk assessment should be consistent with the requirements of Annex E of PPS25 and should demonstrate that the development will be 'safe' without increasing flood risk elsewhere. In particular this development should reduce the overall flood risk in the area as required by Part C.

The flood risk assessment should include details of how this development will achieve an overall flood risk reduction. If it cannot be clearly demonstrated that this development can be made safe or that flood risk is not reduced overall, the Environment Agency would object to the planning application.

Appendix 3 Glossary of Terms

AAP - Area Action Plan

CENTRAL ELLAND - The area edged red in Figure 1

LDF - Local Development Framework

LDS - Local Development Scheme

LPA – Local Planning Authority

ODPM – Office of the Deputy Prime Minister (former)

PCPA - Planning and Compulsory Purchase Act 2004

PPG - Planning Policy Guidance Note

PPS 1 - Planning Policy Statement 1: "Delivering Sustainable Development"

RCUDP – Replacement Calderdale Unitary Development Plan

REGULATION 17 - of the Town and Country Planning (Local Development) (England) Regulations 2004 relating to public consultation.

RSS - Regional Spatial Strategy

S106 – Section 106 of the Town and Country Planning Act 1990 which make provision for improvements to a planning proposal and it's impact on the environment beyond the remit of planning conditions

SA - Sustainability Appraisal

SCI – Statement of Community Involvement

SEA - Strategic Environmental Assessment

SPD – Supplementary Planning Document

TCPA – Town and Country Planning Act 1990

UDP – Unitary Development Plan