



AS AMENDED



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DIRECTION OF
THE SECRETARY
OF STATE:
3 AUGUST 2009**

Replacement Calderdale Unitary Development Plan

ADOPTED 25 AUGUST 2006

Foreword

TO THE REPLACEMENT CALDERDALE UNITARY DEVELOPMENT PLAN

by

COUNCILLOR ANN McALLISTER - LEADER OF THE COUNCIL

The Replacement Calderdale Unitary Development Plan came into effect on 25 August 2006 and replaces the former UDP dating from April 1997.

The Adoption of the Replacement UDP is the culmination of nearly six years work by the Council, which commenced in the Summer of 2000, when the Council asked people about the Issues that the Replacement UDP should address. Formal stages of public consultation including the Initial Deposit (in November/December 2002) and Revised Deposit (March to May 2004) were followed by Pre-Inquiry Changes in November 2004.

The Public Inquiry into the objections to the Replacement UDP was held between February and June 2005. Over 10,000 documents were submitted to the Inquiry, and the Report of the Inspector (Mrs D Burrows) was received in March 2006.

Through a tremendous effort by officers and Councillors, the Modifications to the Replacement Plan were published in May 2006. The Council resolved to adopt the Replacement UDP on 19 July 2006 and it came into effect on 25 August 2006.

I should like to thank all of those who contributed to the development of the Replacement UDP. The many comments and suggestions received from individuals, interest groups and developers have helped to make the Plan better, and the debates held at the Inquiry have focussed arguments on the issues facing the Borough.

This will be the last Unitary Development Plan prepared by Calderdale Council. The changes introduced by the Planning and Compulsory Purchase Act 2004, mean that the Council will soon commence work on its Local Development Framework, which will supersede the UDP. In the mean time the Replacement Calderdale UDP will be an essential tool for the control of development and it will help to bring about a better quality of life by making Calderdale a clean, safe, attractive and thriving area for everyone to enjoy as residents, workers or visitors.



McAllister

—

Councillor Ann McAllister - Leader of Calderdale Council
September 2006

ORDNANCE SURVEY

STATEMENT OF PUBLICATION'S PURPOSE

The Ordnance Survey mapping which forms part of the Proposals Map of the Replacement Unitary Development Plan (and is also shown on the Council's web-site) is provided by the Metropolitan Borough of Calderdale under Licence from the Ordnance Survey, in order that the Council may fulfil its public functions as Local Planning Authority, to publicise the policies and proposals for its administrative area.

Persons viewing the mapping should contact the Ordnance Survey Copyright for advice where they wish to use the mapping for their own use.

LIST OF ILLUSTRATIONS

The start of each section within the Replacement UDP is characterised by a photograph or other illustration. This table details the illustrations, their subject matter and location.

Section		LOCATION
1	Introduction	Rochdale Canal at Todmorden
2	Calderdale in Context	Simplified Map of Calderdale
	Part One Policies	Clock Face and part of the spire of Halifax Town Hall
3	Guiding Principles and Key Themes	View across Halifax towards Dean Clough from Beacon Hill
4	Employment	Lowfields Business Park, Elland
5	Housing	New housing within the Halifax Royal Infirmary site
6	Retailing and Town Centres	Woolshops, Halifax
7	Open Space, Sport and Recreation	Bandstand and statues in People's Park, Halifax
8	Built and Historic Environment	Houses in the Conservation Area at Heptonstall
9	Transport	Clockwise from top left: -Buses in Halifax; Train at Hebden Bridge station; Car Parking at Lowfields Business Park; Bicycle Parking Shelter; Road sign in Halifax;
10	Infrastructure, Education and Community Facilities	Halifax High School, Wellesley Park, Halifax
11	Natural Environment and the Countryside	The Calder Valley from the hills above Mytholmroyd
12	Environmental Protection	Clockwise from left: - Pylon at Cromwell Bottom; Photovoltaic cells on a house at Old Town; Ovenden Moor Windfarm
13	Minerals	Elland Edge Quarry, Lower Edge Road, Elland
14	Waste	Bags of household waste
15	Monitoring	Computer screen and histograms

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1 Introduction

1.1 The Replacement Calderdale Unitary Development Plan (UDP) is the most important document prepared by Calderdale Council relating to the use of land and buildings. It has statutory weight and is used in determining planning applications and guiding investment decisions by both the public and private sectors for development. Its policies and proposals are intended to control and shape development and to provide certainty as to the circumstances in which development proposals will be supported. It is relevant to many people such as residents, employers and those who work here, investors and those who visit or own land in Calderdale. This new Plan looks forward to the year 2016 and provides a long-term vision of how the physical structure of the District should be shaped over the next 15 years (but see paragraph 1.17 below).

1.2 The UDP is a land-use strategy for the District and is the prime consideration when the Council considers planning applications for development. This primacy of consideration is set out in legislation where Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires: -

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The UDP therefore provides a framework for rational and consistent decision making.

1.3 The main purposes of the UDP are:-

- i. to control the location and quality of development;
- ii. to provide for new development particularly for employment, housing, open space, retailing and community facilities, where necessary and appropriate;
- iii. to protect and enhance the environment of Calderdale, to conserve its natural beauty and maintain the amenity of land;
- iv. to safeguard and improve the most important built and natural assets within the District;
- v. to provide infrastructure and facilities for services to meet the needs of communities;
- vi. to plan the use of land in the interests of managing traffic, protecting communities from the effects of congestion and reducing the overall need to travel;

- vii. to reflect the land use needs and aspirations of all those with an interest in the use of Calderdale's land and buildings, wherever possible and appropriate; and
- viii. to ensure that development is undertaken in the most sustainable way possible, recognising the needs of the community for new development and infrastructure but ensuring that it is not provided at the expense of future generations.

1.4 Many of the questions, which relate to the use of land, have no right or wrong answer, as there are many issues, viewpoints and matters to be taken into account. The UDP provides a framework for reconciling some of the competing pressures on the use of land and for ensuring consistency in the decision making process. Some of the conflicts that arise are irreconcilable, given differing viewpoints and have to be resolved by a political institution such as the Council. The UDP helps to provide a framework for considering the land use implications of developments, and reflects the concerns of local people as well as Government policy in terms of the matters to be reflected within the decision making process.

NOTE: The plan making process has taken four years to bring the Replacement UDP to Adoption. During this time new policy initiatives at the national and regional level have come forward. It has not been possible in all circumstances to reflect the most recent policy advice within the Replacement UDP.

The Need to Replace the Existing UDP

1.5 It is a statutory requirement to keep the UDP up to date and to review it at least once every 5 years. The former UDP was adopted in April 1997. Some of its Policies and Proposals are time-limited and others, which reflect the land use implications of other strategies (such as Housing, Education and Transport) are no longer in step. It is therefore necessary to review it.

1.6 This Replacement UDP is the outcome of a review that has taken account of a wide range of significant changes in the policy framework guiding development at the national and regional levels and also changes in local aspirations as they relate to the District. Calderdale functions as part of the sub-regional, regional and national economy and cannot isolate itself from influences from outside its boundaries. It should be noted however that it has not been possible to take into account all the various changes in legislation or policy direction at national,

regional or local level that have come forward during the plan making process. It may appear therefore that some parts of the Replacement UDP are out of step with other initiatives. Given the nature of the planning process this is inevitable. The Local Development Framework, which is being brought forward to replace the UDP will be able to address these issues.

1.7 The main influences that have led to change in the Replacement UDP are as follows:-

- i. evolving social, economic and environmental considerations and changing resource availability to deal with the changes;
 - ii. population changes (growth in the number of people and households within the District);
 - iii. economic changes arising from the restructuring of the economy in the 1980s and 1990s and the way in which people spend their leisure time, resulting in increased traffic and greater movements for work, leisure and shopping;
 - iv. the changing needs and aspirations of all who live, work or take their leisure in Calderdale, or have an interest in the way the area looks or functions;
 - v. changing national and international land use planning policy and advice (Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) and Minerals Planning Guidance (MPGs) and Minerals Planning Statements (MPSs); requirements from the European Union relating to land use matters and environmental protection;
 - vi. Regional Spatial Strategy for Yorkshire and the Humber to 2016 (based on a Selective Review of RPG12) published in December 2004;
 - vii. new priorities set by Calderdale Council, whose vision is “to make Calderdale a clean, safe, attractive and thriving area for individuals and families to enjoy as residents, workers or visitors” and whose corporate priorities for 2002 and beyond are:-
 - to improve the educational achievement of all young people and promote widespread participation in learning;
 - to support and protect vulnerable children, young people and adults and promote independent and healthy living;
 - to create safer communities with lower crime levels, less fear of crime and safer roads;
 - to promote sustainable economic growth, respect local heritage and improve our towns, villages and neighbourhoods;
- to secure a clean and attractive built and natural environment;
 - to continually improve customer service;
 - to support diverse communities, building dialogue, understanding and a capacity to work and live together; and
- viii. the need to co-ordinate the land use based UDP with the key plans and strategies of the Council and its partners including:-
- Community Strategy;
 - Community Care Plan;
 - 21 for 21;
 - A Plan for Living by Common Sense;
 - West Yorkshire Local Transport Plan;
 - Housing Strategy;
 - Tourism Strategy;
 - Crime and Disorder Strategy;
 - Regeneration strategies within Halifax, Sowerby Bridge, Elland, Hebden Bridge, Mytholmroyd, Todmorden and Brighouse.

Each of these strategies has some implications for the consideration of land use matters. The Replacement UDP has taken relevant issues from these strategies to provide a proper land use planning framework for their implementation.

The Plan Making Process

1.8 There are a number of stages set out in legislation that the Replacement Plan must pass through before it can be adopted. These stages provide opportunities for people that are affected by the Policies and Proposals in the Plan to make representations and have these considered by the Council. Any objector who raises matters that are not resolved between the Council and themselves has the right to have their concerns considered by an independent planning inspector appointed by the Government.

1.9 The process has changed since the last UDP was adopted and therefore the stages that the Replacement UDP passed through are set out here for information:-

Pre-Deposit Consultation

This consultation was undertaken in Summer 2000 and gave people an opportunity to comment upon the issues that should be addressed within the UDP

review. Many of the comments received related to specific pieces of land and suggestions that they be considered for development purposes.

First Deposit

This was the first formal opportunity for the public to make written comments upon the draft Replacement UDP. Formal objections were made during this deposit period, which ran between 1 November 2002 and 12 December 2002;

Second Deposit

Having received the representations, the Council considered each comment and made changes to the draft Plan. A Revised Deposit Draft was published on 26 March 2004, with the deposit period lasting until 6 May 2004. Further formal written objections to these changes were received during this Second Deposit stage, but only comments relating to the Revised Deposit and the changes contained within it were accepted.

Pre-Inquiry Changes

Pre-Inquiry Changes to the Draft Replacement UDP were published on 5 November 2004 with the consultation period lasting until 16 December 2004. Any of the proposed Pre-Inquiry Changes, which the Inspector found to be acceptable, would need to be incorporated into the Replacement Plan through the formal Modifications process following the Public Inquiry.

Public Local Inquiry

All objections that were not unconditionally withdrawn were considered by Mrs D Burrows DipTP MRTPI, the Inspector appointed by the First Secretary of State to hold an Inquiry into the objections to the Draft Replacement UDP. The Inquiry opened on 1 February 2005 and closed on 28 June 2005, with the last formal hearing day being 26 May 2005

Inspector's Report

The Inspector's Report into the Inquiry was issued by the Planning Inspectorate on 9 March 2006. The Council made it available for inspection very quickly after this date both through hard copy and within its website. The Report contained recommendations about every objection made to the Plan, and the Council had to consider each of the Recommendations.

Modifications

The Council considered whether to accept the Inspector's recommendations or to reject them. The Council has to have very good reasons to justify its rejection of any of the Inspector's recommendations. The Council published Modifications to the Plan which took account of the changes arising from the Inspector's Report and its decisions on the recommendations on 5 May 2006. The formal deposit period for the receipt of objections and comments upon the Modifications or Decisions not to accept a Recommendation made by the Inspector closed on 16 June 2006.

Adoption

Comments received on the Modifications were considered by the Council and it was determined to proceed to Adoption of the Replacement Plan without further modifications or holding a second inquiry. This Resolution was made by Full Council on 19 July 2006. The formal Notice of Intention to Adopt the Replacement Plan was issued on 21 July 2006, and the Replacement Plan formally came into effect on 25 August 2006 with the publication of the Adoption Notice. Following the Adoption there was a six week period during which formal legal challenge to the Plan could be made to the High Court.

Understanding the Replacement Calderdale UDP

1.10 The Replacement Calderdale UDP consists of a Written Statement of the Council's Policies and Proposals for development and a Proposals Map showing the specific locations where policies apply. The Written Statement has two levels of consideration:-

PART ONE:- this is the Strategic Policy Framework for the District, setting out the principal policies that are applicable across it as a whole. It has been formulated with regard to current national and regional policies together with social, economic and environmental considerations.

PART TWO:- this is generally in conformity with Part One and sets out detailed Policies and Proposals including policies that will form the basis for determining planning applications. Part Two also provides the reasoned justification for all the policies in the Plan.

1.11 In addition, the UDP includes a Proposals Map which forms part of the Plan. This is divided into seven individual sheets focussed upon the main towns or surrounding areas as follows:-

1. Widdop Moor, Stansfield Moor and Wadsworth Moor;
2. Todmorden, Walsden, Cornholme, Eastwood and surrounding countryside;
3. Turley Holes and Higher House Moor, Soyland Moor and Rishworth Moor;
4. Hebden Bridge, Mytholmroyd, Luddenden/Luddendenfoot and surrounding countryside;
5. Halifax, Sowerby Bridge and surrounding countryside;
6. Ripponden, Elland and surrounding countryside; and
7. Shelf, Northowram, Hipperholme, Brighouse and surrounding countryside.

1.12 Part One Policies, are of District-wide relevance and are shown in **BOLD UPPER CASE TEXT** and are contained within a green box, within the relevant section of the plan. (It should be noted however that for ease of reading these policies are shown in lower case within Part One itself). They are shown separately within a complete listing as Part One of the Plan between Sections 2 and 3 but have also been integrated into the structure of the Replacement UDP to provide a more coherent context for the site specific and detailed development control style policies and proposals of Part Two.

1.13 Part Two Policies are shown in **bold lower case text** and are contained within a blue box, in order that they may be easily distinguished from the Part One Policies and the remainder of the reasoned justification. Each of the Sections within the Replacement UDP therefore contain, where relevant, both Part One and Part Two Policies, which may be identified easily.

Strategic Environmental and Appropriate Assessment of the Replacement UDP

1.14 As part of the plan-making process, the Council has to consider the effects of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) Regulation 6(2), and Articles 6(3) and (4) of the Habitats Directive 92/43/EEC. In considering this legislation the Council has considered whether it has been feasible to undertake Strategic Environmental Assessment or whether Appropriate Assessment has been necessary.

Strategic Environmental Assessment

1.15 On July 19 2006, the Council resolved to adopt the Replacement Calderdale Unitary Development Plan without submitting the Replacement UDP to Environmental Assessment under these Regulations for the following reasons:

1. The Plan was at an advanced stage of preparation as at July 21 2004. It had been through initial and revised deposit and a Public Inquiry had been arranged to commence in January 2005. An Inspector had been appointed and the relevant parties had been appraised of this situation.
2. The expectation of the timetable then in existence was that the Replacement UDP would be adopted well before July 2006, and therefore the implications of the SEA Regulations did not apply.
3. The Replacement UDP was at such a stage in the preparation process that at that time (July 2004), it is considered that such an appraisal would not add value to the plan's contents and would be unlikely to identify environmental effects that would result in the plan being amended.
4. The expense and inconvenience to participants in the plan making process of a delay caused by the application of the SEA Regulations through delay in undertaking the public inquiry, when the expectation of all participants was that the plan would proceed to adoption before July 2006.
5. Environmental Appraisal of the Replacement UDP had been undertaken as part of the process of developing the draft plan. Whilst this appraisal is not SEA for the purposes of the Regulations, it did identify a number of policy areas where minor amendments to the plan were necessary. It did not identify any significant environmental implications of the plan, and it is considered likely that an SEA would not have identified any areas where fundamental revision (including mitigation action) to the Draft Plan was required.

Appropriate Assessment

1.16 In accordance with the requirements of Articles 6(3) and (4) of the Habitats Directive 92/43/EEC, the Council undertook a screening of the Replacement Calderdale Unitary Development Plan. This screening reached the conclusion that Appropriate Assessment under the requirements of the Directive is not necessary.

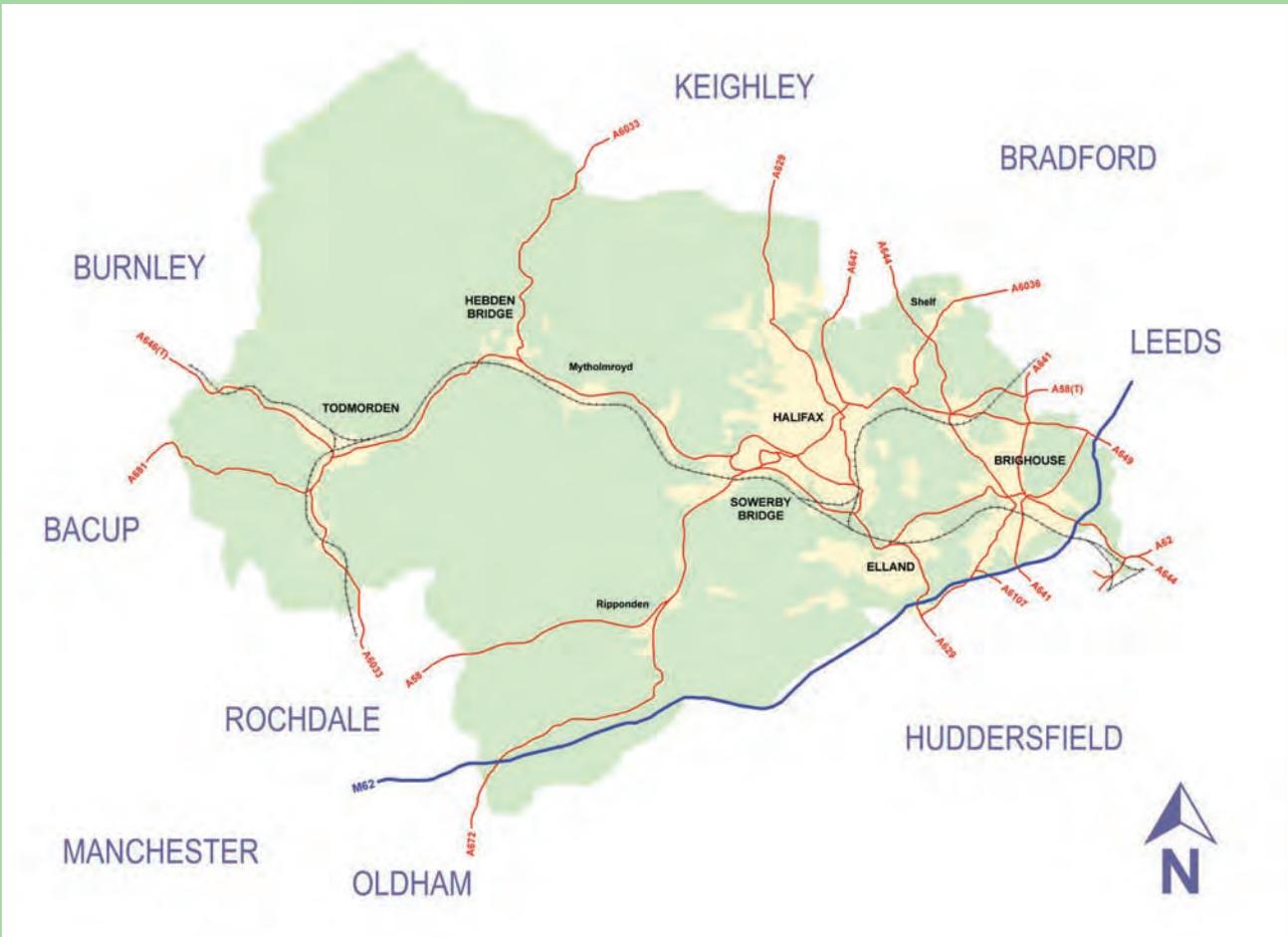
Future of the Development Plan in Calderdale

1.17 The Planning and Compulsory Purchase Act 2004 has radically changed the foundation for the preparation of the Development Plan across the country. The former raft of plans (Regional Planning Guidance, Structure Plans, Local Plans and Unitary Development Plans) are being replaced by Regional Spatial Strategies and Local Development Frameworks containing a series of Development Plan Documents. In Calderdale, the Replacement UDP was at an advanced stage of preparation when the legislation changed and as a result was taken through the statutory procedures and onto adoption. Upon its adoption on 25 August 2006 the Replacement UDP was “saved” for three years to allow preparation of documents within the Local Development Framework to be undertaken. It is anticipated that the Replacement UDP will itself be replaced (at least in part) by the Calderdale LDF by August 2009.

1.18 The Calderdale Local Development Framework will consist of a number of documents including (as at November 2006): -

1. Core Strategy;
2. Statement of Community Involvement;
3. Waste, Development Plan Document;
4. Green Belt Review, Development Plan Document;
5. Land Allocations, Development Plan Document;
6. Development Control, Development Plan Document;
7. Supplementary Planning Documents for:-
 - Affordable Housing;
 - Management of Housing Supply;
 - Waterside Development;
 - Elland Town Centre;
 - Developer Contributions towards Education Infrastructure;
 - Developer Contributions for Loss of Employment Land;
 - Open Space Provision and Locally Determined Standards;
 - Sustainable Design;
 - Renewable Energy;
 - Planning Obligations;
 - Car Parking Requirements;

1.19 Details of the documents and the timetable for their production may be found in the Local Development Scheme which does not form part of the Replacement UDP and is published separately.



2 Calderdale in Context

The District of Calderdale

2.1 Calderdale is a Metropolitan District forming part of the County of West Yorkshire which includes the cities and towns of Leeds, Bradford, Wakefield, Huddersfield, Dewsbury, Halifax and Keighley. Calderdale has an area of over 360 square kilometres (140 square miles) and is about 30km (19 miles) east to west and 24km (15 miles) north to south. Only a little over 13% of the District can be regarded as being part of any built-up urban area. The majority of the District is rural or urban fringe in character and is dominated by the high-level moorland of the South Pennines and other open land and pasture, which surrounds and provides the setting for the towns and other settlements. The South Pennines provides a vital corridor in the Pennine Chain from the Peak District National Park to the Dales National Park and North Pennines Area of Outstanding Natural Beauty (AONB).

To the east lies the main part of the West Yorkshire conurbation. Leeds, the regional capital of Yorkshire and the Humber, is only 14 miles from Halifax, whilst to the west Manchester is 23 miles from Halifax and about 11 miles from the District boundary. The M62 Motorway links Lancashire and Yorkshire and the main north/south national roads (M6 and M1/A1) together with the main northern ports of Liverpool and Humberside. The M62 runs along the southern boundary of Calderdale District at a high level. The Calder Valley railway provides good train services between Lancashire and Yorkshire serving a variety of destinations within and outside Calderdale. The District therefore stands as an important link between these two major economic centres and the influences of both are experienced within it.

The major towns of Huddersfield and Bradford, both under seven miles from Halifax, also act as significant economic, retail, social and cultural influences upon Calderdale. As a result the patterns of commuting to employment and education facilities are very complex. The choice and range of shopping and other facilities outside Calderdale means that there is much movement to more distant locations for shopping and leisure activities.

Population

2.2 The District is the sixth largest of the 36 Metropolitan Districts in terms of land area, but is the fifth smallest in terms of population. Almost half of its residents live within the built-up area made up of the

towns of Halifax and Sowerby Bridge. The population of Calderdale is approximately 194,300 (2004 mid-year estimate). There have been fluctuations over the previous ten years due to changing patterns of migration. The latest Government population projections (2003) indicate that the population will rise rapidly over the next ten years, this contrasts with a steady decline that was experienced in the District during the early 1990s.

The population projections indicate that the population will continue to rise over the next few years to approximately 199,200 by the end of the decade and to 204,000 by 2014. The numbers of children under 16 years are forecast to decline by about 3% between 2004 and 2014, whilst people between 45 and retirement are expected to increase by about 13%. Older people (over retirement age) are expected to increase by 18%.

Calderdale's small ethnic population accounts for about 7% of the District's population (Census 2001). This is below the average for England and Wales (9%) and significantly less than the 11.4% for West Yorkshire as a whole. The majority of this ethnic population is of Pakistani/Kashmiri origin and mainly lives within the west central area of Halifax, where they make up over 50% of the population. The age profile of the ethnic minority population is young, with about 30% being under 16 years old, compared to about 20% within the white population. There are small concentrations of minority ethnic populations living in Elland and Todmorden.

Households

2.3 The number of households within the District is very difficult to estimate. Different studies and projections produce different results. However, according to the 2003-based Household Projections there were about 84,000 households in Calderdale in 2006. This is projected to increase to 90,000 by 2016. The Regional Spatial Strategy for Yorkshire and the Humber which covers the period to 2016, estimates that in order to meet the housing needs of the Region there is a requirement for an additional 8,100 dwellings to be provided in Calderdale.

The Housing Stock

2.4 The housing stock reflects the era of rapid development in the late 19th century with 48.8% of private sector housing built before 1919. This is significantly higher than other Districts within West Yorkshire and well above the West Yorkshire average of 35.5%. It is predominantly owner occupied and

illustrates social diversity, from the barn and mill conversions that house more affluent residents, to the rows of cramped terraces that need considerable investment and repair. The District has a relatively low proportion of detached or semi-detached houses and flats and a far higher proportion of terraced housing. Social housing accounts for 17% of the District's housing stock. Average household size, in common with other areas, is decreasing.

In common with other attractive areas of northern England, house prices have continued to rise over the past year and have accelerated relative to the national average. The average price of a house or flat is now (July 2006) over £160,000, although there are wide variations between types of property and in different parts of the District. An annual average of 650 new or converted properties have been completed over the past five years, and over 1,000 have been built in the last financial year. There are in excess of 5,000 further dwellings with planning permission.

Local Economy

2.5 The District's traditional economic base was founded on textiles, engineering and other manufacturing industries. In recent years, service industries have overtaken manufacturing in terms of number of employees. Employment in the financial services has increased significantly, HBOS is the single biggest private sector employer and tourism-related jobs have risen. However, manufacturing continues to account for almost a quarter of local employment, far above West Yorkshire and national levels.

Whilst more men than women are in work, increasing numbers of both men and women work part-time. Average pay is below national hourly rates but above West Yorkshire averages. Increasingly, the workforce is more mobile, with 31% of residents working outside the District and 38% of jobs in Calderdale being filled by people from other areas.

The overall unemployment rate is 2.2%, well below the regional average and under that for the UK. In Calderdale, one in twenty people who are out of work have been without jobs for longer than 12 months and just under one third are under 25 years old. From 2001 Census data, 17% of those in the minority ethnic population seeking work were unemployed, compared to 5% in the white population.

Social Profile

2.6 The social characteristics of the District are varied. Some rural and semi-rural areas that are close to good communications are growing as a result of new housing developments, with people commuting typically to Leeds or Manchester for employment. In contrast, some residents of remote and scattered rural settlements lack access to the facilities available in the larger towns of the District. Some small communities are experiencing a contraction in local services.

Calderdale's diverse communities contain contrasts of affluence and poverty. The Index of Multiple Deprivation (2004) shows that Calderdale ranks between 65th and 87th out of 354 districts on the six indices of deprivation.

Areas with the highest levels of multiple deprivation are within the Halifax wards of Park, Ovenden, Illingworth & Mixenden and Town. Significant pockets of deprivation are also found in other wards. For those affected, particularly outside Halifax, difficulties with transport and access compound other aspects of social exclusion.

Within the urban areas in particular, characteristics associated with low incomes and poverty are present. There is a high proportion of households with no car relative to national figures. Lone parents comprise a relatively high proportion of households with children under 16 years old. In April 2005, 20% of households received Council Tax Benefit. In two wards, the figure exceeded 30%. Altogether, 45% of all people claiming benefits administered by the Council are pensioners.

By contrast, in other parts of the urban areas, and in the rural areas, there are signs of increasing prosperity. In five wards, a quarter of all households have annual incomes above £40,000, compared to the Calderdale average of just under £27,000.

The Environment

2.7 Calderdale's environment is one of its greatest assets. About 9,666ha or 27% of the area of the District is designated as Sites of Special Scientific Interest (SSSIs) and is, therefore, of national ecological or geological importance. Of this about 9,450ha is designated as a Special Protection Area (SPA) and Special Area of Conservation (SAC), and is of international importance. Locally important designations, called Sites of Ecological or Geological Interest (SEGIs) cover 863ha (2.4%). The Green Belt extends to 22,936ha (63%) of the Borough, whilst the

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quality of the landscape generally is recognised by having a Special Landscape Area designation extending to 24,075ha (66%). Common Land may be found in many parts of the Borough and covers 5,421ha (15%) where there is additional protection against inappropriate development.

Protected Open Space within the urban and rural areas amounts to about 1,673ha (5% of the District and consists principally of parks, sports fields, school playing fields, allotments, formal and informal play areas and areas of amenity value.

There are over 4,000 Listed Buildings within the District (twice the per capita level for West Yorkshire) and 19 Conservation Areas covering over 512ha. The wealth of historical structures across the District is indicative of the rich heritage that exists within the Southern Pennines area and is reflected in the 'Heritage Strategy for the Southern Pennines', which was adopted by the Council in 2001. That Strategy was developed following the designation of the Southern Pennines by the Countryside Agency and English Nature as a unique Countryside Character or Natural Area, that warrants a South Pennines wide, holistic approach to the management of its major heritage assets.

Protection of both the natural and built environments is very important to the future wellbeing of the District and ensuring that all development meets sustainability requirements is an important part of the Council's Vision for Calderdale. Sustainability, in all its forms has, therefore, been a major consideration in drawing up the Replacement Plan.

Calderdale boasts a tremendous architectural heritage, including the unique 18th Century Piece Hall and over 4,000 Listed Buildings. There is a range of cultural, recreational and entertainment facilities in different parts of the District. Across the District, there are seven museums and galleries, two cinemas and some outstanding visitor attractions including the nationally renowned children's museum, Eureka!. The surrounding Pennine moorland provides spectacular walking country, some of it owned by the National Trust.



Strategic and Core Part One Policies

This Section of the Replacement Calderdale Unitary Development Plan sets out the Part One Strategic and Core Policies for the District. These land use policies are of importance for the whole of the District and provide a framework for the detailed Part Two Policies within the Plan. Part One and Part Two Policies along with the reasoned justification are incorporated within the relevant sections of the Plan.

(i) PART ONE PRINCIPLES POLICIES

POLICY GP1: ENCOURAGING SUSTAINABLE DEVELOPMENT

To promote sustainable development by making Calderdale a place where people want to live, work and visit through:-

- 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.

POLICY GP2: LOCATION OF DEVELOPMENT

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:-

- 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.

Greenfield sites should be avoided and only regarded as a last resort.

(This policy should be read in conjunction with the sequential approaches for shopping, leisure and housing development within the specific sections).

~~POLICY GP3: DEVELOPMENT OUTSIDE URBAN AREAS~~

~~Proposals on any site outside the urban areas or transport corridors will be expected to demonstrate that they:-~~

- ~~I. Support sustainable development principles;~~
- ~~II. Are accessible, or can be made accessible by public transport;~~
- ~~III. Are easily accessible to local facilities, local population or employment opportunities; and~~
- ~~IV. Will support rural diversification or regeneration.~~

~~The individual circumstances of each case will be weighed carefully to ensure that suitable sites are not rejected.~~

~~POLICY GP4: PROMOTION OF URBAN AND RURAL REGENERATION AND RENAISSANCE~~

~~Policies and proposals should seek to promote and contribute to urban and rural regeneration and renaissance by:-~~

- ~~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.~~

(ii) PART ONE EMPLOYMENT POLICIES

POLICY GE1: MEETING THE ECONOMIC NEEDS OF THE DISTRICT

The employment needs of the District's mixed economy can be met by:-

- I. Allocating land which meets the requirements of existing Calderdale businesses and those businesses new to the district;
- II. Safeguarding employment land and buildings capable of re-use and development;
- III. Using the development control process, where possible and appropriate, to assist economic development through legal agreements;
- IV. Providing for office uses in town centres, and in other appropriate areas subject to certain conditions;
- V. Providing for warehouse development in appropriate locations;
- VI. Promoting tourism and related development;
- VII. Accommodating hotels, motels and other visitor accommodation; and
- VIII. Accommodating the diversification of the rural economy.

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POLICY GE2: PROVISION OF EMPLOYMENT LAND

Provision is made for about 120 hectares of employment land in Calderdale between 2001 and 2016.

POLICY GE3: THE DEVELOPMENT OF EMPLOYMENT SITES FOR NON-EMPLOYMENT USES

Where non-employment uses are proposed on sites whose current or last use is/was for employment purposes, (Use Classes B1 to B8) the provision of a contribution to offset the permanent loss of such a land resource will be sought. Such contributions should help towards economic development initiatives that will assist in bringing economic benefits to the area in which the development is located, be fairly and reasonably related in scale and kind with the employment resource that is being lost and commensurate with the development proposed.

(This policy applies only to sites where the site area is 0.5ha or more, or where employment floorspace lost is 1,000sq.m (gross) or more).

POLICY GE4: PRIORITIES FOR THE RECLAMATION AND RESTORATION OF DERELICT LAND AND BUILDINGS

The Council is supportive of development proposals for the reclamation and restoration of derelict and degraded land and buildings. Priority will be given to the re-use of land for employment purposes, but in circumstances where this is not achievable or appropriate other uses that contribute positively to the visual and physical environmental quality of the area will be supported.

(iii) PART ONE HOUSING POLICIES

~~**POLICY GH1: MEETING CALDERDALE'S HOUSING NEEDS**~~

~~The housing needs of Calderdale will be met through:-~~

- ~~I. The improvement and maintenance of existing housing and the bringing back into use of empty homes;~~
- ~~II. The conversion of empty and underused non-residential properties, including those above shops and business premises, to housing;~~
- ~~III. The allocation of a range of sites to enable a mix of house types and sizes to be built where such dwellings are accessible to schools, jobs, shops and leisure opportunities, not only by car but also by public transport, walking and cycling;~~
- ~~IV. The provision of affordable housing for those who cannot afford to buy or rent housing which meets their needs in the open market and the dispersal of this housing throughout individual development sites;~~
- ~~V. The provision of specialised housing accommodation for disadvantaged groups; and~~
- ~~VI. Recognition of the need to integrate housing development with open space provision, community safety and crime prevention, good design reflecting the needs of communities and the availability of infrastructure, including school place provision.~~

POLICY GH2: PROVISION OF ADDITIONAL DWELLINGS

Part A

- I. Provision will be made for around 6,750 additional dwellings to be created within Calderdale between 1st April 2001 and 31st March 2016.
- II. To prevent oversupply of housing, the council will produce SPD to enable the refusal of planning permission, for housing developments which might otherwise be acceptable under UDP policies, when the forecast net increase in housing stock for the following five years exceeds the prevailing RSS required annual average for that period.

Part B

The target for the proportion of new housing built on previously developed land or arising through the conversion of existing buildings will be in the order of 85%. This figure will be reviewed in the light of up-dates to the Urban Capacity Study.

(iv) PART ONE RETAILING AND TOWN CENTRES POLICIES

POLICY GS1: RETAIL STRATEGY

The benefits of a modern, competitive, environmentally attractive and sustainable retailing sector including the upgrading, modernisation and enhancement of retailing provision within town centres and locations highlighted within the retail hierarchy will be sought which meet the needs of Calderdale's residents.

As part of this strategy the vitality and viability of existing centres will be maintained to ensure that they remain attractive to shoppers and visitors and can compete effectively with other centres and other forms of retailing.

~~**POLICY GS2: THE LOCATION OF RETAIL AND KEY TOWN CENTRE AND LEISURE USES**~~

~~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.~~

~~**POLICY GS3: SCALE OF RETAIL PROPOSALS**~~

~~Retail development proposals should relate to the scale, role and character of the centre within which the development is to be located and the catchment that the development seeks to serve. Where the development is not in scale or character the application should be accompanied by a full appraisal of sustainability.~~

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(v) PART ONE OPEN SPACE POLICIES

~~POLICY GOS1: THE PROTECTION AND ENHANCEMENT OF OPEN SPACE, SPORTS AND RECREATION FACILITIES~~

~~Open space, sport and recreation facilities will be protected from inappropriate development and their provision and improvement to meet the needs of all Calderdale's residents will be supported. Such facilities shall:-~~

- ~~I. Be in convenient and suitable locations well related to the community and users they are intended to serve;~~
- ~~II. Conform to the objectives of sustainable development; and~~
- ~~III. Be accessible by walking, cycling, public and private transport.~~

~~POLICY GOS2: AUDIT AND ASSESSMENT OF OPEN SPACE, SPORT AND RECREATION FACILITIES AND NEEDS~~

~~An audit of open space, sports, recreational and other facilities and an assessment of community needs for these facilities will be undertaken. The results of this assessment will inform and guide the Council and developers in establishing need for existing and additional facilities, provide local open space and sports/recreational standards and determine whether land is surplus to requirements. Policies protecting open space (OS1, OS3 and OS6) would not be applicable to land declared surplus under this audit.~~

(vi) PART ONE BUILT AND HISTORIC ENVIRONMENT POLICIES

POLICY GBE1: THE CONTRIBUTION OF DESIGN TO THE QUALITY OF THE BUILT ENVIRONMENT

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:-

- 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.

POLICY GBE2: PIECEMEAL DEVELOPMENT

Planning permission will not be granted for the piecemeal development of land which would prejudice the development of a larger area of land for an appropriate beneficial use as indicated on the Proposals Map.

(vii) PART ONE TRANSPORT POLICIES

POLICY GT1: PROVISION OF A SUSTAINABLE, SAFE AND EFFICIENT TRANSPORT SYSTEM

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:-

- 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.

POLICY GT2: PRIORITIES FOR TRANSPORT INVESTMENT

To ensure that transport investment is directed towards proposals that support the development of sustainable communities and satisfy sustainable travel needs (including those of the disadvantaged and people with physical disabilities), particular emphasis will be placed on investment that:-

- I. Improves conditions for pedestrians, cyclists and non-car borne mobility;
- II. Improves traffic and travel conditions, giving priority to the needs of public transport, business and industry in both urban and rural areas;
- III. Improves road safety with an emphasis on achieving the maximum reduction in number and severity of accidents;
- IV. Assists in urban regeneration or rural diversification;
- V. Achieves good accessibility to jobs within and outside Calderdale; and
- VI. Improves poor environmental conditions resulting from traffic congestion, noise pollution and other problems.

Investment will not automatically cater for peak private vehicle demands, nor provide additional road capacity to improve traffic conditions except where it may be necessary in order to support the needs of sustainable development within the District.

POLICY GT3: STRATEGIC ROAD NETWORK

To assist in the determination of land-use proposals and the allocation of resources in accordance with Policy GT2, a strategic road network has been defined, (shown on the Proposals Map) which designates roads according to their function and helps to define the transport corridors within Policy GP2 as follows:-

Category 1 - Roads that carry inter-regional traffic through Calderdale (the M62, for which the highways agency is highway authority. For the purposes of Policy GP2, the M62 does not form a transport corridor where development should be focussed).

Category 2 - Roads which link major centres within Calderdale and which connect these centres to the Category 1 network and to major centres within West Yorkshire and other adjacent areas.

Category 3 - Roads which link secondary centres within Calderdale to major centres within the District and in adjacent areas and to the Category 1 and 2 networks.

POLICY GT4: HIERARCHY OF CONSIDERATION

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:-

- 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;
- VI. Shoppers travelling by car;
- VII. Other freight movements;
- VIII. Other high occupancy vehicles; and
- IX. Other private cars.

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.

POLICY GT5: TRANSPORT ASSESSMENTS

Where a Transport Assessment (TA) is required to be submitted alongside a planning application, the TA will be expected to take account of the Hierarchy of Consideration (Policy GT4) and show how the needs of public transport, pedestrians, cyclists, the disabled and wheelchair users, have been taken into account. The measures needed to mitigate any transport problems arising from the development should be set out in the assessment and the Council will seek to ensure that these are implemented as part of the development through the use of planning conditions or planning obligations.

~~**POLICY GT6: HIGHWAY AND PEDESTRIAN IMPROVEMENTS ASSOCIATED WITH DEVELOPMENT**~~

~~Where highway or pedestrian access improvements are required to facilitate the development of sites identified within the UDP, enable other land to be brought forward for development or implement the findings of a Transport Assessment (TA), the council will seek to assist developers to achieve such improvements and ensure that development and associated highway or pedestrian access improvements are carried out in a comprehensive way, which:-~~

- ~~I. Optimise development in accordance with sustainable development principles;~~
- ~~II. Facilitate direct, safe and attractive pedestrian movements;~~
- ~~III. Safeguard the proper planning of the district;~~
- ~~IV. Take account of the Hierarchy of Consideration (Policy GT4); and~~
- ~~V. Other relevant UDP Policies.~~

POLICY GT7: HIGHWAY PROPOSALS

The following improvement to the strategic road network will be safeguarded:-

Halifax, North-South Traffic Improvements, (Church Street Widening).

(viii) PART ONE INFRASTRUCTURE, EDUCATION AND COMMUNITY FACILITIES POLICIES

POLICY GCF1: INFRASTRUCTURE AND OTHER NEEDS ARISING FROM DEVELOPMENT

All education, highways, sewerage, drainage, flood prevention, landscaping, open space, nature conservation, public transport or other identified needs generated directly by any development within a local area should be provided in a timely manner by the developer either on or off-site. Conditions will be imposed, where necessary, to the grant of planning permission to ensure the provision of adequate facilities to an appropriate timescale. Alternatively a planning obligation may be entered into to secure necessary facilities through either direct provision and/or by a financial contribution to be made for the timely provision of facilities nearby.

POLICY GCF2: DEVELOPMENT ENABLING STATUTORY UNDERTAKERS

Development which will enable statutory undertakers to meet their statutory obligations and to comply with the relevant environmental standards enacted in Government and European Union legislation will be permitted provided that:-

- I. Mitigation measures are put in place to alleviate significant adverse impacts from the development;
- II. The design of the development respects the character of the area and
- III. The development is consistent with other relevant UDP Policies.

POLICY GCF3: STRATEGIC FRAMEWORK FOR COMMUNITY FACILITIES

The provision and improvement of a wide range of social, community, education, sports, arts, health and other facilities to meet the needs of all Calderdale's residents will be supported. Such facilities shall:-

- I. Be in locations well related to the community and users they are intended to serve;
- II. Be accessible by good quality public transport, and by private transport, including walking and cycling; and
- III. Create no unacceptable environmental, amenity, traffic, safety or other problems.

~~**POLICY GCF4: MATCHING SCHOOL FACILITIES TO EDUCATIONAL NEEDS**~~

~~In order to ensure that the range and quality of school sites, buildings and facilities match the needs of education in Calderdale, the Council will continue to prepare and, subject to the availability of resources, implement development programmes. In meeting this objective, the Council will:-~~

- ~~I. Achieve the improvement of school premises in need of alteration, repair or maintenance to meet the changing requirements of curriculum delivery and community use;~~
- ~~II. Create new or extended schools in areas of need; and~~
- ~~III. Close existing schools where the existing provision is no longer necessary or most appropriate.~~

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~~POLICY GCF5: CRITERIA FOR PREPARING EDUCATION INFRASTRUCTURE PROGRAMMES~~

~~Programmes for the provision of new, refurbished or extended educational buildings and facilities, in line with the Council's Asset Management Plan and the School's Asset Management Plan, will be prepared and be subject to the following criteria:-~~

- ~~I. The design and location of the proposed works enhances community use of the educational premises;~~
- ~~II. The proposals incorporate adequate space to meet the educational needs of the curriculum offered;~~
- ~~III. The proposals, where appropriate, incorporate adequate car parking, servicing arrangements and appropriate facilities to accommodate public transport;~~
- ~~IV. The proposals incorporate inclusive design elements to ensure reasonable access for the disabled;~~
- ~~V. The proposals would not cause an unacceptable loss of amenity to the occupiers of property around the site;~~
- ~~VI. The proposals would, where reasonable, be designed in line with the DfES Building Bulletins;~~
- ~~VII. The proposals would create no unacceptable environmental, amenity, traffic, safety or other problems; and~~
- ~~VIII. Would be consistent with other relevant UDP Policies.~~

(ix) PART ONE NATURAL ENVIRONMENT AND OPEN COUNTRYSIDE POLICIES

POLICY GNE1: CONTAINMENT OF THE URBAN AREA

A Green Belt will be maintained around the main built-up areas. The Plan will seek to restrain development outside the urban areas through the general extent of the Green Belt.

POLICY GNE2: PROTECTION OF THE ENVIRONMENT

Development should protect, conserve and enhance the character, quality and diversity of the natural, historic and cultural environment (whether in urban or outlying areas) within the district in order to improve the quality of life for all and to maintain the natural heritage of the district for use by future generations and for its own sake.

(x) PART ONE ENVIRONMENTAL PROTECTION POLICIES

~~POLICY GEP1: PROTECTION OF ENVIRONMENTAL QUALITY~~

~~Development should contribute to the management of pollution, hazards and flood risk through relevant control measures and risk minimisation.~~

~~POLICY GEP2: MANAGEMENT AND CONSERVATION OF NATURAL RESOURCES~~

~~Development proposals should incorporate the sustainable and efficient use of the District's natural resources and maximise the use of potential renewable energy resources.~~

(xi) PART ONE MINERALS POLICIES

POLICY GM1: MINERALS STRATEGY

Provision will be made for a continuing supply of minerals including aggregates and recycled and secondary materials in accordance with national and regional guidance having regard to the need to encourage the efficient use of aggregates and minimisation of waste, and to safeguard the environment and protect local communities.

Measures will be undertaken to ensure that mineral working does not create unacceptable environmental, amenity, traffic, safety and other effects on the landscape, environment and local inhabitants, and that sites are restored to a beneficial after-use.

POLICY GM2: AGGREGATE MINERALS

Proposals for aggregate mineral extraction will be assessed against the aim of maintaining a land-bank of permitted reserves of aggregate minerals, and will continue to contribute towards meeting Calderdale's share of the aggregates demand in the region on the advice of the Yorkshire and the Humber Regional Aggregates Working Party, in accordance with regional and national guidance.

POLICY GM3: RECYCLING

The recycling and re-use of minerals and materials (such as concrete, brick, ash and colliery shale) will be encouraged as alternatives to newly won minerals wherever this is feasible and where it can be carried out in an environmentally acceptable manner, for the purpose of safeguarding resources and in order to minimise the need for new or extensions to mineral workings.

(xii) PART ONE WASTE MANAGEMENT POLICIES

~~**POLICY GWM1: WASTE STRATEGY**~~

~~A Waste Management Hierarchy will be promoted in accordance with national and regional guidance which favours, in order of priority:-~~

- ~~I. Reduction~~
- ~~II. Re-use~~
- ~~III. Recovery, recycling and composting;~~
- ~~IV. Energy recovery; and~~
- ~~V. Disposal to landfill~~

~~**POLICY GWM2: NEW WASTE FACILITIES**~~

~~Proposals for the development of new waste facilities will be considered on the basis of:-~~

- ~~I. Local need and/or regional requirements;~~
- ~~II. The proximity principle;~~
- ~~III. Regional self-sufficiency;~~
- ~~IV. The Waste Management Hierarchy in Policy GWM1; and~~
- ~~V. Other relevant considerations.~~

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3 Guiding Principles and Key Themes

Introduction

3.1 Calderdale Council's Vision Statement (June 2006) builds upon the work of the Community Strategy 2006 by setting an ambition which seeks :

"... to make Calderdale a clean, safe, attractive and thriving area for individuals and families to enjoy as residents, workers or visitors."

The appropriate use of land plays a key role in the attainment of this ambition.

3.2 The aim of this Section is to establish a clear and coherent strategy for the UDP within the context of the Community Strategy framework. The overall objectives of the Plan are based on promoting economic, social and environmental wellbeing within the context of sustainable development. Whilst the Plan is primarily a land use strategy, its policies are interrelated with wider socio-economic and environmental considerations. In particular, the success of the strategy will depend on the sustainable revitalisation of those parts of the District affected by decline, both socially and economically, along with the protection of those parts of the District that are worthy of retention. The UDP also recognises the direct relationship between environmental quality and levels of economic activity and social regeneration.

3.3 Key strategic choices have already been made for many issues. It is the role of the UDP to develop land use policies which carry these forward in a consistent way. The Community Strategy focuses on a series of priorities. These are identified in Table 3.1 below along with a summary of how these priorities will be met through the application of the UDP policies.

Table 3.1 Community Strategy Priorities and Attainment within the Replacement UDP

Community Strategy Priority
SUSTAINABLE ECONOMIC GROWTH AND EMPLOYMENT
Attainment of Priorities through UDP Policies
<ul style="list-style-type: none"> • Provision of a range of employment sites. • Support for employment generating development. • Protection of existing employment land.

Community Strategy Priority
<ul style="list-style-type: none"> • Stimulation of economic regeneration. • Promoting the vitality and viability of the District's town centres. • Promotion of tourism and rural diversification. • Promotion of public transport.
HEALTHY COMMUNITIES
Attainment of Priorities through UDP Policies
<ul style="list-style-type: none"> • Protection, enhancement and provision of access to a diverse range of leisure opportunities, such as open space, local facilities and the countryside for all to enjoy a healthy lifestyle. • Provision of affordable homes and accessible housing to meet the District's housing needs. • Consideration of residential and other amenity within development proposals. • Promotion of community safety through 'designing out crime' measures in new development. • Protection of air quality and other pollution controls. • Promotion of cycling and walking as transport modes. • Support for new medical, dental and health facilities. • Traffic management to improve road safety. • Promotion of housing renewal areas and other means of improving the housing stock.
SAFE COMMUNITIES
Attainment of Priorities through UDP Policies
<ul style="list-style-type: none"> • Promotion of community safety through 'designing out crime' measures in new development. • Traffic management to improve road safety.
LIFELONG LEARNING
Attainment of Priorities through UDP Policies
<ul style="list-style-type: none"> • Co-ordination of school land and building requirements to ensure educational needs can be met. • Promotion of school facilities for wider community use.

Community Strategy Priority

A GOOD ENVIRONMENT AND STABLE COMMUNITY

Attainment of Priorities through UDP Policies

- Management and control of waste.
- Promotion of public transport, cycling and walking.
- Promotion of Green Transport Plans.
- Provision of community and rural transport.
- Maintaining the viability and vitality of town centres.
- Provision and protection of open space and sports and recreation facilities.
- Protection of natural resources such as air, water and energy sources.
- Protection of the heritage and landscape etc.
- Involvement of the public in the UDP process.
- Promotion of high quality design within development schemes.
- Giving priority to the development of previously used land.
- Promotion of the refurbishment and re-use of vacant or underused buildings.
- Provision of a mix of house types and sizes within new housing developments, including affordable housing.
- Ensuring the efficient use of land resources through the achievement of suitable housing densities.

Sustainability

3.4 Rapid changes in the twentieth century have combined to produce a wide range of global, social, environmental and economic issues, which have become increasingly widespread and now have an effect at the local level in Calderdale. Sustainable development is a well-established concept which has arisen in response to increasing concern over the adverse impact of human activity, particularly because of the effect it has on the environment and the natural resources upon which all life depends and consequently, the quality of people's lives.

3.5 Put simply, sustainable development means doing things that benefit everyone now and in the future. This stems from the original Brundtland definition of sustainable development, "development that meets the needs of the present, without compromising the ability of future generations to meet their own needs" (Our Common Future - Brundtland

Report 1987) which is also adopted in PPG1 'General Policies and Principles' (1997) and PPG11 'Regional Planning' (2000). The Regional Spatial Strategy for Yorkshire and the Humber to 2016 (based on a selective review of RPG12), published in December 2004, further develops these definitions and states that:-

"Implicit in these formulations are commitments:-

- a. not to cause irreversible damage to the natural systems that support life;
- b. to aim for no net loss overall in environmental assets that are valued for maintaining biodiversity and enhancing the quality of life; and
- c. to make progress towards all economic, environmental and social objectives."

3.6 Sustainable development is a key feature of all Government programmes and ensures that a balance is struck between environmental, social and economic issues. The Government's commitment to sustainable development is built around four broad objectives:-

- i. maintenance of high and stable levels of economic growth and employment;
- ii. social progress which recognises the needs of everyone;
- iii. effective protection of the environment; and
- iv. prudent use of natural resources.

3.7 The Government published the consultation draft of PPS1 'Creating Sustainable Communities' in February 2004. This set out the role that planning has to play in facilitating and promoting sustainable patterns of urban and rural development. This is to be achieved through:-

- i. making suitable land available for development in line with economic, social and environmental objectives to improve the quality of life;
- ii. contributing to sustainable economic growth;
- iii. protecting and where possible, enhancing the natural and historic environment and the quality and character of the countryside and existing successful communities;
- iv. ensuring high quality development through good design; and
- v. ensuring that development supports existing communities and contributes to the creation of safe, sustainable and livable communities with good access to jobs and key services.

The Replacement Calderdale UDP incorporates these aims.

3.8 The Regional Spatial Strategy for Yorkshire & the Humber (RSS) (2004) places the concept of sustainable development at the centre of the strategy for the Region. This document is now part of the Statutory Development Plan for Calderdale as a result of the provisions of the Planning and Compulsory Purchase Act 2004.

3.9 At the local level, Calderdale has a long history of involvement in environmental matters. The Council carried out a 'State of the Environment' Audit during 1993 and an Environmental Charter was subsequently drawn up and adopted in 1994. In 1997 the Calderdale Environmental Forum (now the Sustainability Forum) was established as an advisory body to look at the many ways in which everyone could contribute to the quality of life in the District from an environmental, social and economic point of view. This culminated in the Council preparing a Local Agenda 21 Strategy: '21 For 21 - A Plan For Living by Common Sense' in 2000 which recognises the importance of achieving sustainable development. More recently the Calderdale Community Strategy also identifies sustainable development as one of the key cross-cutting issues for the District.

3.10 The Council's Corporate Vision, Local Agenda 21 Strategy and Community Strategy set the overall goals for the District. The UDP complements the objectives of these plans by providing the spatial expression of how priorities and locations for land use will achieve this vision. At its heart is the importance of achieving sustainable development. The Plan promotes development necessary to meet the District's needs, which is carefully located and planned to avoid or at least minimise adverse environmental impact and ensure the most efficient and effective use of key resources, such as land, buildings and energy. The strategy of the Plan is therefore:-

POLICY GP 1

ENCOURAGING SUSTAINABLE DEVELOPMENT

TO PROMOTE SUSTAINABLE DEVELOPMENT BY MAKING CALDERDALE A PLACE WHERE PEOPLE WANT TO LIVE, WORK AND VISIT THROUGH:-

- 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.**

Table 3.2 below identifies the key sustainable development objectives and how these will be achieved in the UDP. These objectives are used in the Sustainability Appraisal of the UDP, which is described in paragraphs 3.22 to 3.26.

Table 3.2 Key Sustainable Development Objectives

Sustainable Development Objectives
<p>FACILITATION OF ECONOMIC PROSPERITY AND GROWTH</p> <p>Attainment of Objectives through UDP policies</p> <ul style="list-style-type: none"> • Provision of a range of employment sites. • Encouragement of employment generating development. • Protection of existing employment land and buildings. • Stimulation of economic regeneration. • Promoting vitality and competitiveness in the District's town centres. • Promotion of tourism and rural diversification.
<p>PROMOTION OF SOCIAL EQUITY, CHOICE AND INCLUSION</p> <p>Attainment of Objectives through UDP policies</p> <ul style="list-style-type: none"> • Provision of wider opportunity and choice in housing tenures to ensure everyone has the opportunity for a decent home and protected local amenity. • Regeneration of the communities in Calderdale. • Improvement and protection of the environment to make urban living more attractive, safe and secure. • Ensuring accessibility to buildings. • Protecting, enhancing and providing access to a diverse range of leisure opportunities,

<p>Sustainable Development Objectives</p> <p>such as open space, local facilities and the countryside, for all to enjoy a healthy lifestyle.</p> <ul style="list-style-type: none"> • Inclusive public consultation throughout the UDP process.
<p>PROTECTION AND ENHANCEMENT OF RURAL COMMUNITIES, RURAL LANDSCAPE AND ITS DIVERSE CHARACTER</p>
<p>Attainment of Objectives through UDP policies</p> <ul style="list-style-type: none"> • Protection of the Green Belt from inappropriate development. • Protection of sites of nature conservation value. • Protection of the designated Special Landscape Area. • Encouragement of rural diversification. • Meeting affordable housing requirements. • Control of pollution, flood risk and air quality. • Encouragement of safe and secure new developments. • Increase tree cover in Calderdale and support woodland management. • Provision of needed facilities in accessible locations. • Stimulation of rural regeneration. • Protection and improvement of river corridors. • Protection and conservation of the historic environment.
<p>MAKING FULL USE OF URBAN LAND</p>
<p>Attainment of Objectives through UDP policies</p> <ul style="list-style-type: none"> • Priority to the development of previously developed land. • Promotion of the refurbishment and re-use of vacant or underused buildings. • Increasing the density of development without town cramming. • Protection of open space.
<p>PROTECTION AND ENHANCEMENT OF URBAN COMMUNITIES</p>
<p>Attainment of Objectives through UDP policies</p> <ul style="list-style-type: none"> • Meeting housing and employment needs in accessible locations within or close to main settlements.

<p>Sustainable Development Objectives</p> <ul style="list-style-type: none"> • Stimulation of urban regeneration. • Controlling pollution, flood risk and air quality. • Protection of historic assets. • Protection and creation of open space and sites of nature conservation value. • Provision of needed facilities in accessible locations.
<p>PROTECTION AND ENHANCEMENT OF RESOURCES</p>
<p>Attainment of Objectives through UDP policies</p> <ul style="list-style-type: none"> • Protection, maintenance and enhancement of biodiversity. • Promoting development that uses energy as efficiently and effectively as possible to minimise waste and pollution. • Safeguarding natural resources. • Improving energy efficiency in new developments.
<p>PROMOTION OF SUSTAINABLE TRAVEL AND ROAD TRAFFIC REDUCTIONS</p>
<p>Attainment of Objectives through UDP policies</p> <ul style="list-style-type: none"> • Promotion and provision of development in accessible locations close to public transport nodes to reduce the need to travel. • Encouraging mixed-use developments. • Integrated approach to transport to promote different modes of transport. • Encouraging environmentally friendly forms of travel in order to reduce the need to use the car. • Maintenance of local facilities. • Increasing density of development. • Promotion of measures to achieve traffic reduction.
<p>LIMIT AND REDUCE POLLUTION</p>
<p>Attainment of Objectives through UDP policies</p> <ul style="list-style-type: none"> • Minimising travel needs and maximising use of energy efficient modes of transport. • Controlling all forms of pollution. • Encouraging the use of renewable energy sources.

Sustainable Development Objectives

- Protection of trees and encouragement of tree planting.
- Improving the energy efficiency in new housing.
- Promote waste reduction and a more sustainable waste management strategy.
- Traffic reduction measures.

These objectives are established in the Part One and Part Two policies of the UDP. They provide a robust basis to ensure that sustainable development is achieved throughout the Plan in the context of the strategy identified in POLICY GP 1.

Location of Development

3.11 Advice from the Government in PPG12 'Development Plans' (1999), PPG13 'Transport' (2001) and PPG3 'Housing' (2000) and RPG12 (2002 and 2004) all stress the importance of promoting more sustainable locations for development. This involves maximising the use of the existing transport infrastructure and providing more high quality public transport opportunities to encourage people to travel by more sustainable modes where possible, reduce the need to travel and reduce associated pollution levels. The Plan also aims to achieve sustainable development objectives by promoting urban and rural regeneration and the strengthening of existing communities. Strategies to assist economic, social and environmental regeneration play a central role in making the District an attractive place in which to live and work.

3.12 An integrated approach to land use and transportation planning is essential if the Council's aims of providing equality of opportunity for all, traffic growth reduction and the further development of sustainability are to be achieved. It is important that development does not exacerbate existing transport problems or create new ones and contributes to sustainable development objectives. In particular, travel opportunities for the disadvantaged (including people without access to a car, those with disabilities and those who are elderly) should be equally as good as for those who benefit from usage of a car, whilst opportunities to reduce the reliance upon the private car should be provided. It is therefore essential that the location of development is considered within a framework which takes into account public transport provision and general levels of accessibility for private cars. POLICY GP 2 requires that development is

located in sustainable locations and helps to define these by reference to transport corridors and previously developed land. For the purposes of the interpretation of the Policy Calderdale has three major transport corridors (a transport corridor is defined in POLICY GT 3) -

- i. A58 East/A6036/A646/A58 West Corridor: Bradford-Shelf-Northowram-Halifax and Leeds-Hipperholme to Halifax continuing to Mytholmroyd, Hebden Bridge, Todmorden, Rochdale/Burnley and through Ripponden to Oldham, including the Caldervale Railway routes;
- ii. A629 Huddersfield to Elland to Halifax to Illingworth (Keighley); and
- iii. A641 Huddersfield to Brighouse to Bradford.

The sequence of preferred locations for development accords with those set out in RSS (2004) Policies P1 and H2.

Within rural areas, the Council will weigh the benefits of development in terms of the regeneration of the rural economy and social wellbeing, against any possible lack of public transport provision. The Council will not preclude development in rural areas just because of a lack of public transport provision. The following Part One Policies will therefore apply:-

POLICY GP 2

LOCATION OF DEVELOPMENT

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:-

- 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, NORTHWRAM, 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.

GREENFIELD SITES SHOULD BE AVOIDED AND ONLY REGARDED AS A LAST RESORT.

NOTE: This policy should be read in conjunction with the sequential approaches for shopping, leisure and housing development within the specific sections.

~~POLICY GP 3~~

~~DEVELOPMENT OUTSIDE URBAN AREAS~~

~~PROPOSALS ON ANY SITE OUTSIDE THE URBAN AREAS OR TRANSPORT CORRIDORS WILL BE EXPECTED TO DEMONSTRATE THAT THEY:-~~

- I. ~~SUPPORT SUSTAINABLE DEVELOPMENT PRINCIPLES;~~

- II. ~~ARE ACCESSIBLE, OR CAN BE MADE ACCESSIBLE BY PUBLIC TRANSPORT;~~
- III. ~~ARE EASILY ACCESSIBLE TO LOCAL FACILITIES, LOCAL POPULATION OR EMPLOYMENT OPPORTUNITIES;~~
- IV. ~~WILL SUPPORT RURAL DIVERSIFICATION OR REGENERATION.~~

~~THE INDIVIDUAL CIRCUMSTANCES OF EACH CASE WILL BE WEIGHED CAREFULLY TO ENSURE THAT SUITABLE SITES ARE NOT REJECTED.~~

The Regeneration and Renaissance of the District

The Vision for the Regeneration and Renaissance of Calderdale

3.13 Calderdale Council's vision statement is noted at the start of this Section. One of the Council's corporate priorities that underpins this vision is the promotion of sustainable economic growth, respecting local heritage and improving our towns, villages and neighbourhoods. The successful regeneration and renaissance of Calderdale requires a holistic approach dealing with the whole range of associated economic, environmental and social problems in a comprehensive and co-ordinated fashion. Consistent with these wider Council objectives, the regeneration of urban and rural communities is a fundamental objective for the UDP and a vital component of its sustainability agenda ~~and is therefore encompassed in the Part One POLICY GP 4.~~

3.14 The UDP ~~and in particular POLICY GP 4,~~ identifies how priorities and locations for land use can help to achieve the Council's vision. The aim is to foster the regeneration of existing urban and rural settlements of all sizes, making them more attractive, high quality and safe places in which to live, work, shop, spend leisure time and invest, whilst also protecting and enhancing the attractive features and tackling problem areas. This approach is outlined in Policy S3 of the RSS. In addition the Urban and Rural White Papers (2000) set out the Government's broad approach to help achieve this. Whilst some of the measures that can be taken to help achieve the aims are influenced by the planning process, some are not, but nevertheless these may be of equal significance to regeneration. The UDP aims to provide the appropriate framework for land use and development decisions, which will assist the process of regeneration.

The Focus of Regeneration and Renaissance

3.15 There are two principal thrusts to the regeneration and renaissance agenda that are being pursued throughout the UDP. The first aim is centred on urban areas and is founded on the Government's vision contained in the Urban White Paper 'Our Towns and Cities: the Future - Delivering an Urban Renaissance' (2000) that towns, cities and suburbs should offer a high quality of life and opportunity for all. The new vision of urban living is of:-

- communities shaping their own future;
- people living in attractive, well kept towns and cities;
- good design and planning which makes it practical to live in an environmentally sustainable way;
- the creation and sharing of prosperity; and
- good quality services that meet the needs of all.

3.16 In short, this is a vision of an urban renaissance that will benefit everyone, making towns and cities vibrant and more attractive and secure places where people will choose to live, and helping protect the countryside from development pressure.

3.17 The second focus of the regeneration and renaissance vision is based on the outlying countryside areas and the overall aim founded on the Rural White Paper: Our Countryside - the Future (2000) is to sustain and enhance the distinctive environment, economy and social fabric of the countryside for the benefit of all.

How can the Regeneration and Renaissance Agenda be Achieved?

3.18 The regeneration and renaissance agenda involves the co-ordination of the programmes and plans of both public and private sectors to ensure that resources are used effectively to bring about new job opportunities, better housing and general living conditions and to protect and enhance the environment in its widest sense. The scale and pace of regeneration will be affected by the availability of resources and government funding programmes. Most importantly, the regeneration process should be led by or at least supported by the people most affected, the local community. This will require considerable co-operation between the public and a number of key partners from the public, private and voluntary sectors.

3.19 The aims of the regeneration and renaissance agenda can be achieved through various Council

policies and initiatives, the UDP being one such means. Within the UDP there are various policies which either individually or collectively can help achieve the aims. The UDP's policies and proposals will therefore encourage and promote appropriate regeneration opportunities through:-

- giving preference to the development of previously developed land;
- providing adequate land in appropriate locations for employment related purposes;
- providing adequate land in appropriate locations for housing and ensuring the provision of adequate levels of affordable housing;
- encouraging the concept of mixed use development in appropriate locations;
- encouraging retailing in appropriate locations;
- promoting the re-use and redevelopment of derelict, underused and empty land and buildings;
- enabling and encouraging housing renewal to take place;
- maintaining and building healthy communities;
- eradicating social exclusion;
- protecting and creating biodiversity, open spaces, leisure areas and sports and recreation facilities;
- promoting safety and crime prevention measures in development;
- encouraging the provision and use of sustainable modes of transport;
- protecting areas of environmental importance from inappropriate development;
- developing tourism; and
- encouraging the diversification of the rural economy.

3.20 Accordingly, POLICY GP 4 identifies how policies and proposals can contribute to the regeneration and renaissance objectives of the District:-

~~POLICY GP 4~~

~~PROMOTION OF URBAN AND RURAL REGENERATION AND RENAISSANCE~~

~~POLICIES AND PROPOSALS SHOULD SEEK TO PROMOTE AND CONTRIBUTE TO URBAN AND RURAL REGENERATION AND RENAISSANCE BY:-~~

- ~~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.~~

3.21 Yorkshire Forward, the regional development agency for Yorkshire and the Humber has established two Renaissance Initiatives within Calderdale: one for Halifax and the other for the Upper Calder Valley. These initiatives seek to ensure that these areas have a clear long-term vision of their economic future. Both Renaissance Projects have provided a focus for community involvement and have produced long-term visions of their respective areas. The UDP seeks to incorporate elements of these visions. The Upper Calder Valley Renaissance is generally covered in Section 4 (paragraphs 4.80 to 4.83 and Policy E 19), whilst that for Halifax is incorporated into Section 6 (paragraphs 6.39 to 6.40 and Policy S 10).

Sustainability Appraisal

3.22 As part of the need to produce a UDP that achieves sustainable objectives in line with national, regional and local targets, a Sustainability Appraisal has been carried out. The aim of the appraisal was to ensure that sustainable development principles are integrated into the development plan and that the

impacts of all proposals and policies are properly assessed and taken account of in the preparation of the UDP.

3.23 AERC (Applied Environmental Research Centre) consultants were commissioned to carry out the Sustainability Appraisal, in accordance with Government advice. The methodology used was based on advice from the former Department for Transport, Local Government and the Regions, the appraisal framework developed for the review of Regional Planning Guidance, latest best practice and also encompassed the sustainability objectives of the Calderdale Local Agenda 21 Strategy. A Steering Group involving community and environmental interests, as well as Council officers assisted consultants.

3.24 The Sustainability Appraisal of the Plan was carried out in two stages. Firstly, an appraisal of the policies and proposals in the first Adopted UDP (1997) was undertaken. The results of this were incorporated into a re-written draft Replacement UDP. Secondly, the new and revised policies and proposals of the draft Replacement Plan were subject to a further appraisal. The policies and proposals were further refined as a result of the second appraisal and were incorporated into the Replacement Plan.

3.25 The policies and proposals contained in the Replacement Plan were appraised to determine their overall sustainability, which together with other considerations, provided the site selection and phasing of housing and employment sites.

3.26 The documents prepared by the consultants, explaining the methodology and summarising the outcome of the appraisal of policies and proposals, were published as supporting documents to the Replacement Plan (see Appendix 3).

Resources and Implementation

3.27 A fundamental element in the implementation of the policies of the Plan is the availability of financial, human and physical resources from Calderdale Council, the private sector, voluntary sector and other public agencies.

3.28 The Replacement UDP provides a policy framework to guide and control new development. It also provides a planning framework for the Council's other policies and strategies and helps to influence the Council's own spending programmes. Additionally,

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it guides and assists the actions of all other organisations that have a role to play in Calderdale's future.

3.29 It is recognised that business interests, other public and private bodies and private individuals will make much of the investment necessary to achieve the Plan's development and environmental objectives. However, the uptake of sites allocated for new development will, to a certain degree, be dependent on the extent to which public agencies are able to allocate resources to improve infrastructure, the environment and services.

3.30 Calderdale Council will seek to secure sufficient resources to enable the various policies contained in the Plan to be implemented. The Council has an important role to play in allocation, co-ordination and implementation of resources. However, it is restricted in this role due to the finite and variable supply of resources made directly available to it. It is therefore essential for the Council to act as an enabling, as well as an implementing body, so as to encourage and stimulate the provision of additional resources to bridge the gap between those publicly available and those held by other bodies in order to achieve the goals and objectives of the Plan. It may also be necessary from time to time for the Council to exercise its compulsory purchase powers to enable development to proceed.

3.31 The Council will therefore encourage, when appropriate, the formation of partnerships between the public, private and voluntary sectors in order to rationalise the use of finite resources in the most efficient and effective manner so as to achieve the policy objectives of the Plan.



4 Employment, The Economy, Tourism and Regeneration

Background to Economic Policy

4.1 One of the corporate priorities of the Council is to promote sustainable economic growth. The principle objective is to ensure the retention and further expansion of the local mixed economy in order to provide jobs and income for those who seek and need work. In addition, a sound local economy is a linchpin in the achievement of sustainable objectives and without a firm employment base, these objectives will be undermined and will not be fully realised. Job-creation, economic development and regeneration merit prioritisation in the UDP in order to ensure a range of employment opportunities are provided and to establish a base on which the aspirations of sustainability can be realised.

4.2 The performance of the local economy will largely reflect the economic fortunes of the national and regional economies and their influence upon local levels of output, employment, investment, growth or decline. These influences are largely external but have direct social and economic consequences for the workforce of Calderdale. The Council recognises the limitations of the wider role that it can play in influencing the local economy but nevertheless it wishes to maximize all the positive effects it can. The UDP will assist in bringing land and buildings forward for development in order to aid enterprise and limit any adverse effects associated with economic cycles.

4.3 The structure of industry is progressively shifting away from the traditional large scale manufacturing and industrial base, around which the major urban areas grew, towards more specialised companies and, in particular, a service sector base. Despite this, manufacturing continues to be a significant feature of Calderdale's economy. In many sectors of the 'new' economy, companies have an increasingly wide choice of where to locate. A key strategic aim of economic policy in Calderdale is to utilise and promote the positive aspects of the area, such as the quality of the natural and built environment, social fabric, wider quality of life and transport linkages. This is in order to continue to attract inward investment, as well as securing the retention of existing local employers, particularly by allowing existing companies to relocate and expand within the District. The provision of a good range of quality employment sites will assist in the realisation of this task. Skilled people are also an increasingly important competitive success factor for business. The Council and its

partners will endeavour to continually improve and widen the District's skill base in order to continue to attract and retain a skilled workforce.

4.4 It is important that the District does not become insular in its provision of investment opportunities. To maintain dynamism within its economy, Calderdale needs to continue to attract new investment and business from outside its boundaries as well as providing the encouragement and capacity for growth for its indigenous companies. However, the Council is mindful that the need to create jobs during the Plan period will not be met wholly within the District, despite the allocations of new employment land. Other areas within the sub-region and further afield will continue to provide employment opportunities for the residents of Calderdale. However, the prospect of further reliance on long-distance commuting to workplaces is not seen as a sustainable future.

4.5 The UDP Policies have the objective of job-creation and retention by protecting and reserving land and premises to best meet the needs of employers and employees and enabling a range of employment opportunities to occur in appropriate locations. These objectives are reflected in the following Part One Policy:-

POLICY GE 1

MEETING THE ECONOMIC NEEDS OF THE DISTRICT

THE EMPLOYMENT NEEDS OF THE DISTRICT'S MIXED ECONOMY CAN BE MET BY:-

- I. **ALLOCATING LAND WHICH MEETS THE REQUIREMENTS OF EXISTING CALDERDALE BUSINESSES AND THOSE BUSINESSES NEW TO THE DISTRICT;**
- II. **SAFEGUARDING EMPLOYMENT LAND AND BUILDINGS CAPABLE OF RE-USE AND DEVELOPMENT;**
- III. **USING THE DEVELOPMENT CONTROL PROCESS, WHERE POSSIBLE AND APPROPRIATE, TO ASSIST ECONOMIC DEVELOPMENT THROUGH SECTION 106 AGREEMENTS;**
- IV. **PROVIDING FOR OFFICE USES IN TOWN CENTRES, AND IN OTHER APPROPRIATE AREAS SUBJECT TO CERTAIN CONDITIONS;**

- V. PROVIDING FOR WAREHOUSE DEVELOPMENT IN APPROPRIATE LOCATIONS;
- VI. PROMOTING TOURISM AND RELATED DEVELOPMENT;
- VII. ACCOMMODATING HOTELS, MOTELS AND OTHER VISITOR ACCOMMODATION; AND
- VIII. ACCOMMODATING THE DIVERSIFICATION OF THE RURAL ECONOMY.

Primary Employment Areas

4.6 In the urban areas of Calderdale there are areas in which industrial and business uses predominate. It is in these Primary Employment Areas (PEAs) where development is encouraged which supports the existing employment activities in order to retain and encourage the creation of jobs. The established land use activities in the PEAs provide a range of local job opportunities close to where many people live and which are accessible by private and good quality public transport. In seeking to make the most effective use of resources it is considered that maximum use should be made of existing urban buildings and land commensurate with environmental, amenity and safety factors. Measures to safeguard and further develop employment opportunities and stimulate investment in these areas are encouraged.

4.7 As well as offering support and encouragement to traditional manufacturing industry in the PEAs, the UDP seeks to promote offices, high technology development and light industry (as set out in The Town and Country Planning (Use Classes) Order 1987 Class B1), which are crucially important as sources of jobs. It is considered that flexibility in the use of PEAs will allow for the broadest range of jobs to be created and retained, which in turn will improve the diversity and strength of the local economy. The PEA designation does not safeguard land for just employment uses, but other applicable UDP policies may restrict non-employment development. Of particular relevance Policy E 5 seeks to safeguard for employment use, land and buildings which are either currently used or whose last use was for employment purposes. The use of PEAs for retail or leisure purposes, which cannot be accommodated in town centres, may be acceptable in appropriate circumstances provided that the development is accessible by good quality public transport and satisfies the sequential approach. Retail and major or intensive leisure development should also be able

to demonstrate the 'need' for the proposal. (~~POLICY GS 2, Policy S 1 and Policy S 2~~ are of relevance). The following Policy applies to PEAs:-

Policy E 1

Primary Employment Areas

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:-

- 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.**

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.

Employment Development Outside the Primary Employment Areas

4.8 There are areas within the District where the population suffers from a lack of local employment opportunities and finds it difficult to reach the main areas of employment. These are the predominantly residential areas of main towns, but include a scatter of small settlements and villages in the outlying parts of the District. Within these areas existing small commercial areas and established manufacturing firms that provide a range of local jobs that should be maintained and encouraged. The provision of job opportunities within these localised areas is important and support will be given to small-scale job-creating enterprise and the development of locally based employment outside the PEAs. At the same time highway, amenity and environmental considerations will continue to place constraints upon extensive development in such areas. Accordingly:-

Policy E 2

Employment Development outside the Primary Employment Areas

Outside the Primary Employment Areas shown on the Proposals Map appropriate development proposals within Use Classes B1, B2 and B8 including extensions to existing premises will be permitted provided that the proposed development:-

- i. relates well in scale, character and function 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.

The Need for New Employment Land

4.9 The UDP seeks to ensure that there is an adequate supply of employment land to meet the needs of existing and new firms. Without the availability of sufficient land and property in appropriate locations and of the right price and quality, business performance will suffer. Unsuitable premises and sites can increase costs and constrain growth, whereas suitable accommodation can lower costs, increase profits, and enhance survival and growth rates. Most employment land is in private ownership, being held by owners for their own purposes, a factor which could limit the Council's ability to control or influence the efficient and effective use of land for employment use. The majority of employment land tends to be concentrated in the Lower Calder Valley where there are fewer topographical constraints and there is proximity to the M62 motorway. In the western parts of the District there are fewer sites and limited potential by virtue of physical, access and topographical constraints. Where there is an opportunity to bring forward land within the main towns for employment use, encouragement will be given through UDP policies.

4.10 In June 2000, Calderdale MBC commissioned an independent consultancy (the Business Environments Group) to provide an objective assessment of Calderdale's present and future

economy and economic land supply in order to inform the Replacement Plan. A report was produced in February 2001 that assessed the District's economic prospects and requirements for the next 20 years and recommended new employment site locations. An important consideration in the location of new employment sites is that economic development needs to be channelled into those areas where the market is prepared to invest. It is for this reason that an external economic consultant was utilised in order to provide an impartial and objective market perspective to employment site selection. The economic consultant's report informs this section of the Replacement Plan and has been published by the Council as a supporting document (see Appendix 3).

Current Employment Site Provision

4.11 The employment site allocations in the former UDP (1997) have achieved mixed success in delivering the aspirations of the UDP. Some of the employment sites did not possess the attributes that meet the requirements of modern industry and business. However, the Lowfields Business Park in Elland has demonstrated that there is demand for employment land in Calderdale providing that the circumstances are right, i.e. well accessed, flat sites, close to centres of population and the M62 motorway. Lowfields has not only satisfied demand from indigenous companies seeking to expand or consolidate in more efficient, modern premises, but has also drawn new inward investment to add to the District's business stock and employment base. Lowfields has almost been fully developed and similar opportunities should continue to be provided in the Replacement Plan.

The Provision of Employment Land for Local Companies

4.12 Employment land needs to be available for local companies. Much investment in new products and processes takes place within existing firms. Many local companies have established local workforces, suppliers and logistical arrangements and therefore prefer to expand or relocate in or close to their existing premises. Future investment is likely in the main to be generated from businesses located in the district, local entrepreneurs, or those willing to relocate from the sub-region. The UDP provides suitable employment land to enable local businesses to continue to operate successfully and flourish in the future by allowing for any expansion needs to be accommodated locally.

The Provision of New Employment Sites

4.13 The retention of a mixed economy in Calderdale is constrained by the current assets and opportunities associated with employment land. In the past, the problems encountered locally in attracting new inward investment have been further compounded by the fact that Calderdale has suffered with the absence of UK and European financial aid in comparison with adjacent districts. An examination of the existing available employment land supply reveals that there is insufficient land to meet future need/demand. In order to maintain dynamism within Calderdale's mixed economy and to reduce the requirement for long distance commuting, there is an overriding need to continue to attract new investment and business from outside the region as well as providing the capacity for growth of its indigenous companies. This can be achieved through the provision of an adequate and balanced portfolio of employment sites that provide for different types of development opportunities up to 2016 (and to have an available resource for up to a further 2 to 4 years beyond that date), an approach which is endorsed by RSS for Yorkshire and the Humber to 2016. This provision is critical as the supply of developable sites is reducing, particularly within the prime and preferred investment locations in the District.

4.14 The quality of employment land provision is a critical issue. The aim is to ensure that a broad range of sites and premises are available, which are readily capable of development and well served by infrastructure, and which meet the requirements of existing firms and potential employers in order to allow the local economy to grow in a sustainable manner. The Replacement Plan therefore seeks to ensure that the new allocations are viable and available for development. The provision of such sites should ensure that Calderdale continues to retain a diverse mixed economy both now and in the future, whilst also helping to assist existing and incoming businesses to expand or relocate locally and provide jobs for the more disadvantaged. Failure to provide sufficient attractive readily developable land will jeopardise the UDP's responsibility to meet the needs of existing, emerging and incoming businesses, to strengthen the local economy and to help reduce unemployment.

4.15 Economic projections for Calderdale up to 2010 have been produced as part of the Economic Consultant's report. The main findings are that a 5.5% growth in the level of employment within the District will occur, but with contrasting trends within differing employment sectors. Manufacturing jobs are likely to

decrease by 16% and Financial and Business Services jobs expected to rise by almost 37% over the period to 2010. The implications for the employment land supply situation is that employment growth will be concentrated largely in a sector that would require B1 office space rather than B2 industrial or B8 warehouse accommodation.

Employment Land Take Up

4.16 In considering the provision and adequate supply of employment sites, account has been taken of previous rates of land take up and the anticipated likely future demand for employment sites in Calderdale. Employment land take up (within Use Classes B1, B2 and B8) between 1985 and 1995 in Calderdale has been at an annual average of 4.5ha per annum, but between April 1995 and March 2001 this increased to 7.8ha per annum, which directly correlates to development activity at Lowfields. To sustain the more recent higher level of land take up, additional employment opportunities will have to be provided because at this take up rate there is currently insufficient employment land to meet future need. Actual take up rates of land, however, are only part of the picture and the Council has also had regard to latent demand, which has been deterred because of a shortage of developable sites. Ideally, there is therefore a need to provide employment land in excess of past take-up rates. In order to provide an adequate supply of employment land from 2001 through to 2018/2020 (as outlined in Paragraph 4.13) based on a figure of 7.8ha per annum take-up, in the region of between 132-148ha of employment land is required to be allocated. Employment land take up will continue to be monitored in order to inform future reviews of the Plan, as part of the Local Development Framework (LDF).

Amount of Employment Land Provision

4.17 In order to meet the requirements of the RSS and PPG4 'Industrial and Commercial Development and Small Firms' (1992) to provide sufficient land for employment use, taking into account the need to provide a good choice and mix of sites, together with an allowance for latent demand, the Council considers that in the order of 120ha of employment land should be allocated in the Plan. Therefore:-

POLICY GE 2

PROVISION OF EMPLOYMENT LAND

PROVISION IS MADE FOR ABOUT 120 HECTARES OF EMPLOYMENT LAND IN CALDERDALE BETWEEN 2001 AND 2016.

4.18 The employment land provision figure is based on past land take up rates and projected need arising from new industrial investment and local expansion to 2018/2020. There is an additional hidden resource in land held by companies for their own future use and there will be other future windfalls arising from redevelopment opportunities. In addition, a further resource of approximately 12 to 16ha of windfall employment land is likely to be contained within the mixed-use site allocations (this is 25-33% of the total mixed-use site area) as outlined in Policy E 4. Based on the 7.8ha land take up rate figure, the 120ha allocation is below the required 17 to 19 years supply of employment land, although with the addition of windfall opportunities and mixed-use sites these amount to the required level of employment land provision. The total figure for employment land allocations in Policy E 3 is below the 120ha in POLICY GE 2 due to the deletion of Sterne Mill, Sowerby Bridge (formerly EM58) during the latter stages of plan preparation. However, this loss is compensated for by the introduction of the Sowerby Bridge/Copley Regeneration Action Area which includes land for employment purposes. The 120ha of allocated employment land is made up of:-

- i. 58.61ha of land allocated as part of the former UDP (1997) as Employment Sites which have not been developed but which serve sub-regional and local development requirements and are carried forward into the Replacement Plan as new employment sites.
- ii. 37.68ha of employment land designated in the former UDP as Primary Employment Areas that have not been developed but which serve sub-regional and local development requirements and are given the status of new employment sites in the Replacement Plan.
- iii. 23.65ha of land allocated as new employment sites that can serve sub-regional and local development requirements.

The Allocation of New Employment Sites

4.19 The principle constraints for developing new employment sites in Calderdale are topography,

development/site preparation costs, the risk of flooding and access to the strategic road, motorway, rail and canal networks. Other issues of importance in considering the location of new employment sites are the accessibility of the site by public transport, environmental issues and the compatibility of neighbouring uses.

4.20 The Economic Consultant's report states that: "Ideally Calderdale should focus infrastructure investment on:

- A supply of competitive sites which capitalize on the opportunities of the M62 corridor growth pole;
- Opportunity corridors which develop the advantage of existing links to the M62 corridor and to other strategic road and rail services infrastructure;
- Sites which can be served cost-effectively by public transport;
- Sites which can be linked effectively to Halifax town centre and to one or more of Calderdale's other population centres."

4.21 The Lower Valley areas along the Sowerby Bridge-Elland-Brighouse axis present Calderdale's preferred employment development locations. The area benefits from relatively flat topography, access to the strategic road network especially to the M62, railway links, good public transport, and close proximity to Halifax and the majority of the District's population. These are locations that have attracted, and are likely to continue to attract, developers and businesses. New employment sites have been sought in these locations, but unfortunately there are only limited opportunities to add to the employment land resource in these prime locations. More extensive provision and opportunities could exist in North Halifax, but because of its remoteness from and problematic access to, the motorway corridor, it is considered to be a location suited primarily to relatively small-scale local companies. Elsewhere within the District, opportunities to provide new employment sites have been sought to meet the needs of existing local businesses and new start-ups.

4.22 Principally, the Council would wish to concentrate the provision of new employment sites within the urban areas (particularly on previously developed land), subject to being able to deliver a continuing land supply of sufficient quantity and quality in order to assist urban regeneration and to

encourage economic growth, whilst safeguarding the environment and the countryside. Unfortunately, there is a limited supply of developable land in the urban areas and much of the land that does exist suffers from severe constraints that dictate that it is unlikely such sites would actually be developed in the Plan period. In such circumstances, economic regeneration is likely to be frustrated rather than aided. The Council has had regard to the advice in the RSS (Policy P2), which states that the release of Green Belt land can be justified by the need to enable development to proceed to achieve economic regeneration or to maintain a buoyant economy. Consideration has therefore been given to the re-designation of sites to accommodate employment-related development and the Green Belt boundary has been amended to accommodate an important proportion of the overall provision of new employment land. Four Green Belt sites totaling 12.71ha of land are reallocated for employment uses. Much of this is in the eastern part of the district close to the M62 motorway.

4.23 The RSS states that various types of regionally significant sites should be reserved and protected from inappropriate or piecemeal development. The designation of these regionally significant sites is a matter for the Yorkshire and Humber Assembly in the context of the Regional Employment Land Survey that they are undertaking. Of the new employment

sites allocated in Policy E 3 it is considered that only the Wakefield Road site at Clifton (EM42) could potentially fulfil the characteristics of a regionally significant 'premium' employment site. Due to various constraints it is likely that the Yorkshire and Humber Assembly will view all other new employment site allocations as not of the requisite size or characteristics to be considered as regionally significant (although they will serve sub-regional and local development requirements). In addition, of the sites allocated in the Plan, the Council considers that some of these should be restricted to specific types of employment use. B1 office and technology parks have strict locational requirements that distinguish them from normal B1/B2 industrial developments. Given the very limited number of sites capable of meeting such criteria, good use of resources dictates that certain sites are restricted to B1 office/technology parks only. Sites may also be restricted to certain uses in order to protect the amenity of local residents where this is appropriate. Proposals for development on new employment sites will be assessed against the criteria within Policy E 3 and other relevant UDP policies. In particular regard should be had to the requirements of POLICY GT 5 and Policy T 1 that outline the need for Transport Assessments and Travel Plans. The new employment sites together with any restrictions on specific sites are set out below:-

Policy E 3

Sites Allocated for Employment Use.

The following sites are allocated to provide land for employment purposes within Use Classes B1 to B8 and are shown on the Proposals Map.

Proposals within Use Classes B1 to B8 will be permitted provided that the proposed development:-

- 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.

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.

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

Site Ref:	Location	Area (Hectares)	Status
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
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	

PDL = Previously Developed Land GF = Greenfield

§ = 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.

*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.

**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.

4

Replacement Calderdale UDP : Adopted 25 August 2006

Mixed Use Allocations

4.24 A rationale behind the previous UDP (1997) was that, where appropriate, it sought to separate incompatible land uses such as employment and housing. Whilst this approach is still relevant, where certain conflicting land uses are concerned, given current development pressures on land there exists an increasing desire to seek to make the most effective and sustainable use of land. As a response to this objective the Government advocates the concept of mixed-use development, which is principally outlined in PPG4 'Industrial, Commercial Development and Small Firms' paragraphs 14 to 19. The notion of mixed-use development is not new, and basically involves the development of more than one use on a site or within a building and often seeks to establish a higher density development in a manner that produces an effective and sustainable development. Mixed-use development can help create vitality and diversity, increase access to work for local people, reduce the need to travel, make efficient use of brownfield land and can be more sustainable than development consisting of a single use. A mixed-use development allows for flexibility and could incorporate a range of uses such as residential, employment, retail, leisure and other community facilities. However, given the relatively small size of most suitable sites in Calderdale, it is unlikely that all these uses could be combined on a single development site.

4.25 Mixed-use development is not appropriate for every site. For example, on a large-scale employment site that represents a scarce resource, the introduction of residential development could diminish the full employment potential of the site. However, mixed-use development can help to kick-start the development of difficult sites, for example by including a cost effective use such as residential in order to help to overcome prohibitive site preparation costs. As such, where it is appropriate, the mixed-use concept will be considered as a development option throughout the District.

4.26 There can sometimes be an imbalance between the number of available jobs and people in certain locations. An aspiration is to try to redress any such imbalances by helping to support and strengthen the range of employment opportunities present in

local areas. However, the occurrence of incompatible uses can cause problems for the occupiers both of new and existing developments. Any mixed-use development site or proposal will need to fit in with, and be complementary to, their surroundings. An important consideration in any mixed-use scheme is that the character of existing residential areas should not be undermined by inappropriate new uses.

4.27 The most significant and appropriate form that mixed-use should take in Calderdale is the mix of housing and employment. However, not every form of employment will be suitable. The Use Classes Order dictates that any B1 use must be capable of being undertaken in any residential area without detriment to the amenity of that area. It is this specific form of employment (which encompasses uses such as offices, high tech industry, research and development, studios, and light industry) which together with housing will be supported in mixed-use areas as shown on the Proposals Map. Other forms of employment uses and ancillary facilities may also be supported, such as within the A1, A2 and D2 Use Classes and social and cultural facilities, but employment uses within Use Classes B2 or B8 will not generally be supported as they are not considered to be compatible with residential areas.

4.28 In order to allow flexibility to develop attractive, imaginative and viable schemes, the area and amount of land appropriate to each particular land use on a mixed-use site is not specified. However, the Council's objective is to achieve mixed-use development on these sites and, with the exception of the former Transco Site (MU2) which may be developed solely or predominantly for residential purposes, it is not envisaged that schemes for a single land use, or schemes that include disproportionately high amounts of a particular land use, will be viewed as acceptable. Conditions on planning permissions or planning obligations will be used to secure an appropriate mixture of uses and to ensure that all elements of a scheme are implemented as proposed. Developments could involve the use of buildings or land whose current or last use was for employment purposes for non-employment uses. Within the identified mixed-use sites, securing development that provides a satisfactory mixture of uses on the site as a whole, will outweigh Policy E 5 considerations. Policy E 4 does allow for the extension of existing premises or proposals that support existing uses

within the site. Policy E 4 lists larger sites that are allocated as mixed-use sites. Consideration will also be given to proposed mixed-use development outside these areas where the use would not undermine other

UDP Policy objectives. The mixed-use sites together with any restrictions on their development are set out below:-

Policy E 4

Sites Allocated for Mixed-Use

The sites in the table below are allocated to provide land for mixed-use development and are shown on the Proposals Map.

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:-

- 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.

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.

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.

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*

Site Ref	Location	Size (Hectares)	Status	Appropriate Use Classes
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 GS 2, Policy S 1, Policy S 2 and Policy E 8~~ 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.

Safeguarding Employment Land and Buildings

4.29 The land supply for employment uses, in terms of the range and quality of sites available, is limited and the employment land portfolio is characterised by a distribution of small sites, mainly in urban areas. Wherever possible, the Council will actively work to overcome constraints that prevent the re-use of such land and property for new employment uses.

4.30 Whilst it is important to maintain employment opportunities by making the best and most appropriate use of available land and existing buildings, not all premises will be either in a suitable location or be readily re-usable for modern employment use. Re-use or redevelopment for employment use of some of these premises could never occur. In order to avoid premises remaining idle and becoming derelict with consequential adverse environmental effects the re-use or redevelopment of these particular underused sites and buildings for appropriate other non-employment uses is the most

suitable course of action. This re-use and redevelopment will assist in making the best use of urban land, assist the regeneration of urban areas and ease pressures on the countryside and the Green Belt. The approach is tempered by the need to take into account any scarcities of employment land in particular localities and the employment potential of individual sites or buildings.

4.31 In certain cases applicants may seek to demonstrate that there is no demand to use a building/site for employment purposes. Such applications should be accompanied by evidence to demonstrate that the building or site has been adequately advertised on the open market for a reasonable length of time and that the site has been widely advertised, with the asking price reflecting the proposed commercial or business use being marketed. It is envisaged that a minimum of one year in the Lower Valley areas of Halifax, Brighouse, Elland and Sowerby Bridge and a minimum of two years in the Upper Valley areas of Todmorden, Hebden Bridge and Mytholmroyd will be necessary in most cases. However factors such as the size of the available site and extent/appropriateness of advertising undertaken

means that evidence about marketing efforts will be considered on its merits. Applicants may also seek to demonstrate that a site and/or buildings are not economically or physically capable of supporting commercial or business uses. In cases where this cannot be demonstrated to the satisfaction of the Council, evidence of marketing the site will usually be necessary.

4.32 Within the Lower Valley areas of Halifax, Brighouse, Elland and Sowerby Bridge there is a reasonable supply of small employment premises and therefore a more flexible approach has been taken towards changes in the use of land and buildings within this area.

4.33 It should be noted that Policy E 5 does not apply to proposals for new retail or leisure uses as these are considered to be acceptable other employment uses provided that they cannot be accommodated within town centres, the development is accessible by good quality public transport, the proposals satisfy the sequential approach and an assessment has been carried out of the need for such developments as laid out in ~~POLICY GS 2, Policy S 1~~, Policy S 2 and Policy CF 10.

4.34 Sites that are allocated as new employment sites will be protected for employment purposes only and development proposals on such sites should not be assessed against Policy E 5 of the plan. The Policy is set out below:-

Policy E 5

Safeguarding Employment Land and Buildings

Proposals for non-employment uses which involve the loss of land resources and/or buildings which are either currently or whose last use was for industrial, business, office (Use Classes B1, B2 and B8) or other employment uses, will be permitted providing one or more of the following apply:-

- i. **the employment site is within an urban area in the Lower Valley areas of Halifax, Brighouse, Elland, or Sowerby Bridge, is less than 0.3 hectare in area, but is not within a Primary Employment Area or designated New Employment Site;**

- ii. **the application site is within an area identified as Town Centre, New Housing Site, or Mixed-Use Site by the Plan;**
- iii. **it can be demonstrated that the site and/or buildings are not economically or physically capable of supporting industrial, business (Use Class B1, B2 and B8) or other employment generating uses and that other UDP objectives can be achieved by the development;**
- iv. **no demand exists to use the site for employment purposes and this is justified by evidence demonstrating the site has been adequately advertised on the open market for a reasonable length of time with purchase/lease costs set at an appropriate level to reflect the employment potential of the site/building in the local market;**
- v. **the establishment of a new use is the only practical means of retaining a building of architectural or historical significance; and**
- vi. **the site forms part of a wider regeneration proposal supported by the Council and an alternative use would be more appropriate and meet other UDP objectives.**

The Development of Employment Sites for Non-Employment Uses

4.35 The development of sites for non-employment uses, whose current or last use was for employment purposes (Use Classes B1, B2 and B8), will see the loss of such resources for the foreseeable future. In such circumstances it is considered that there still exists an opportunity to make a contribution towards longer-term economic development and job retention and growth within an area. Where a non-employment generating use for a site is proposed, developers may be requested to make provision for an appropriate contribution towards alternative and beneficial economic development in the local area. Such a measure will achieve a direct link between the irretrievable loss of potential employment prospects on the site and the achievement of economic objectives within Calderdale in an area related to the site in question. In cases where proposed uses provide some employment, but clearly do not have the potential to provide the same quantity of

employment as the present or last use, the Council may still request a contribution commensurate with the net loss.

4.36 Contributions will be sought on sites that either contribute or have previously contributed to employment provision in Calderdale.

4.37 Where a developer cannot provide an appropriate physical contribution off-site the Council will assist the developer in meeting the needs of continued job creation by accepting a financial contribution in lieu of physical provision to enable the provision and maintenance of local employment generating facilities. Such a commuted sum would be subject to a planning obligation detailing the amount of money to be commuted and what the commuted sum could be used for, or alternatively the developer could make a voluntary payment to the Council.

4.38 Any planning obligation entered into should comply with the requirements of ODPM Circular 05/2005 and funds raised will only be used in a location within the immediate locality of the funding development where it should be of direct benefit to the area. The level of commuted sum should be fairly and reasonably related in scale and kind to the loss of jobs and/or employment area/floorspace, taking into account the total level of financial contributions that the development incurs (such as contributions towards highway improvements, affordable housing, open space provision and education facilities) and any other abnormal site costs. In order to provide a framework for this matter the following Policy will apply:-

POLICY GE 3

THE DEVELOPMENT OF EMPLOYMENT SITES FOR NON-EMPLOYMENT USES

WHERE NON-EMPLOYMENT USES ARE PROPOSED ON SITES WHOSE CURRENT OR LAST USE IS/WAS FOR EMPLOYMENT PURPOSES (USE CLASSES B1, B2 & B8), THE PROVISION OF A CONTRIBUTION TO OFFSET THE PERMANENT LOSS OF SUCH A LAND RESOURCE WILL BE SOUGHT. SUCH CONTRIBUTIONS SHOULD HELP TOWARDS ECONOMIC DEVELOPMENT THAT WILL ASSIST IN BRINGING ECONOMIC BENEFITS TO THE AREA IN WHICH THE DEVELOPMENT IS LOCATED, BE FAIRLY AND REASONABLY RELATED IN SCALE

AND KIND WITH THE EMPLOYMENT RESOURCE THAT IS BEING LOST AND COMMENSURATE WITH THE DEVELOPMENT PROPOSED.

This policy applies only to sites where the site area is 0.5ha or more, or where employment floorspace lost is 1000sqm or more.

Office Development

4.39 The UDP generally seeks to promote and encourage office development to locate within defined town centres. Such an approach will help to increase the prospect for multi-purpose trips, will maximise the opportunity to use means of transport other than the car and will help sustain and enhance the vitality and viability of town centres. The approach has to be balanced by the need to protect the retail character and function of town centres. The intrusion of office uses into ground floor primary, secondary and tertiary shopping frontages (as defined in the Plan) could disrupt the continuity and variety of shopping activity to the detriment of the vitality in town centres. Therefore the provisions of Policy S 6, Policy S 7 and Policy S 8 apply. It should be noted that the provisions of Policy S 6, Policy S 7 and Policy S 8 do not apply to the upper floors of buildings and therefore office development is encouraged on the upper floors of buildings throughout the defined town centres. The Town and Country Planning (Use Classes) Order (1987)(as amended) identifies two different types of office development. These are A2 offices (defined as those offices providing financial and professional services to visiting members of the public) and B1(a) offices (office development that does not fall within use class A2).

A2 Office Development

4.40 Whilst A2 development will be encouraged primarily within town and local centres defined on the Proposals Map, it is recognised that it may not be possible or desirable to focus all A2 office development within such locations. A2 office uses could quite reasonably be sited outside defined town and local centres provided that they are intended to meet the needs of the local community and are appropriate in scale to that community. ~~Where proposals for A2 uses outside the defined town centres are received, criteria within Policy E-6 seek to ensure that proposals are directed to locations that are accessible and/or will help to support existing small groups of shops not defined on the Proposals~~

~~Map (subject to the requirements of Policy S 9 Non-Retail Uses in Smaller and Local Centres). Proposals for A2 Office development will be judged against the following Policy:-~~

~~Policy E 6~~

~~A2 (Financial and Professional Services) Office Development.~~

~~Development proposals for A2 uses will be permitted provided that the proposed development:-~~

- ~~i. is of an appropriate scale and function to the role of the locality within which it is sited;~~
- ~~ii. does not create any unacceptable environmental, amenity, safety, highway or other problems; and~~
- ~~iii. is consistent with other relevant UDP policies.~~

~~Proposals outside the defined town and local centres should also:-~~

- ~~a. form part of a small group or parade of shops; or~~
- ~~b. form an extension to an existing A2 office use, or~~
- ~~c. be accessible by good quality public transport within the community it serves and offers pedestrian and cycle access.~~

B1 Office Development

4.41 PPS6 and RSS recognise that proposals for commercial and public office uses should be encouraged to locate within town centres. Accordingly, proposals for major B1 office development (over 1000 sq m gross floor area) will be primarily encouraged to locate within the town centres of Halifax, Brighouse, Elland, Sowerby Bridge, Hebden Bridge and Todmorden. Major B1 office development can also be appropriate on those new employment sites and mixed-use sites that have been specifically identified by the plan as suitable locations for new Class B1(a) Office development.

4.42 Policy E 7 below sets out a sequential approach that will be applied when assessing the suitability of locations for new Major B1 office development proposals. Smaller B1 office

development proposals (below 1000sq m gross floor area) are not considered to be of such significance to justify this assessment. Smaller B1 office development should be considered against Policy E 1 and Policy E 2 of the development plan along with other business development proposals.

Policy E 7

Sequential Approach for Major B1 Office Development

Proposals for Major B1 office development should be sited in accordance with the following preferred sequence of locations:

FIRSTLY- within the town centres of Halifax, Brighouse, Elland, Hebden Bridge, Sowerby Bridge and Todmorden or within the New Employment Site EM42 and appropriate mixed-use sites, where suitable, viable sites or buildings for conversion are available.

SECONDLY- in accessible edge-of-centre locations, having good links with the town centre and where possible within 500 metres of a railway station or other public transport interchange, or in district and local centres where no suitable, viable central sites or buildings are available.

THIRDLY- in sustainable out-of-centre locations, which are accessible by a choice of means of transport and good quality public transport.

Applications for proposals in edge-of-centre or out-of-centre locations will be expected to demonstrate that there are no reasonably available, suitable and viable alternative sites within locations higher in the preferred sequence, and that development of these sites will support sustainable development principles.

4.43 In addition to locational criteria outlined by Policy E 7 above, there is a need to ensure that major B1 office development proposals are acceptable in all other respects. ~~Policy E 8 below, details criteria for assessing other relevant matters for major B1 office development proposals.~~

~~Policy E 8~~

~~Criteria for Assessing Major Office B1 Development~~

~~Proposals for major B1 office development will be assessed on the basis of the following criteria:-~~

- ~~i. the development creates no unacceptable environmental, amenity, traffic, safety, or other problems;~~
- ~~ii. the development is of on an appropriate scale that does not harm the visual amenity and quality of the environment and is appropriate to the role of the centre and the size of the community that it serves;~~
- ~~iii. the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, where these are material considerations; and~~
- ~~iv. the requirements of other relevant UDP Policies are met.~~

Warehouse Development

4.44 Warehousing, storage and distribution (Use Class B8) are essential activities in the modern economy. These functions tend to occupy large sites, can be either freestanding or ancillary to other uses, such as manufacturing, and can offer a variety of job opportunities. In the past, warehousing tended to generate fewer jobs for a given area than manufacturing, although the nature of larger warehouse developments is changing with many employing significant numbers of people. However, these large scale strategically located major warehouse facilities are unlikely to be developed in Calderdale given the lack of flat land and the limited access to the M62 and other main transport links. Warehouse development, which generates a job density comparable with that for manufacturing/business use of an average of 25 jobs per ha (10 jobs per acre), in appropriate locations will be supported. The UDP seeks to ensure that Use Class B8 allocations are located where they can take advantage of the Strategic Road Network, railways and canals to assist in effective distribution, but also that prime employment land which may make a better contribution to manufacturing or business

regeneration is protected in order to help retain a balanced range of employment opportunities. Accordingly:-

Policy E 9

Warehousing

Development proposals for new warehousing (Use Class B8), or warehouse and storage extensions will be permitted where:-

- i. the development site is well related and has good access to the Strategic Road Network (as defined in POLICY GT 3) , or
- ii. the development site is well related, and has access to, the rail and/or the waterways network; and
- iii. the expected employment density will be comparable to that of a new industrial business use or the development is required in connection with existing industrial and business uses; and
- iv. the proposal does not create environmental, amenity, safety, highway or other problems; and
- v. is accessible by public transport as existing or with enhancement and offers pedestrian and cycle access; and
- vi. the proposal is consistent with other relevant UDP policies.

Tourism Attractions and Facilities

4.45 Tourism has an important role to play in the economy of Calderdale's towns and rural areas and brings considerable economic benefits to the region. A report commissioned by Calderdale Council concluded that the overall value of tourism in the Calderdale area in 1998 was an estimated £96 million and that it directly or indirectly supported an estimated 2,474 full-time jobs and 941 part-time and seasonal jobs.

4.46 Tourism is likely to be an important driver of the British economy with 1.4 million people directly employed nationally. Calderdale has a rich source of attractions that continue to attract people to the region. Eureka! and the Piece Hall were amongst the top ten tourist attractions in Yorkshire in 1998 attracting 320,000 and 350,000 visitors respectively. The largest tourism income generator along the M62

corridor is the business market, which accounts for a quarter of all tourist nights in Calderdale. The leisure tourism market is more important in the rest of Calderdale, comprising of overnight stays and day trips for both individuals and groups. Tourism and recreation can be major economic forces in rural areas, which is particularly relevant to the west of the District.

4.47 Farms may be suitable for appropriate forms of tourism and visitor development, such as holiday accommodation, farm trails, working holidays, rural leisure pursuits or rural crafts. Such developments assist rural economic diversification and provided that they are appropriate in scale and comply with other requirements of the Plan, particularly environmental and transport requirements, they are likely to be supported.

4.48 Whilst it is acknowledged that some types of tourism development have a functional need to locate within rural areas, it is unlikely to be appropriate to allow developments that would attract significant visitor numbers within those areas that are very remote from public transport facilities and the strategic road network. The volume of visitors to certain areas can cause localised environmental problems, particularly in the attractive Pennine uplands in the west. The concern is that visitor pressures need to be managed to ensure that the environment, quality of life for Calderdale residents and the qualities of tourism attractions themselves are not eroded. It is important to make sure that tourism and recreation opportunities grow to allow opportunities for everyone to enjoy the District's towns and countryside, whilst sustaining and enhancing the environment, and maximising the economic benefits to the local area and economy. These aims can be achieved by seeking to maintain the environment that people come to enjoy and by promoting the regeneration of urban and rural communities and the conservation and enhancement of natural and environmental resources. The key therefore to future tourism policies and development is to balance the level of tourism with the capacity that the area can manage in order that the benefits accrue without causing major environmental problems.

4.49 The Yorkshire Tourist Board and the Heritage Strategy for the Southern Pennines consider that the greatest future tourism benefits will be obtained by focusing on:-

- i. higher quality facilities;

- ii. development that seeks distinctiveness rooted in local and regional culture; and
- iii. more specialist activities.

4.50 Throughout most of Calderdale there is scope for the development of tourism which is based on these factors such as the diversification of farms, enjoyment of the landscape; industrial heritage; the river and canal network; and the District's main towns. Appropriate development to provide more places to visit, suitable accommodation and supporting infrastructure such as shops, catering and transport facilities must be encouraged. The opening of the Rochdale Canal through to Manchester is recognised as offering increased potential for tourism development and stimulating economic regeneration. Suitable development along the canal that contributes towards tourism-led regeneration is supported.

4.51 Adequate provision of advice, information and interpretation is important if the heritage assets that provide the main attractions for both visitors and local people alike are to be sustainably promoted and managed. In order to achieve this the Council is participating in a South Pennine wide initiative to establish a Heritage Education and Access Network (HEAN). The HEAN initiative will incorporate and link existing information centres, visitor centres, museums, roadside information points and similar 'gateways' where people can gain information or advice about the heritage of the area. That heritage includes:-

- i. the internationally designated moorland habitats.
- ii. the industrial archaeology of the District that is of world wide significance.
- iii. the cultural heritage that ranges from the co-operative movement and mechanics institutes through to modern day poets, writers, artists and theatre companies.
- iv. the landscape and the generations of farming and land management practices that have created it.
- v. the communications heritage which includes an extensive footpath and rights of way network (including such significant routes as the Pennine Way, Pennine Bridleway, Mary Townley Loop and Calderdale Way), and the canal network.

4.52 This list is not exhaustive and Calderdale has many heritage features in common with other South Pennine authorities. The HEAN initiative seeks to promote the common heritage and promote a sustainable approach to its management through education, training, interpretation and information.

4.53 The aim of tourism policy is to provide an enabling framework that will allow appropriate and sustainable tourism development to take place. The Government strategy 'Tomorrow's Tourism' (1999) outlines that new tourism development should be more sustainable by ensuring that it:-

- i. is located on public transport routes;
- ii. offers pedestrian and cycle access;
- iii. is linked to other infrastructure (such as hotels and restaurants);
- iv. is aesthetically attractive;
- v. is in keeping with the quality of the built environment and identity of the area; and
- vi. causes the minimum of environmental damage during construction, adaptation and operation.

~~4.54 Proposals will be considered against the following Policy:-~~

~~Policy E 10~~

~~Tourism Development~~

~~Development proposals for new or extended tourist attractions or facilities will be permitted provided that:-~~

- ~~i. the proposal is appropriate in scale, character and function to the locality;~~
- ~~ii. the proposal does not detrimentally impact on the quality and character of the local landscape;~~
- ~~iii. the proposal is accessible by good quality public transport as existing or with enhancement and offers pedestrian and cycle access;~~
- ~~iv. the proposed development does not result in environmental, amenity, safety, highway or other problems being created; and~~
- ~~v. the proposal is consistent with other relevant UDP policies.~~

Hotels, Motels and Other Visitor Accommodation

4.55 The provision of an adequate and varied supply of hotel, motel and other visitor accommodation, for example bed and breakfast and self-catering accommodation, is an important element in securing economic and employment benefits for the District. By providing improved facilities to meet

the needs of the business and leisure markets, such accommodation can make a significant contribution to tourist activity. Suitable sites for hotels, motels and other visitor accommodation may be found in both urban and rural locations. However, it is important that hotel developments are appropriate to their location in terms of their character, siting, scale and appearance and comply with all other requirements of the UDP.

4.56 Hotels, motels and other visitor accommodation can add vitality to a town centre area and help sustain its viability and as such, are regarded as appropriate uses in principle in the District's defined town centres. Other locations within the urban areas or within suitable buildings within the Green Belt and the Area Around Todmorden are also considered to be appropriate locations in principle. However, new build hotels, motels and other visitor accommodation are not considered to be appropriate in the Green Belt and the Area Around Todmorden. Therefore proposals will be considered against the following Policy:-

Policy E 11

Hotels, Motels and Other Visitor Accommodation

Development proposals for either new or extended hotels, motels or other visitor accommodation within town centres (as defined on the Proposals Map) and other urban areas; or, for new hotels, motels, or other visitor accommodation which re-use appropriate buildings in the Green Belt or Area Around Todmorden; or limited extensions to hotels, motels, or other visitor accommodation in the Area Around Todmorden, will be permitted provided that the proposal:-

- i. is appropriate in scale, character and function to the locality;
- ii. is accessible by good quality public transport as existing or with enhancement and offers pedestrian and cycle access;
- iii. does not result in environmental, amenity, safety, highway or other problems being created; and
- iv. is consistent with other relevant UDP policies.

Caravans and Camping Sites

4.57 Caravan and camping sites can make a valuable contribution to the rural economy. Developers usually seek sites in the more attractive outlying areas of the District, where they can be a particularly intrusive element in the open countryside as a result of their scale, siting and appearance. Their location in remoter areas can also lead to unsustainable vehicle movements and place an unacceptable demand on local services and facilities. It is therefore, essential that special care is given to the design and location of such sites in order to minimise their impact.

4.58 New sites or extensions to existing sites should integrate well within the landscape and not have a detrimental effect on the character or visual appearance of the countryside, sites of nature conservation value or wildlife interest, or the amenity of an area. Furthermore, proposals that place an excessive burden on service provision or cause highway danger will be resisted.

4.59 Riverside locations are also popular locations for caravan and camping sites and these may pose potential flood risk problems. PPG25 'Development and Flood Risk' (2001), provides specific guidance in relation to this. In accordance with advice, proposals will be refused in areas of high flood risk, where it would be difficult to operate an effective flood warning system. The Council will consult the Environment Agency on proposals where there is likely to be a risk of flooding. Where proposals are acceptable, planning conditions will be attached requiring the erection of suitable warning notices and the preparation of effective warning and evacuation plans.

4.60 The location of gypsy sites is specifically covered under Policy H 17 of the Housing Section. ~~Proposals for caravan or camping sites will be considered against the following Policy:-~~

~~Policy E 12~~

~~Caravan and Camping Sites~~

~~Where planning permission and a caravan site licence are required, proposals for the siting of static and touring caravans and camping sites, will only be permitted if the following criteria can be met:-~~

- ~~i. the site is not located within an area with a high risk of flooding;~~
- ~~ii. there would be no unacceptable loss of landscape quality, especially in Special Landscape Areas;~~
- ~~iii. the site would not result in harm to features of acknowledged nature or wildlife importance;~~
- ~~iv. the proposal preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, where these are material considerations;~~
- ~~v. the proposal would not result in an unacceptable loss of amenity to surrounding property owners and householders;~~
- ~~vi. the proposal would not result in any unacceptable environmental, amenity, safety, highway or other problems;~~
- ~~vii. the proposal is well designed and would be unobtrusive in the landscape and includes sufficient high quality landscaping, screening and user services; and~~
- ~~viii. the proposal is consistent with other UDP policies.~~

Rural Diversification

4.61 Agriculture (as defined in Section 336 (1) of the Town and Country Planning Act (1990)) is vitally important in shaping and maintaining the fabric of the rural landscape. However, agriculture and its associated employment base have declined over the years and it seems likely that this will continue. This decline and its consequent effects is often exacerbated and most severely felt in rural areas where alternative local employment opportunities are very limited. In PPS7 'Sustainable Development in Rural Areas' (2004) the Government emphasises the need to establish and support a thriving rural economy. It considers that this can be achieved in part through the diversification of farming activities in order to provide wide and varied employment opportunities for rural residents, whilst at the same time maintaining farming as the backbone of rural job opportunities.

4.62 The objective of rural diversification policy is to sustain and diversify the rural economy by achieving the re-use and adaptation of existing buildings for commercial, industrial, tourism, sport or recreational use whilst achieving appropriate

protection of the countryside. Appropriate development of new rural buildings can assist in the diversification of the rural economy, but given the restrictions of the Green Belt in the east of the district and the fact that the Area Around Todmorden to the west of the district is all designated as Special Landscape Area, new development will be strictly controlled in the open countryside away from existing settlements. Proposals for new build development outside the urban areas are dealt with by Policy ~~NE 4~~, Policy NE 7 and Policy NE 8 of the Plan. Rural diversification by conversion can reduce demands for new building in the countryside, avoid leaving existing buildings vacant and prone to vandalism and dereliction and provide jobs and is supported in Policy E2 of RSS. The approach of the UDP is to seek to encourage the re-use of existing rural properties for business and commercial uses. Proposals for other uses should be accompanied by supporting information to demonstrate the non-viability of commercial or business uses. Information could include evidence that premises are not economically or physically capable of supporting commercial or business uses and/or evidence of marketing that has resulted in no demand to use the premises for business or commercial uses.

4.63 There are principally three different forms of rural diversification:-

- i. agriculture-based diversification (e.g. alternative crops, energy crops, woodland management, livestock or management regimes);
- ii. farm-based diversification (e.g. farm shops, farm-based food processing and packing); and
- iii. non-agricultural use of farmland or buildings (e.g. equestrian businesses, sporting activities, nature trails, craft workshops, recreational activities, holiday accommodation, homeworking/teleworking utilising information technology and small-scale industries).

4.64 Some forms of diversification may have a low impact on the environment. Others, involving increased traffic or public use, particularly those linked to tourism or commercial activity, might have a much more significant impact. Notwithstanding the accepted need for rural diversification, uses which detrimentally alter the landscape or its biodiversity and/or which are otherwise contrary to the policies of this plan, will be resisted (see Section 11).

4.65 The future viability of the rural community depends largely on its ability to diversify into non-agricultural activities. The need for rural diversification and the conversion of buildings for this

use is outlined in Policy E 13. In order to correctly interpret the following policies a 'rural' building is defined as any building in the Green Belt or within the Area Around Todmorden. For the avoidance of doubt, tourist/visitor accommodation is in principle acceptable and is one of the types of activities encouraged for the re-use and adaptation of rural buildings. Proposals for the conversion of rural buildings to commercial and business uses will be considered against the following Policies:-

Policy E 13

Encouraging Rural Diversification

The re-use and adaptation of rural buildings for commercial or business uses is encouraged. Development proposals for other uses should be accompanied by evidence to demonstrate the non-viability of commercial or business uses.

Policy E 14

The Conversion and Adaptation of Rural Buildings for Commercial or Business Uses.

Development proposals for the re-use and adaptation of rural buildings for commercial or business use will be permitted provided that:-

- i. **it is accessible by good quality public transport as existing or with enhancement and offers pedestrian and cycle access, or alternatively, it is readily accessible (currently or potentially) to a local residential workforce;**
- ii. **the site has good road access adequate for the traffic likely to be generated;**
- iii. **the proposed use does not include requirements for open storage, parking, or other associated development that would unacceptably detract from the character of the area (unless such problems can be overcome by appropriate screening, boundary treatments and landscaping);**

- iv. **the proposal does not cause any unacceptable environmental, amenity, safety, highway or other problems; and**
- v. **the proposal is consistent with other UDP policies including policies controlling development within the Green Belt, Area Around Todmorden and Special Landscape Area.**

Agricultural, Equestrian and Other Animal Based Uses

4.66 Whilst farming still makes a significant contribution to the economy of rural areas, the amount of agricultural land is currently reducing. However, it cannot be assumed that this trend will continue if UK food production requirements are to be met. Indeed, organic farming is growing both in terms of numbers of producers and demand, creating opportunities for further expansion. In Calderdale, the key changes in the agricultural industry over recent years have been the reduction in dairy and arable farming and the decline in the numbers of farm holdings and workers employed in full-time farming. Restructuring is likely to continue into the future.

4.67 The Council is concerned that the countryside is protected both for its own sake and for its value for food production and recreation. Once developed, restoration of land to agriculture and the re-establishment of wildlife habitats are seldom practical. PPS7 advises that the "best and most versatile agricultural land should be taken into account alongside other sustainability considerations". This relates to land in Grades 1, 2 and 3a of the Agricultural Land Classification as defined by the Department for Environment, Food and Rural Affairs (DEFRA).

4.68 There is very little higher grade agricultural land in the District, although some limited areas exist to the east of the District. In accordance with Government advice, the Council will protect the best agricultural land within the District from development. Where development of agricultural land is unavoidable, areas of poorer quality land should be used in preference to higher quality land, except where other sustainability considerations suggest otherwise. These might include, for example, the quality of the landscape, its importance for biodiversity or accessibility to infrastructure or the workforce. To ensure this land is adequately safeguarded the

following policy will apply (except in the case of mineral working proposals that should be assessed against Policies within Section 13):-

Policy E 15

The Safeguarding of Better Quality Agricultural Land

Development will not be permitted if it would result in the loss of the best and most versatile agricultural land unless:-

- i. **there is an overriding need for the development to be sited within a particular settlement or location and the proposal would provide significant community, social, economic or other benefit; and**
- ii. **there is a lack of development opportunities in already developed areas; and**
- iii. **it is shown lower quality agricultural land is not available or its development is not practicable.**

4.69 Farming is an important land use in the Southern Pennines and has an intrinsic value for wildlife, particularly within and adjacent to the moorlands in the west of the District. Calderdale is dominated by low grade agricultural land which is nevertheless valuable in supporting the local agricultural industry. The majority of this agricultural land falls within Grades 4 and 5 and is limited to sheep grazing on upland pasture with some beef and a little small-scale dairy farming in the valley bottoms. However, despite these areas being of low agricultural grade, the agricultural practices themselves contribute to the special character of the Pennine environment and its nature conservation value and they are therefore worthy of retention. The Heritage Strategy for the Southern Pennines (2001) indicates that the South Pennine landscape and its heritage are under increasing threat from current changing farming practices and agricultural intensification. This is leading to the loss of habitats and a degraded natural and built landscape. The Heritage Strategy seeks to maintain the unique landscape character of the Pennines. The UDP will support and assist where possible the objectives of the Heritage Strategy.

4.70 The majority of the rural area, including agricultural land is designated as either Green Belt or the Area Around Todmorden and protection is

therefore afforded through ~~Policy NE 1~~ and Policy NE 8. Similarly, the Special Landscape Area designation, Policy NE 12, particularly in the west of the District means that new development should respect and enhance the visual quality of the area.

4.71 Many of the farm buildings are of considerable age and of traditional design and materials. It is therefore important that where the Council has planning control over agricultural and equestrian developments, through prior approval or planning permissions, every attempt should be made to achieve good standards of design. Modern agricultural buildings, by reason of their size and use of alien materials, can have a major impact on the appearance of the countryside and should be sited and designed to alleviate any harmful effects on visual amenity.

4.72 Stables and other small agricultural buildings are often found close to dwellings in outlying areas and can have an impact on visual amenity. The following Policy applies:-

Policy E 16

Agricultural and Equestrian Development

Agricultural and equestrian developments will be permitted provided that:-

- i. any buildings and other facilities are of good design reflecting, where appropriate, local building traditions, the characteristics of the site and the use of appropriate materials;
- ii. the proposal would not have an adverse impact on sites of recognised ecological, geological or conservation importance;
- iii. the proposal would not result in any unacceptable environmental, amenity, safety, highway or other problems; and
- iv. where appropriate, adequate screening and landscaping is provided.

4.73 Boarding and breeding facilities for dogs and cats can create amenity and health problems for occupiers of nearby property. The location of premises will be carefully considered on their merits together with detailed arrangements for the management of the facility to avoid disturbance and health problems to nearby residents, as set out below:-

Policy E 17

Dog and Cat Boarding/Breeding Facilities

Developments for dog and cat boarding/breeding facilities will only be permitted where all the following criteria can be met:-

- i. the proposals would not result in any unacceptable loss of amenity to the occupiers of property surrounding the site: in particular, adequate measures should be taken to control noise from the site and premises;
- ii. the proposal would not result in any unacceptable environmental, amenity, safety, highway or other problems;
- iii. any buildings and other facilities are of good design reflecting, where appropriate, local building traditions, the characteristics of the site and the use of appropriate materials;
- iv. where appropriate, adequate screening and landscaping is provided;
- v. the scheme includes full acceptable details for drainage and the disposal of foul effluent, including animal faeces.

Regeneration of Derelict and Degraded Land and Buildings

4.74 The Council's corporate priorities include securing a clean and attractive built and natural environment and improving the District's towns, villages and neighbourhoods. Equally, Policy S3 of Regional Spatial Strategy 'Yorkshire and the Humber Plan' (2004) (RSS) encourages local authorities to foster the renaissance of existing urban and rural settlements. One of the principle means of achieving these aims is through the redevelopment and regeneration of derelict and degraded land and buildings that are found throughout Calderdale, the majority emanating from the stock of industrial and business premises that are no longer operational. There are inherent problems associated with such areas and buildings, since they:-

- are +unattractive and detract from the appearance of an area;
- can possess major environmental problems;
- reduce prospects for economic development;

- deter investment in and maintenance of property;
- can present a public health and safety hazard and
- are a waste of a finite and valuable resource i.e. land.

4.75 The Council is seeking to promote the regeneration of all land and buildings that could reasonably be considered as derelict and degraded. The policies do not just apply to those areas that suffer from contamination or require remediation works before development could proceed.

4.76 The Government is committed to maximising the re-use of previously developed land and empty properties in order to promote regeneration and minimise the amount of greenfield land being taken for development, as outlined in PPG3. Additionally, reclamation of derelict and degraded land and buildings can:-

- restore community pride;
- improve the quality of life of the local population through an improvement in the quality of the environment;
- help to improve the image of the district;
- attract new investment;
- assist with nature conservation; and
- improve the environment of the local area.

4.77 The aspiration, stated in the Urban White Paper 'Our Towns and Cities: The Future - Delivering an Urban Renaissance' (2000), is "to bring previously developed 'brownfield' sites and empty property back into constructive use, turning them from eyesores into assets".

4.78 The Council remains committed to re-using derelict land and buildings in the District as a key element in its regeneration strategy. A shortage of building land in the District, particularly for employment generating purposes, requires that all appropriate derelict and vacant land and buildings are utilised to their full potential. Within the land use policy framework of the UDP the Council will encourage the private sector in its important role in the reclamation of land and buildings and where appropriate will seek to work in partnership with the private sector. Additionally, the Council will continue to seek grant aid and other forms of financial assistance from Yorkshire Forward (the Regional Development Agency) and external sources in order to undertake the reclamation of derelict and degraded sites and buildings for employment purposes.

4.79 The Council's priorities for new uses for derelict and degraded land and buildings reflect the wider priority of job creation and retention in order to provide security and choice of employment related opportunities. Some sites will be capable of development once remediation has taken place and it is important that these sites are brought forward quickly to allow new employment related buildings to be developed to meet particular needs. However, where sites were not previously used for employment purposes and such a use is not appropriate or achievable, or where redevelopment for employment use is unlikely to ever occur (as assessed against Policy E 5), their re-use or redevelopment for appropriate other non-employment uses is supported. The redevelopment of land or buildings must be appropriate to the character and function of the locality, and must be complimentary to other uses in the locality and not create potential conflict through issues such as traffic, environment or amenity problems. As well as bringing forward sites for development it is also important that 'greening' of the urban environment occurs and that provision for recreation and leisure facilities and the creation of open space is undertaken. Where derelict and vacant land is unlikely to be developed in the near future landscaping will help improve the environment in the interim period. The Council will seek an ecological approach to such landscaping in order to create natural habitats which are attractive, yet easy to maintain, but will not prejudice longer-term development. Some derelict sites contain intrinsic wildlife interests and habitats and where possible the Council will seek to retain these. Opportunities will be sought to create wildlife habitats in the reclamation of derelict and vacant land. Derelict and degraded land will be utilised to meet the needs of the district for development and for environmental improvement. Proposals for the reclamation and restoration of derelict and degraded land will be developed in accordance with the preferred Council priorities. Proposals will be considered against the following Policies:-

POLICY GE 4

PRIORITIES FOR THE RECLAMATION AND RESTORATION OF DERELICT LAND AND BUILDINGS

THE COUNCIL IS SUPPORTIVE OF DEVELOPMENT PROPOSALS FOR THE RECLAMATION AND RESTORATION OF DERELICT AND DEGRADED LAND AND

BUILDINGS. PRIORITY WILL BE GIVEN TO THE RE-USE OF LAND FOR EMPLOYMENT PURPOSES, BUT IN CIRCUMSTANCES WHERE THIS IS NOT ACHIEVABLE OR APPROPRIATE OTHER USES THAT CONTRIBUTE POSITIVELY TO THE VISUAL AND PHYSICAL ENVIRONMENTAL QUALITY OF THE AREA WILL BE SUPPORTED.

Policy E 18

The Reclamation and Restoration of Derelict Land and Buildings

Development proposals for the reclamation and restoration of derelict and degraded land and buildings will be permitted provided that:-

- i. the proposal has regard to the Council’s priorities for the re-use of derelict land and buildings;
- ii. the proposal is appropriate to the character and function of the locality (as defined in other UDP policies), is complimentary to adjacent uses, and overall objectives and other policies of the Plan will be achieved;
- iii. any nature conservation value of the site is investigated and, where possible, measures are taken to protect and enhance this interest.

Upper Calder Valley Renaissance Strategy

4.80 The Upper Calder Valley Renaissance Strategy is a joint initiative between the Council and Yorkshire Forward. The objective is to take an holistic approach to a valley wide restoration of civic pride

and economic dynamism in the market towns. These initiatives have involved the work of consultants, local people, Calderdale Council and a number of experts in various disciplines looking at the area as a whole and the development of a vision and strategy for the coming 25 years.

4.81 The strategy sets out a wide range of activity encouraging vitality and viability to previously run down areas. There are five specific areas that have been included within the Upper Calder Valley Renaissance Strategy, where regeneration will be focused through social, physical and economic improvements. These areas include parts of Walsden, Todmorden, Hebden Bridge, Mytholmroyd and Sowerby Bridge (which is the most ambitious). It is important the UDP recognises the proposed site-specific vision aiding the regeneration of these towns.

4.82 The concept of regeneration in the Upper Valley is to attain a balanced approach to improving the quality of life and the wellbeing of the areas. The focus of the strategy is to achieve regeneration through mixed-use development to include employment, workshops and community uses, as well as the building of new homes, to ensure that the opportunities afforded by these sites are not squandered by just building residential development. The Council places emphasis on the supporting schemes for the improvement of sites, buildings and the public realm within the regeneration priority areas to retain and encourage mixed-use developments, which are beneficial for the community. They may also bring about alleviation of significant environmental, highways, noise, disturbance and other local problems within these areas.

4.83 These Regeneration Priority Areas are distinguished from the Regeneration Action Area at Sowerby Bridge Copley Valley by being promotional focuses for change rather than for the location of specific development proposals and are set out in the table below.

Table 4.1 Upper Calder Valley Regeneration Priority Area

Place	Upper Calder Valley Renaissance Strategy
Walsden	<ul style="list-style-type: none"> To utilise the quality of the existing buildings and environment around the river and canal to renew and regenerate the heart of the town.
Todmorden	<ul style="list-style-type: none"> To create a new 21st Century market place centred on Bramsche Square through innovative and coordinated design and redevelopment of both private and public sector development sites.

Place	Upper Calder Valley Renaissance Strategy
Hebden Bridge	<ul style="list-style-type: none"> To create a series of high quality public spaces and routes that improve the pedestrian environment and bolster economic performance of the town centre as well as acting as a focus for the town by providing space for markets, festivals and the outward expression of creativity.
Mytholmroyd	<ul style="list-style-type: none"> To create new urban spaces which develop the heart of this town, linked to the development of a Ted Hughes Centre.
Sowerby Bridge	<ul style="list-style-type: none"> To regenerate the town centre between Wharf Street and the station through the creation of a new mixed-use quarter that reconnects the disparate areas of the town and creates a high quality town centre environment.

Policy E 19

Regeneration Priority Areas in the Upper Calder Valley.

Regeneration Priority Areas in the Upper Calder Valley are shown on the Proposals Map to stimulate vibrant mixed-use developments. Initiatives for improvements to infrastructure, the environment and the stock of land and buildings will be supported in order to improve economic and social prospects in the area. Development proposals should be focused towards benefiting the whole community and should not focus solely on residential use.

The boundaries of the Regeneration Priority Areas are shown on the Proposals Map with the exception of Hebden Bridge where the Town Centre designation makes provision for the proposed regeneration.

Regeneration Action Area : Sowerby Bridge to Copley

4.84 This Regeneration Action Area has emerged from Yorkshire Forward's Upper Calder Valley Renaissance Initiative and seeks to improve economic and social prospects in the area between Sowerby Bridge and Copley. The primary purpose of the proposal is to facilitate the retention of existing employment and encourage further employment opportunities in order to assist the development of a sustainable community.

4.85 The Action Area would see approximately 11 ha of brownfield land restored to productive use with a potential for 300 to 400 jobs either new or safeguarded; an extended town centre focus for Sowerby Bridge; an improved highway network that will take heavy industrial traffic off Holmes Road and improve access to the extended town centre focus; and there would be a significant amount of private sector investment. As part of the overall proposal an element of residential use on the Sterne Mill site, appears to be required to make this scheme financially viable. However, the residential development is linked inextricably with the economic development on other parts of the site and will not be supported in isolation.

4.86 The remaining site area of Sterne Mill will be developed for office and leisure use. Land to the east of Sterne Mill will be sports pitches, and land south of the river developed for general industry and offices. The businesses currently restricted by their existing locations on Holmes Road adjacent to Sowerby Bridge railway station would be relocated to land south of the river. This would enable the regeneration of an extended town centre focus for Sowerby Bridge on this vacated site. The site for the extended town centre focus would be mixed-use with predominantly residential development and would include elements of retail and office space.

4.87 The Milner Royd Local Nature Reserve (LNR) would be partly affected by development and as a result reduced in size to two hectares. A second new LNR is to be created on land south of the River Calder east of Sterne Bridge. The sports pitch currently sited at Milner Royd LNR is to be relocated onto land east of the existing Milner Royd Allotments.

4.88 A proposed new link road from Mearclough Road to Wakefield Road via Sterne Mill and land

south of the River Calder would create an improved access to the proposed extended town centre focus. This Regeneration Action Area has been prone to flooding in the past, however, a 1:100 year floodline and 1:50 year floodline has been agreed with the Environment Agency, which distinguishes the developable area from the floodplain.

Policy E 20

Regeneration Action Area: Sowerby Bridge/Copley Valley

Land between Sowerby Bridge and Copley is identified on the Proposals Map as a Regeneration Action Area to assist in the development of a sustainable economy for this part of the District and to stimulate vibrant social and economic prospects. Action within this Regeneration Area will focus upon the following: -

- i. An extended mixed-use town centre focus for Sowerby Bridge (on the land vacated by businesses off Holmes Road).
- ii. Development of office and industrial use on land south of the River Calder opposite Sterne Mill, including the replacement of existing sports facilities.
- iii. Development of a mixed residential, office and leisure use on Sterne Mill.
- iv. Development of sports pitches on land east of Sterne Mill.
- v. Protection of part of the Local Nature Reserve at Milner Royd.
- vi. Creation of a new Local Nature Reserve on land south of the River Calder east of Sterne Bridge.

Development within this Regeneration Action Area needs to be considered in a comprehensive way. In particular, residential development at Sterne Mill will only be allowed as part of a comprehensive scheme to bring the land south of the river forward for development.

Footnote:- Should circumstances out of Calderdale Council's control prevent this wider scheme within the Regeneration Action Area from progressing, then the fall back position is to develop the Sterne Mill site in isolation solely for employment use.

Sowerby Bridge Canal Wharf

4.89 An opportunity for the further development of water based leisure and recreation exists in Sowerby Bridge where a number of wharfs are grouped around the junction of the Calder and Hebble Navigation and the Rochdale Canal. The Sowerby Bridge Canal Wharf is a Class II Archaeological Site containing several listed buildings including the Grade II* Canal Wet Dock and Salts Warehouse. The opening up to through navigation of the canal system in Sowerby Bridge has been a major boost to the town. The canal and associated canal wharfs have been key catalysts to the ongoing regeneration of the town. The rehabilitation and commercial development of the wharfs at the Sowerby Bridge canal junction as shown on the Proposals Map for recreation, leisure and job creating uses will be supported as part of the overall regeneration concept for the centre of Sowerby Bridge as a whole. Therefore the following Policy will apply:-

Policy E 21

Sowerby Bridge Canal Wharf

Proposals which support the rehabilitation of the wharf area at the junction of the Calder and Hebble Navigation and Rochdale Canals in Sowerby Bridge as shown on the Proposals Map for recreation, leisure and commercial development will be supported providing that the proposal does not cause environmental, amenity, highway, parking or other problems and is compatible with the continued use of the area for navigation, mooring and as a boat yard and commercial centre.

The Piece Hall

4.90 The Grade I Listed Piece Hall in central Halifax is one of the most important buildings in Calderdale. Whilst it has been reasonably successful over the years in attracting visitors, the changes that have occurred in the expectations that people have regarding such facilities, together with an increase in the growth of attractions elsewhere, have meant that the Hall has become relatively less attractive. Over the Plan period, the Council expects that the Piece Hall will be further developed both as an attraction and as an important part of the regeneration of central Halifax, bearing in mind the historical and architectural significance of the building. Accordingly:-

Policy E 22**The Piece Hall**

The Piece Hall in Halifax will be developed and promoted, having regard to the historic and architectural importance of the building and its role in the regeneration of Halifax town centre.

4.91 Reference should also be made to the following relevant policies : - Policy BE 14, Policy BE 15, Policy BE 16 and Policy BE 17.



5 Housing

Introduction

5.1 PPG3 'Housing' (2000) provides detailed guidance on the Government's strategy to improve the housing of the nation. This stresses the importance of a co-ordinated approach to the preparation of UDPs and councils' Housing Strategies within the context of the Government's wider objectives of delivering an urban renaissance and furthering the principles of sustainable development. As the Council no longer has its own house-building programme it must achieve these objectives by influencing others, particularly Central Government, the Housing Corporation, Registered Social Landlords and the private sector. Many factors influencing the housing market such as mortgage interest rates and income levels are beyond the control of the Council. The Council can, however, make a positive contribution to meeting the housing needs of the District through encouraging and enabling improvements to the existing housing stock, selecting land for housing development, influencing the building programmes of Registered Social Landlords and controlling the location and type of private housing development.

Strategy for Housing

5.2 The overall objectives of the Housing Section of the Replacement UDP reflect those of the Government as set down in PPG3, Regional Spatial Strategy (RSS) for Yorkshire and the Humber (2004) and also the wider sustainability objectives set out in the introduction to this Plan. ~~These can be summarised as follows:-~~

- ~~meeting the housing requirements of the whole community, including those in need of affordable housing and those with specialised housing needs;~~
- ~~providing a better mix in the size, type and location of housing and creating mixed communities;~~
- ~~providing sufficient housing land but giving priority to re-using previously developed land within urban areas, bringing empty homes back into use and converting existing buildings, in preference to the development of greenfield sites;~~
- ~~creating more sustainable patterns of development by ensuring new housing is linked by public transport and other non-car modes to~~

- ~~employment, education and health facilities, shopping, leisure and local services;~~
- ~~promoting good design and energy efficiency in new housing developments in order to create attractive, high quality living environments in which people will choose to live; and~~
- ~~making more efficient use of land by increasing densities of housing development.~~

~~These objectives are set out in Part One POLICY GH 1 and POLICY GH 2:-~~

~~POLICY GH 1~~

~~MEETING CALDERDALE'S HOUSING NEEDS~~

~~THE HOUSING NEEDS OF CALDERDALE WILL BE MET THROUGH:-~~

- ~~I. THE IMPROVEMENT AND MAINTENANCE OF EXISTING HOUSING AND THE BRINGING BACK INTO USE OF EMPTY HOMES;~~
- ~~II. THE CONVERSION OF EMPTY AND UNDERUSED NON-RESIDENTIAL PROPERTIES, INCLUDING THOSE ABOVE SHOPS AND BUSINESS PREMISES, TO HOUSING;~~
- ~~III. THE ALLOCATION OF A RANGE OF SITES TO ENABLE A MIX OF HOUSE TYPES AND SIZES TO BE BUILT WHERE SUCH DWELLINGS ARE ACCESSIBLE TO SCHOOLS, JOBS, SHOPS AND LEISURE OPPORTUNITIES, NOT ONLY BY CAR BUT ALSO BY PUBLIC TRANSPORT, WALKING AND CYCLING;~~
- ~~IV. THE PROVISION OF AFFORDABLE HOUSING FOR THOSE WHO CANNOT AFFORD TO BUY OR RENT HOUSING WHICH MEETS THEIR NEEDS IN THE OPEN MARKET AND THE DISPERSAL OF THIS HOUSING THROUGHOUT INDIVIDUAL DEVELOPMENT SITES;~~
- ~~V. THE PROVISION OF SPECIALISED HOUSING ACCOMMODATION FOR DISADVANTAGED GROUPS; AND~~
- ~~VI. RECOGNITION OF THE NEED TO INTEGRATE HOUSING DEVELOPMENT WITH OPEN SPACE PROVISION, COMMUNITY SAFETY AND CRIME PREVENTION, GOOD DESIGN REFLECTING THE NEEDS OF COMMUNITIES AND THE AVAILABILITY~~

OF INFRASTRUCTURE, INCLUDING SCHOOL PLACE PROVISION.

Existing Housing Areas

5.3 There are approximately 85,500 dwellings in Calderdale, the majority of which are concentrated within well defined housing areas in the main towns. The remaining dwellings are located in smaller settlements or in a scattered pattern throughout the outlying areas of the District. Existing residential areas perform a vital role within the District. They are an integral part of the fabric contributing to the identity of Calderdale. Furthermore, the retention of the existing stock needs to be safeguarded as it reduces demands for new housing and land.

5.4 The consolidation and retention of such areas complements the objectives of Central Government and RSS (2004). In addition, within these main housing areas are located the schools, facilities and public transport to meet the needs of the local population. Any significant change to this broad picture of the distribution of housing in Calderdale cannot therefore be proposed. In addition, it is clear that people are increasingly concerned with their quality of life and place great emphasis on the maintenance or creation of a good housing environment. Most people will no longer tolerate the mixing of incompatible industrial and commercial land uses with residential land uses, still so often a legacy of the past in Calderdale. The Council believes that this concern for the reasonable segregation of incompatible land uses should be reflected in UDP policies. Therefore, the Council will support and encourage improving residential standards of housing areas by defining Primary Housing Areas (PHAs) on the Proposals Map. Within these areas proposals for housing development on previously developed land will normally be supported, subject to policies and guidelines designed to protect and enhance the quality of the residential environment. It is appreciated that these housing areas will contain and require a mix of non-residential uses which support and enhance residential amenity by providing much needed local facilities such as shops, schools, religious and community buildings and public houses. Evolution of these areas, reinforced by decisions on planning applications will, over time achieve the clearer segregation of incompatible land uses. The objective is to resolve conflicts where neighbouring uses are clearly reducing the quality of people's lives. Removing areas of mixed-use is not the intention, particularly those areas where businesses on a small

scale exist and which have evolved historically, as for example, in the Hebden Bridge area. The Plan recognises the value of such areas in giving the District its character and being attractive to tourists. The following Policies therefore apply:-

Policy H 1

Separation of Housing and Industry

Where neighbouring uses, which are incompatible with one another, result in the creation of significant traffic, amenity, environmental or other problems, measures which achieve the separation of these uses will be permitted.

Policy H 2

Primary Housing Areas

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.

5.5 Policy H 2 places great emphasis on the existing housing areas, whether privately or publicly owned, to help meet the District's housing needs. It is therefore, important to improve these areas to meet the needs and aspirations of the people who live or would seek to live within them. The Council has devised and sustained a number of programmes of area housing improvements (such as General Improvement Areas for privately owned housing and Estates Improvements for houses within the public sector). It is vital that the momentum of these initiatives to improve the existing housing stock are maintained and possibly increased in the future.

Current priorities are reflected in the Council's Housing Strategy prepared by Housing and Community Support.

5.6 The Housing Grants, Construction and Regeneration Act (1996) together with the allied changes to the home renovations grant system has required the Council to review its policies with regard to tackling unfit and disrepair in the private sector. Area improvement remains a focus for renovation activity. The West Central Halifax Renewal Area (Calderdale's first) is being implemented through a phased programme of 'Group Repair'. Further areas for possible Renewal Area declaration are being investigated as part of the Council's private sector Housing Strategy. The Council recognises that area improvement is most sustainable when integrated within a wider regeneration strategy. For example, an area in Sowerby Bridge is being targeted for renovation where the benefits are linked with a wider programme of social and economic regeneration in the town associated with Single Regeneration Budget (SRB) funds. It is equally apparent that not all areas of older housing may be suitable for programming along formal Renewal Area lines. Therefore, the following applies in respect of private housing area improvement:-

Policy H 3

Housing Renewal

To ensure the efficient and effective use of land in the District within the Primary Housing Areas and in accordance with strategic priorities for urban regeneration, housing renewal areas will be promoted or selected forms of housing assistance targeted. This will be done so as to encourage co-ordinated action and resource allocation in a sustainable improvement of the existing private housing stock. Where appropriate, acquisition and clearance activity will also be considered.

5.7 Not all the problems of private housing disrepair can be successfully tackled by area based policies. These policies need to be supported by measures to tackle individual properties. The new discretionary renovation grant system has enabled the authority to target resources to households with special problems and most in need, such as the disabled and elderly. At the same time there are an estimated 1,450 priority empty private dwellings. Investment will be needed

in partnership with external agencies to bring these back into use. If this investment does not take place, then the likelihood of housing demolition will increase, possibly leading to the need for further land to be allocated for new housing development. The Council has adopted a co-ordinated, proactive approach to tackling the problem of long term empty homes. Therefore:-

Policy H 4

Improvement and Re-use of Existing Dwellings

To ensure the efficient and effective use of land in the District and where possible and appropriate, the retention, improvement and re-use of individual private dwellings will be promoted in order to reduce the need for redevelopment or new housing in Calderdale.

Additional Housing

Amount of New Housing Provision

5.8 The previous UDP adopted in 1997, made provision for approximately 10,100 new dwellings to be created between 1986 and 2001. During this period some 7,550 dwellings were built. At the end of the Plan period (31/3/01) planning permission existed for some 3,000 dwellings whilst a number of the Plan's housing allocations remained. All of the new housing allocations in the Plan were located within the existing urban areas, avoiding the need to release land from the Green Belt and included a mixture of sites, some of which had been previously developed and others which had not.

5.9 Since the previous UDP was adopted the Government has replaced the 'Predict and Provide' approach with that of 'Plan, Monitor and Manage'. This recognises that the Government's household projections represent the projected outcome of complex economic and social processes. They therefore carry a degree of uncertainty requiring the level of housing provision planned for to be more closely monitored and the Plan amended accordingly. Future development must also be planned as part of a strategy to deliver both an urban and a rural renaissance. This new approach is set down in both PPG3 and RSS for Yorkshire and the Humber (2004).

5.10 Nationally the Government has predicted that 3.8 million further households will form by 2021. RSS

anticipates that the annual average housing provision for Yorkshire and the Humber should be 14,765 between 1998 and 2016. This is to be treated as the benchmark against which actual provision is monitored.

5.11 PPG3 requires local authorities, when preparing their development plans to have regard to Regional Planning Guidance (RPG) and to avoid re-opening consideration of the level of housing provision which has been considered in full within the RPG process. This advice is particularly relevant in Yorkshire and the Humber Region where the Secretary of State only approved the RPG12 in October 2001. These figures were subsequently incorporated unchanged into RSS for Yorkshire and the Humber (2004).

5.12 The actual distribution of the housing requirement amongst constituent local authorities is not based purely on demographic factors but reflects wider policy objectives. These include maximising the use of urban potential and the use of previously developed land, ensuring an appropriate relationship between the location of housing and employment and environmental considerations.

5.13 This approach means that Calderdale's share of the regional housing requirement, as set down in the RSS, is 450 dwellings per annum or 8,100 additional dwellings between 1998 and 2016 (3% of the regional total).

5.14 The period of the UDP Review does not coincide exactly with the period for the housing requirement in RSS. Prior to the start of the plan period 1,698 dwellings were built between April 1998 and March 2001, in excess of the 450 per annum set down in RSS. In total requirement terms this would leave 6,402 dwellings to be provided for by 2016 to meet the housing requirement of 8,100. However, Policy H1 of RSS states that development plans should be expressed in a way that enables the annual average increase in the housing stock to be achieved as set down in RSS Policy H1. Therefore the Plan must make provision for 450 dwellings per annum over the Plan period or a total of 6,750 dwellings. This compares with an annual completion rate of some 500 dwellings over the period of the previous UDP adopted in 1997 and 770 dwellings per annum over the first 5 years of the Replacement Plan.

5.15 The level of housing supply available in Calderdale is currently far in excess of the housing requirement in RSS. This is largely due to the number of brownfield sites coming forward as windfall

development, a situation likely to continue for the foreseeable future. At some point an oversupply will contribute towards the undermining of regional regeneration objectives. At 31st March 2006, (the end of Phase 1) there were 5970 dwellings either with planning permission or under construction, including the four Phase 1 allocations, whilst the overall supply for the plan period (excluding completions) was 8320 units. The remaining Phase 1 supply alone equates to 13.25 years supply based on RSS requirement of 450 dwellings per annum. Given this position there is clearly a need for the Plan to contain some form of regulatory mechanism to enable the Council to refuse planning permission for additional housing developments when there is a situation of oversupply.

5.16 In order to determine when it is necessary to investigate a measure of restraint a significant net oversupply needs to be defined. This is defined for the purposes of Policy GH2A(II) as when the forecast net increase in housing stock over the following five years exceeds RSS required annual average for that period (that is $450 \times 5 = 2250$).

5.17 The regulatory mechanism in Policy GH2A(II) will apply to the majority of housing development including greenfield sites, brownfield windfalls and allocated land in order that it is effective in controlling housing supply. However, there are other planning objectives to be achieved through the Plan which are dependent on housing development proceeding. In these circumstances the Policy will not generally apply. Such circumstances may include allocated sites where development would assist regeneration objectives, such as is the case with the majority of the mixed-use allocations. In order not to jeopardise the provision of affordable or social housing the policy will not apply to these types of development. Other categories to be excluded from the Policy may include those residential developments that contribute to the balanced social, economic and environmental wellbeing of a locality and replacement dwellings. The Council will produce a Supplementary Planning Document (SPD) to explain more fully how the Policy will work including further details of the types of residential development to be excluded from it.

5.18 In promoting more sustainable patterns of development the Government requires more efficient use of land by maximising the re-use of previously developed land and the conversion and re-use of existing buildings as outlined in PPG3. Such an approach will promote urban regeneration and minimise the amount of greenfield land being taken for development. The Government has, therefore, set a national target of 60% of additional housing to be

provided on previously developed land and through the conversion of existing buildings by 2008. In turn, RSS contains a target of 60% for Yorkshire and the Humber with a sub-regional target for West Yorkshire of 63%. The target of 74% for Calderdale is the second highest in the region. The Council has monitored the amount of housing development on previously developed land since 1999. This shows that in the period April 1999 to March 2006, 75% of new homes were being created on previously developed land.

5.19 PPG3 requires local planning authorities to undertake Urban Capacity Studies (UCSs), which assess the potential of the urban areas to accommodate more housing having regard to whether the land is previously developed or not. RSS (2004), in setting targets for the re-use of previously developed land, requires UDPs to review these targets in the light of their UCSs. Clearly all UDPs should aim to meet their targets otherwise the objective of achieving the regional target will be undermined.

5.20 As the Government's policy on brownfield land gains momentum a greater proportion of dwellings are expected to come from this source. The UCS only considered land within the urban areas but there are likely to be additional brownfield sites which come forward from outside the urban areas. Several mills, for example, which are unused or underused and where interest for conversion to residential use has been expressed, are located in the Green Belt beyond the urban areas. It is clear that in order to achieve the 74% target in RSS, any opportunities which arise in the form of developer interest in suitable sites must be pursued to help bring these sites forward. However, schemes for the development of brownfield sites/buildings outside the urban areas will be subject to other UDP policies and in particular ~~POLICY GP 3, Policy NE 1,~~ Policy NE 4 and Policy NE 8. An analysis of the supply of housing land as set out in Tables 5.1 and 5.2 and Policies H5 and H7 demonstrates that some 85% of all new dwellings will be built on brownfield sites. The housing requirement is therefore as set out in the following Policy:-

POLICY GH 2

PROVISION OF ADDITIONAL DWELLINGS

PART A

- I. PROVISION WILL BE MADE FOR AROUND 6750 ADDITIONAL DWELLINGS TO BE CREATED WITHIN CALDERDALE BETWEEN 1st APRIL 2001 AND 31st MARCH 2016.
- II. TO PREVENT OVERSUPPLY OF HOUSING, THE COUNCIL WILL PRODUCE SPD TO ENABLE THE REFUSAL OF PLANNING PERMISSION, FOR HOUSING DEVELOPMENTS WHICH MIGHT OTHERWISE BE ACCEPTABLE UNDER UDP POLICIES, WHEN THE FORECAST NET INCREASE IN HOUSING STOCK FOR THE FOLLOWING FIVE YEARS EXCEEDS THE PREVAILING RSS REQUIRED ANNUAL AVERAGE FOR THAT PERIOD.

PART B

THE TARGET FOR THE PROPORTION OF NEW HOUSING BUILT ON PREVIOUSLY DEVELOPED LAND OR ARISING THROUGH THE CONVERSION OF EXISTING BUILDINGS WILL BE IN THE ORDER OF 85%. THIS FIGURE WILL BE REVIEWED IN THE LIGHT OF UP-DATES TO THE URBAN CAPACITY STUDY.

The Managed Release of Housing Sites (Phasing)

5.21 An essential element of the Plan, Monitor and Manage approach is the managed release of land for housing. PPG3 requires the Council to manage the release of sites over the Plan period in order to control the pattern and speed of urban growth, to ensure that new infrastructure is co-ordinated with new housing development and to deliver the recycling target. Without such an approach, the sites which are easiest to develop would be developed first.

5.22 PPG3 advises that a phasing approach is the most suitable mechanism for managing the release of land as it gives more certainty in the determination of planning applications. In adopting a phasing policy the fundamental aim is to ensure that no more land is used for housing development than is necessary,

and that, as far as possible, previously developed sites are developed for housing before greenfield sites. The Plan has therefore been divided into phases from the base date as recommended in the DTLR's Best Practice Guide 'Planning To Deliver' (2001).

5.23 In identifying new land for housing to allocate in each phase the broad search sequence set down in PPG3 has been followed but interpreted in more detail as set down in RSS, Policy H2. The search sequence was therefore as follows:-

- previously developed land and buildings within the urban areas and identified in the urban capacity study subject to such sites providing decent accommodation and being in an acceptable setting;
- infill within the urban areas subject to appropriate levels of greenspace being retained and the character of the urban area being conserved and enhanced where possible;
- land on the periphery of the main urban areas and urban extensions where the land is accessible or capable of being made accessible to services and jobs by public transport and other non-car modes. Priority has been given to previously developed sites and conversions before greenfield sites. RSS defines Halifax as a major urban area and therefore appropriate to take a major share of Calderdale's housing requirement;
- sites around nodes in good public transport corridors.

5.24 Having identified sites in accordance with the systematic search sequence in PPG3 and RSS an assessment of these sites was conducted using the criteria set down in PPG3 (paragraph 31). These criteria include an assessment of the relative sustainability credentials of the sites. The criteria are:-

- the availability of previously developed sites and empty or under-used buildings and their suitability for housing use;
- the location and accessibility of potential development sites to jobs, shops and services by modes other than the car and the potential for improving such accessibility;
- the capacity of existing and potential infrastructure, including public transport, water and sewerage, other utilities and social infrastructure to absorb further development and the cost of adding further infrastructure;
- the ability to build communities to support new physical and social infrastructure and to provide sufficient demand to sustain appropriate local services and facilities; and
- the physical and environmental constraints on development of land, including, for example, the level of contamination, stability and flood risk, taking into account that such risk may increase as a result of climate change.

5.25 The total housing supply for Phase 1 is shown in Table 5.1. This includes completions from the start of the plan period to 31 March 2006 and existing commitments in the form of planning permissions and sites under construction at 31 March 2006.

Table 5.1 Phase 1 Supply as at 31 March 2006

	Dwellings	% Dwellings on Previously Developed Land	% Dwellings on Greenfield Land	Notes
Completions 1/4/01 to 31/3/06	3857	79	21	
Sites with planning permission & under construction 31/3/06	5970	92	8	New build and conversions including allocations with permission
Windfalls	0	0	0	
Allocations	0	0	0	All the Phase 1 allocations have planning permission and are included in row 2

	Dwellings	% Dwellings on Previously Developed Land	% Dwellings on Greenfield Land	Notes
TOTAL SUPPLY	9827	87	13	
Phase 1 Requirement	2250			Annual requirement of 450 x 5
Relationship to Phase 1 housing requirement	+7577			

5.26 Allowances must be made for the contribution likely to come from brownfield windfalls since as the DTLR's Best Practice Guide 'Planning to Deliver' (2001) states these must be taken account of due to the effect they are likely to have on any phasing strategy. Windfall sites are previously developed sites that have not been specifically identified as available in the local plan process. Whilst they do make an important contribution to the housing supply they also complicate the managed release of sites. The figures for windfalls included in this plan are based on the assumptions made at the time the Plan was prepared. These have not been updated to the end of Phase 1 like the other figures relating to supply since they cannot by their nature be simply a matter of numerical fact but are based on assumptions which have been tested through the statutory plan process. The appropriate place to update these figures is the Annual Monitoring Report prepared by the Council. In assessing the likely contribution from windfalls the potential can be split into those windfalls involving new build development and those arising from conversions:-

New Build - In total windfalls came forward at a rate of 295pa over the seven year period 1996 to 2003, well above the rate allowed for in the previous UDP (1997). In the past there was no requirement to monitor the relative proportions of brownfield/greenfield sites and therefore no long-term information was available on the number of windfalls coming forward on previously developed sites at the time the Plan was prepared. By applying the proportion of windfalls on brownfield sites for the period for which this information was available, to the total number of windfalls for the seven year period 1996 to 2003, the likely contribution from windfalls was projected to be 205 dwellings per annum.

Conversions - Over the 17 year period 1986 to 2003, including the period of the previous UDP (1997), dwellings arising from conversions averaged

90 dwellings per annum. Whilst a number of large former textile mills have already been developed, there are many others which are either vacant or underused and in which interest for conversion to residential use has been expressed. PPG3 requires local authorities to take a positive approach towards the conversion of existing buildings. Past rates of conversion activity are therefore expected, at the very least, to continue.

5.27 Table 5.1 shows the housing supply updated to reflect the position at the end of Phase 1 of the Plan (31 March 2006). Not all of these commitments will be built in Phase 1 and will carry forward to Phase 2. The actual supply was well above that required in Phase 1, even without the inclusion of any new allocations, when the Plan was originally drafted. This remains the case at the end of Phase 1. However, in order to encourage previously developed sites to come forward and to maintain existing developer interest in certain sites, including some that have proved difficult to bring forward for development, several allocations were included. Some of these sites also have significant lead in times and therefore needed to be allocated early in the plan period. These sites will assist in the achievement of wider regeneration objectives and also ensure a supply of sites of sufficient size to accommodate a mix of house types, including affordable housing. All of the Phase 1 allocations have now gained planning permission and are under construction. The allocations are shown in Policy H 5:-

Policy H 5

Phase 1 Housing Allocations

Proposals for residential development on any site allocated on the Proposals Map as a Phase 1 housing site will be permitted where they are consistent with other UDP Policies.

Site Ref	Location	Type	Size (ha)	Indicative Capacity	Indicative Density	Status 31 March 2006
HS1-1	Halifax Royal Infirmary, Free School Lane, Halifax	PDL	5.4	338	63	under construction
HS1-2	Land adjacent Heathmoor Park Road, Abbey Park, Illingworth	PDL	1.5	53	35	under construction
HS1-4	Former Fountain Head Brewery, Ovenden Wood Road, Halifax	PDL	9.0	277	31	under construction
HS1-5	Land adjacent Keighley Road, Abbey Park, Illingworth	PDL	5.07	193	38	under construction

PDL = Previously Developed Land GF = Greenfield Land

5.28 The phasing approach to the managed release of sites will be monitored in order to ensure the objectives of PPG3 are being met including meeting the District's housing requirement. Should this monitoring demonstrate that there is a significant oversupply of housing land then POLICY GH 2 will be applicable. If amendments are required to individual phases, sites will be re-assigned to different phases via a Supplementary Planning Document (SPD) which will be produced by the Council. Factors which may require such a revision would be the impact of windfall sites (either more or fewer coming forward than anticipated in the Plan), the development of housing on the mixed use sites included in Policy E 4 , Policy H 7 and Policy H 8 or other material considerations. Therefore:-

Policy H 6

Monitoring of Housing Developments

The appropriateness of the list of sites in each phase will be monitored against the prevailing annual housing requirement figure in the Regional Spatial Strategy for Yorkshire and the Humber (2004) in order to ensure the principal objectives of the Plan are being met and to take account of any windfall developments affecting those objectives. Sites will be reassigned to different phases where monitoring demonstrates this to be necessary. In assessing planning applications for residential development on windfall sites the supply of housing at the time will be a significant material consideration.

Phase 2 will be informed by this monitoring but the expected supply for Phase 2 is currently as shown in Table 5.2.

Table 5.2 Phase 2 Supply as at 1 April 2006*

	Dwellings	% Dwellings on Previously Developed Land	% Dwellings on Greenfield Land	Notes
Windfalls	1025	100	0	205 pa x 5
Conversions	450	100	0	90 pa x 5
Allocations	258	100	0	
Mixed Use Sites	167	100	0	Former MU7 and MU10
Total Supply	1900	100	0	
Phase 2 Theoretical Requirement	2250			Annual Requirement of 450 x 5
Relationship to phase 2 Requirement	-350			

* Table not updated on adoption of the Plan

5.29 The allowance for windfalls will be verified through the monitoring process but there are currently no indications that the level of windfalls will decline. The capacity study found many sites too small to allocate but capable of accommodating housing. It also identified numerous employment premises that were either unused or only partially in use. Many such premises have come forward as windfalls and this trend is expected to continue, particularly following the Government's changes to PPG3 in January 2005, regarding surplus employment sites being re-used

for residential development. There are already more than enough buildings for conversion committed to exceed the allowance of 90 dwellings per annum. Included in the list of allocations are two of the mixed-use sites allocated in Policy E 4 in the Employment Section of the Plan. Part of former site MU7 (Mill Royd Works) having gained planning permission for housing is under construction and likely to be completed early in Phase 2 whilst MU10 (Furness Avenue) is likely to come forward in Phase 2. The allocations expected to be required in Phase 2 are shown in Policy H 7:-

Policy H 7

Phase 2 Housing Allocations

Proposals for residential development on any site allocated on the Proposals Map as a Phase 2 housing site will be permitted during Phase 2 of the Plan where they are consistent with other UDP Policies, provided Phase 1 sites are being, or have been, developed in accordance with the expectations of the Plan. The following sites are allocated for Phase 2 development:-

Phase 2 : 1 April 2006 to 31 March 2011

Site Ref	Location	Type	Size (ha)	Indicative Capacity	Indicative Density
HS2-1	Martins Mill, Pellon Lane, Halifax	PDL	0.16	57	356

Phase 2 : 1 April 2006 to 31 March 2011

HS2-2	Site of demolished school, Clough Lane/Brow Bottom Lane, Mixenden (Part)	PDL	0.69	26	38
HS2-3	Site of Former Pond Quarry, Lightcliffe Road, Brighouse	PDL	1.82	69	38
HS2-4	Former Queens Road School, Halifax	PDL	0.49	18	38
HS2-6	Turner Avenue South, Ovenden, Halifax	PDL	0.78	30	38
HS2-7	Land at Ogden Lane, Brighouse	PDL	1.54	58	38
Former MU7*§	Mill Royd Works & Mill. Huddersfield Road, Brighouse	PDL	1.70	134	228
MU10*	Furness Avenue, Illingworth, Halifax	PDL	3.47	33	38

PDL = Previously Developed Land GF = Greenfield Land

*** = Mixed Use Sites based on 25% site area unless firmer figures available**

§ = Site MU7 deleted from Policy E4 (Mixed Use Allocations) & included in the PHA

5.30 When looking beyond the end of Phase 2 the position is much less clear and will only be established following monitoring and any necessary adjustments made to the phasing. Should all the sites included in Phases 1 and 2, together with expectations regarding windfalls, come forward, then the housing requirement set down in RSS will have been met and quite probably exceeded. However, the likelihood is that some of these sites will be ongoing beyond the end of Phase 2 and contribute to Phase 3 of the Plan (1 April 2011 to 31 March 2016). In order to ensure an adequate supply of land for housing several sites are allocated in Phase 3. This will ensure that sites have been properly identified regarding locational and sustainability requirements in accordance with the plan led approach. This approach also has the advantage that in the event of future reviews of RSS (2004) resulting in a revised housing requirement, these sites could come forward without any delay in the process ensuring a continuous supply of land to meet housing requirements. Included in Phase 3 are several sites in the Upper Valley area. Whilst RSS (2004) seeks to concentrate most new housing development in the main towns and cities, small scale housing growth is acceptable under this strategy provided it would

support sustainable development objectives, and is located where there is a good range of services and is accessible by a range of transport modes. RSS (2004) Policy H2, in setting out the sequential approach for new housing development, makes reference to market towns. In Calderdale, Todmorden is taken to be such a settlement being one of the towns selected for the Market Towns Initiative supported by Yorkshire Forward and the Countryside Agency. Hebden Bridge also falls into this category and is included within the Renaissance Study undertaken for the Upper Calder Valley Area. There are limited opportunities for new housing in these areas, although the re-development of mills and former mill sites is adding to the housing stock of these towns. In order to meet housing needs and to assist the implementation of the Market Towns Initiative and the Renaissance Strategy several sites are allocated in the Upper Valley Area. The sites allocated in this Phase 3 include some greenfield sites. Planning permission will only be granted on the greenfield allocated sites if evidence is submitted that no alternative brownfield sites exist.

5.31 Phase 3 also includes the remaining mixed-use sites allocated in Policy E 4 of the Plan.

These sites will contribute to the housing supply of the District although in the absence of any development briefs their precise contribution is unknown. For forward planning purposes, it is assumed that between 25% and 50% of each site will be developed for housing. It is also difficult to judge when such sites may come forward given physical constraints and the requirement for developers to bring forward schemes which meet the wider objectives for developing these sites. Some of these

sites are inextricably linked to the wider renaissance agenda for Halifax, which is currently being formulated. Therefore whilst the sites are included in Phase 3 of the Plan it may be that some come forward earlier and this will be allowed in order not to jeopardise larger mixed-use schemes meeting wider regeneration and other objectives. The effect this may have on the supply of housing land will be addressed through the Plan, Monitor and Manage approach.

Policy H 8

Phase 3 Housing Allocations

Proposals for residential development on any site allocated on the Proposals Map as a Phase 3 housing site, other than the mixed-use sites, will only be permitted during Phase 3 of the Plan where they are consistent with other UDP Policies, provided Phase 1 and Phase 2 sites are being or have been developed in accordance with the expectations of the Plan. In addition, the greenfield allocations, other than the mixed-use sites, will be required to demonstrate that there are no available sites higher in the search hierarchy set down in Policy H2 of the Regional Spatial Strategy for Yorkshire and the Humber (2004). The following sites are allocated for Phase 3 development:-

Phase 3: 1 April 2011 to 31 March 2016

Site Ref	Location	Type	Size (ha)	Indicative Capacity	Indicative Density
HS3-1	Scott Street, Walsden	GF	0.93	28	30
HS3-2 §	Land North of Millbrook House, Rochdale Road, Todmorden	PDL	0.40	15	38
HS3-3	Land between Cross Lee Road and Ashenhurst Road, Todmorden	GF	1.26	38	30
MU1*	West of Boothtown Road, Boothtown, Halifax	PDL/GF	15.35	140	38
MU2*	Former Transco Site, Mulcture Hall Road, Halifax	PDL	3.76	70	38
MU3*	Former Horses at Work site, South Parade, Halifax	PDL	2.92	30	38
MU4*	Sugdens Mill, Mill Royd Street, Brighouse	PDL	3.28	30	38
MU5*	Dewsbury Road, Elland	PDL	4.43	40	38
MU6*	Broad Street, Halifax	PDL	1.87	150	80
MU8*	Drakes Industrial Estate, Shay Lane, Halifax	PDL/GF	3.65	36	30

Phase 3: 1 April 2011 to 31 March 2016

MU9*	Mixenden Road, Mixenden	PDL	0.41	10	38
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PDL = Previously Developed Land GF = Greenfield Land

§ = HS3-2 : A flood risk assessment is required on this site. It is the responsibility of the developer or applicant to undertake the flood risk assessment.

*** = Mixed-Use Sites based on 25% or 50% site area unless firmer figures available.**

5.32 A substantial supply of sites, both brownfield and greenfield, was identified during the preparation of this Replacement Plan. Should there be a shortfall in housing provision in relation to the current housing requirement suitable additional sites will be allocated to meet any shortfall in housing provision.

Non-Allocated Sites

5.33 Previously developed sites or buildings for conversion are expected to continue to come forward as windfalls and contribute to the supply of housing land in the District. Previously developed sites are defined in Annex C to PPG3 and this definition is further clarified in PPG17 'Planning for Open Space, Sport and Recreation' (2002). Sites not to be regarded as previously developed include parks, recreation grounds, playing fields and allotments. Clearly sites must be assessed against the general need to protect areas of open space which are of public value as defined in PPG17 'Planning for Open Space, Sport and Recreation' (2002). The areas of identified open space are shown on the Proposals Map. However, there may be areas of open space that could be considered to be of public value under the definition of open space contained within PPG17 but which are not identified on the Proposals Map, such as domestic gardens (due to constraints brought about by the release date of PPG17 in July 2002). PPG17 is a material consideration in the assessment of planning applications relating to areas of open space. This is particularly pertinent where development proposals are located within areas of open space that are not designated on the Proposals Map. For a definition of open space refer to the Glossary of Terms.

5.34 In order not to undermine the brownfield land target of the Plan (see paragraph 5.18), strict control is required over greenfield development. Granting planning permission on greenfield sites when there is an adequate supply of housing land would mean that greenfield sites were being brought forward unnecessarily. Therefore, greenfield windfall sites will not be granted planning permission. Should

monitoring show that there is a shortage of housing land within Calderdale to meet RSS housing requirement, appropriate action will be taken to increase the supply of land for housing.

5.35 A fundamental consideration for all windfall sites will be the relationship of a site to essential facilities and to good quality public transport services with all new residential development ideally located within easy walking distance of such facilities. Easy walking distance for the purpose of Policy H 9 is taken as within 400 metres of a bus stop or 800 metres of a railway station. Within walking distance of local services such as convenience shops, post office, health centre/surgery and primary school is taken as up to 800 metres for the purpose of the policy. These distances reflect those employed by West Yorkshire Metro but should be interpreted with care taking into account the individual circumstances of each site, including matters such as topography and the amenity or general safety of any route. In assessing proposals on all windfall sites the amenity and character of existing residential areas must be protected. Therefore:-

Policy H 9

Non-Allocated Sites

Proposals for residential development (including those for the renewal of a previous planning permission) on a non-allocated brownfield site or building for conversion will be permitted where:-

- i. the site is located within easy walking distance of a bus stop or a railway station and, wherever possible, is within walking distance of local services (such as convenience shops, post-office, health-centre/surgery, primary school);**
- ii. existing and planned infrastructure can cater for the development, including the**

ability of schools in the area to accommodate additional pupils;

- iii. **there are no physical and environmental constraints on development of the site, including flood risk;**
- iv. **the development creates no unacceptable environmental, amenity, traffic, safety, or other problems;**
- v. **the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, where these are material considerations;**
- vi. **the development complies with the requirements of other relevant UDP policies.**

Proposals for residential development on unallocated greenfield land will not be permitted.

5.36 There are sites where constraints will have to be overcome in order for development to take place. In certain cases improvements are needed to infrastructure (e.g. highways or drainage) before the land can be released for development. POLICY GCF 1 provides more detailed guidance on how infrastructure needs arising from development will be met.

Density and Type of Dwellings

5.37 During the period covered by the previous UDP (1997) the average density of new housing, excluding conversions, was 26 dwellings per hectare (dph). PPG3 advises local authorities to avoid developments that are built at less than 30dph, as this results in an inefficient use of land. Developments making more efficient use of land are to be encouraged (30-50dph). At certain locations, such as those with good public transport accessibility (town centres and around nodes along good quality public transport corridors) sites should be developed more intensively. The target for the development of brownfield sites in RSS for Yorkshire and the Humber (2004) is based on an average of 38dph and clearly developments at lower densities, if repeated frequently, would undermine this fundamental objective of the Plan. Developers will be expected to provide innovative design solutions to achieve higher densities rather than simply building at the minimum density specified in PPG3.

5.38 The appropriate density will be determined by several factors. These include the nature and location of the site, the character of the surrounding area, together with the type of development proposed and the type of housing need being met. Where the Calderdale Housing Requirements Study (2005) demonstrates a need for smaller units of accommodation such as for single person's accommodation or dwellings for the elderly, higher densities will be required. Whilst lower densities may be appropriate in certain situations, these will be very much the exception and special circumstances will have to be demonstrated by the applicant to justify a density below that of 30dph.

5.39 One of the Government's fundamental objectives for housing is to create mixed communities through the provision of a better mix in the size, type and location of housing. Building large areas of housing of similar characteristics is to be avoided. Equally in areas of existing housing of similar characteristics, such as exist in large parts of North Halifax, where a lower density development would stimulate private sector investment an exception may be made to the general density requirements of Policy H 10. Given that the majority of the projected growth will be in one-person households opportunities should be provided to enable these to be met. The Council's Housing Strategy and Housing Requirements Study will inform Policy H 11. Providing a mix of dwellings is likely to be more appropriate in town centres and in larger development schemes. The reference to developments of 12 or more dwellings in Policy H 11 is included in order to indicate the size of site where a mix of dwellings will be required. The degree of mix will be expected to increase with site size. Given that the Council's Housing Land Availability Database shows some 25% of dwellings are built on sites between 0.4 hectare and 1.0 hectare in size (the equivalent of between 12 and 30 dwellings at the minimum density of 30dph advocated in PPG3), it is important to achieve a mix of housing on these sites, as well as on sites over 1.0 hectare, if the objective of creating mixed and balanced communities in PPG3 is to be achieved.

5.40 There is clearly a relationship between the types of dwellings built and the densities achieved. The following Policies will therefore apply:-

Policy H 10

Density of Housing Developments

All new housing developments including conversion schemes shall be constructed at a minimum net density (as defined in PPG3) of at least 30 dwellings per hectare except where special circumstances justify a lower density. These will include:-

- i. the character of the site itself;
- ii. the character of the surrounding area;
- iii. the need to preserve the amenity of existing or future residents;
- iv. the availability of local facilities and infrastructure;
- v. the need to influence the housing mix of an area.

In appropriate locations higher densities of development will be expected including:-

- a. in and around the main town centres;
- b. close to main public transport routes and bus and rail stations.

Policy H 11

Mix of Housing Types

Planning permission for residential development will only be granted where provision is made for a mix of housing in terms of the size, type and affordability of dwellings on suitable sites, defined as developments of 12 or more dwellings or sites in town centres, in order to meet the full range of housing need in Calderdale.

Living Over Shops and Other Business Premises

5.41 Whilst a number of conversion schemes have been completed during the life of the previous UDP (1997), there remains a significant amount of disused or underused floorspace over many shops and business premises within Calderdale, particularly within the town centres. The Urban Capacity Study indicates that some 510 dwellings could be provided from this source. Halifax has the potential to

accommodate some 470 of these dwellings but there is also more limited potential in the other towns. The Council's objective of bringing empty or underused property back into use is underpinned by Housing Service's Empty Properties Strategy. Such space is often no longer required in connection with the use of the ground floor and could, if brought back into use, provide a valuable source of residential accommodation. This would add to the housing stock in the District as well as providing a range of other benefits, such as bringing life back into town centres and reducing crime, thereby making the town centres safer and more attractive. Other benefits include generating environmental improvements and enhancing the conservation of the built environment whilst pressures for new development on greenfield sites will also be lessened. Many suitable buildings, particularly in town centres, are well served by public transport and often occupied by people who do not have a car, thereby reducing the need for the provision of car parking. In the designated town centres there is no car parking requirement in the Plan (see Policy T 18), whilst many flats are likely to be occupied by single people, many of whom may not own a car. Whilst having regard to the amenities of the occupants of such conversion schemes a more flexible approach needs to be taken to reflect the realities and location of this type of development. This approach is reflected in the following Policy:-

Policy H 12

Living Over Shops and Business Premises

The residential use of accommodation above shops (and other business premises), particularly within town centres, will be encouraged and supported. Proposals will be assessed against the following criteria, having regard to the nature and location of this type of accommodation in determining appropriate levels of amenity and car parking:-

- i. adequate noise attenuation measures are provided;
- ii. adequate access arrangements are available;
- iii. there is adequate car parking provision for schemes outside the town centres where these are not close to good quality public transport facilities;
- iv. any external alterations to the building are in accordance with the relevant UDP

Policies relating to design and materials; and

- v. there are adequate facilities for the storage of refuse.**

Affordable Housing

5.42 Affordable housing is that provided for local people who are unable to resolve their housing needs in the private sector market because of the relationship between housing costs and incomes. The need for affordable housing has been recognised in national planning guidance for some time and also in the previous UDP (1997). Providing affordable housing also forms part of the Government's overall strategy of creating mixed communities.

5.43 The Calderdale Housing Requirements Study (2005) confirms and quantifies the affordable housing need in the District and indicated that, at the conclusion of the Study, 720 households needed affordable housing. This need cannot be met at current rates of provision, and the requirements to meet existing need, in addition to newly arising needs, will continue in future years.

5.44 A Statement of Needs and Requirements will be published annually, indicating the level of need, and requirements for new dwellings by area and tenure. Reference will be made to changes in incomes and housing costs.

5.45 Affordable homes are those provided for people who are unable to afford to access suitable housing through the normal working of the housing market. A subsidy is required to enable homes to be affordable, either to rent, or in a form of low cost home ownership.

5.46 The Housing Corporation Target Rents define affordability in relation to rents. Affordable ownership will be assessed in line with the method adopted in the Housing Requirements Study, and will be undertaken on an annual basis. Reference will be made to incomes and house prices and costs, in order to identify the entry level point where households are able to secure home ownership. Consequently the need in terms of low cost home ownership schemes, for those who are unable to do so will be assessed.

5.47 With the transfer of the local authority housing stock to Pennine Housing 2000, the Council's only direct means of increasing the supply of affordable housing is through its enabling role with Registered Social Landlords. This source alone will not be able

to meet the scale of need identified in the Housing Requirements Study. In such instances PPG3 requires UDPs to include a policy for seeking affordable housing in suitable private housing developments. Government guidance as to what are considered to be suitable sites has evolved since the inception of policy on affordable housing. Whilst the most recent definition of a suitable site is set down in DETR Circular 6/98, the Council will have regard to whatever guidance is current when assessing individual sites. One of the main criteria to be employed in assessing a site's suitability is its size. For sites in the main urban areas the current threshold in Circular 6/98 is 1 hectare or 25 dwellings whilst for settlements of 3000 population or fewer in rural areas it is up to local authorities to define their own thresholds. In Calderdale the settlements conforming to the Government's definition of rural areas are:-

- Blackshaw Head;
- Cragg Vale;
- Heptonstall;
- Old Town/Chiserley;
- Barkisland;
- Ripponden; and
- Rishworth/Krumlin.

5.48 In these settlements affordable housing will be sought on sites of 15 or more dwellings or sites of 0.5 hectare or more. The Housing Needs Study recognised that in the more rural areas the impact of the Right to Buy Initiative has been more severe. There is also a higher demand for social rented housing in rural areas, which reflects the proportionately higher house prices in these areas.

5.49 Other measures of a site's suitability are its proximity to local services and access to public transport. Abnormal costs associated with the development of a site will only be accepted as mitigating circumstances for the affordable housing requirement to be waived wholly or in part if they render a scheme not viable. Such cases will be the exception since any abnormal development costs should be reflected in the price paid for the land. Where developers seek mitigating circumstances, evidence of the effect of any additional costs will be required in the form of detailed financial assessments of the whole development.

5.50 Developers should contact Housing Services as soon as possible, and prior to submitting a planning application, to discuss the affordable housing that will be required where the results from the Housing Requirements Study demonstrate a need for affordable housing. The average level of affordable

housing required on a site will be 20% unless the need is for a lower amount. This is the level at which the Council considers it reasonable and appropriate to set the average level of affordable housing that will be required, without it being unduly onerous on developers whilst assisting in meeting the need for affordable housing in the district. The specific amount and type of affordable housing will be subject to negotiation with developers and be dependent on the circumstances prevailing when the site comes forward. These will include information in the annually revised Housing Strategy, which involves consultation with a wide range of housing providers, enablers and users who have an interest in the requirements for and provision of housing within the District.

5.51 In Circular 6/98, the term affordable housing relates to both low cost market and subsidised housing (irrespective of tenure, ownership (whether exclusive or shared) or financial arrangements) that will be available to qualifying persons who cannot afford to occupy houses generally available on the open market. Circular 6/98 also states that the type of affordable housing to be built should reflect local housing need and individual site suitability and be a matter for discussion and agreement between the parties involved. The differing priorities for the housing that is required are highlighted in the Council's Housing Strategy and based on the Housing Requirements Study. A mix of different types of affordable housing including housing for disabled people may be required on a site. Normally, the affordable housing will be expected to be provided on the site, but there may be certain instances when good reasons exist to provide the housing elsewhere or to provide a commuted sum towards the provision of housing elsewhere. This will be a last resort since the objective of affordable housing policy is to meet the needs in the area of the site and by allowing the affordable housing to be provided elsewhere this could lead to the polarisation of communities.

5.52 The Council will need to ensure that any affordable dwellings built are available for those in genuine need and that a significant proportion remain affordable in perpetuity. Appropriate mechanisms will therefore need to be in place to secure these objectives. The clear preference in Circular 6/98 is that registered social landlords are involved since they have their own occupancy criteria and are governed by the rules of the Housing Corporation making further occupancy controls unnecessary. This is also the preferred approach of the Council. Where a registered social landlord is not involved, Circular 6/98 requires conditions or legal agreements to be

attached to planning permissions restricting occupation to households meeting eligibility criteria based on the Council's Scheme of allocations.

5.53 Evidence will be required on planning applications that the dwellings to be provided will be of a suitable type and design. There will also be a need to ensure that affordable housing is provided on a site within a reasonable timescale, and that in a mixed scheme, the affordable houses are not forgotten as development of the total package proceeds. To this end the Council will use conditions and/or planning obligations to ensure that the affordable housing element in mixed schemes is not unduly delayed. ~~The following Policy sets out the approach to the provision of affordable housing:-~~

Policy H 13

~~Affordable Housing~~

~~Affordable housing within private development schemes on sites in Policy H 5, Policy H 7 and Policy H 8 and other proposed housing schemes will be sought where:-~~

- ~~i. the site or proposed number of dwellings is above government thresholds - these are currently developments of 25 or more dwellings or sites of 1 hectare or more; or~~
- ~~ii. the site is in a rural settlement of 3,000 or fewer population where this policy shall apply to developments of 15 or more dwellings or to sites of 0.5 or more hectares; and~~
- ~~iii. the site is close to local services and facilities; and~~
- ~~iv. there is access to public transport; and~~
- ~~v. the site is suitable in terms of market conditions taking into account the economics of provision set out in paragraph 10 of DETR Circular 6/98.~~

~~Planning applications which include proposals for affordable housing will be assessed against the following criteria:-~~

- ~~i. the affordable housing is provided to cater for the housing need in the District;~~
- ~~ii. there are secure and practical arrangements to retain the benefits of affordability for initial and subsequent~~

~~owners and occupiers, such as the involvement of a registered social landlord and where appropriate by the use of conditions or planning obligations;~~

- ~~iii. there are adequate means of controlling the phasing of construction of the affordable housing element of mixed development schemes, either by use of conditions or planning obligations;~~
- ~~iv. the development creates no unacceptable environmental, amenity, traffic, safety, or other problems;~~
- ~~v. the proposals are consistent with other UDP policies.~~

Supplementary Planning Guidance Note 1 provides further guidance on the provision of affordable housing in private development schemes.

5.54 Annex B to PPG3 enables planning authorities to have policies which support the release of small sites for affordable housing which development plans would not otherwise allocate for housing within or adjoining villages, and on which housing would not normally be permitted. This advice is aimed particularly at the more rural parts of the country and is not generally applicable in metropolitan districts such as Calderdale where most small settlements lie within the Green Belt and are close to the main urban areas. No such policy was included in the previous UDP (1997) and insufficient justification exists to add such a policy in the Replacement Plan.

Accessible Housing

5.55 Following the 1999 revisions to Part M of the Building Regulations, housebuilders now have to ensure the accessibility of new housing to the disabled. In summary the Regulations require that:-

- disabled people can gain access to the dwelling;
- disabled people can move around within the entrance storey of the dwelling; and
- sanitary provision is made in the entrance storey of the dwelling.

5.56 Following these changes to the Building Regulations, the number of dwellings built to standards that enable wheelchair users to visit friends and relatives will be increased. However, the Building Regulations do waive these requirements on steeply sloping sites where plot gradients are greater than 1 in 15. In an area such as Calderdale with a high

proportion of sloping sites, the potential of the Building Regulation changes to deliver homes built to higher visitability standards is therefore reduced. Experience demonstrates that even on sloping sites, early consideration of the need to achieve visitability standards can often result in layouts which enable these standards to be met. Developers are therefore encouraged to contact the Council as soon as possible when devising schemes on sloping sites in order to discuss the opportunities to provide visitability standards to all or a proportion of the planned dwellings and thereby maximise the number of dwellings built to such standards. There is clearly a need to increase the number of such dwellings in the overall housing stock since the Calderdale Housing Requirements Study shows that only 35% of wheelchair users live in an adapted dwelling in Calderdale:-

Policy H 14

Provision of Visitability Standard Housing

On sites with an average plot gradient of greater than 1 in 15 developers will be required to build to the standard set by Part M of the Building Regulations unless they can demonstrate that there is adequate justification that these requirements cannot be met.

5.57 As a result of applying the Building Regulations many dwellings will also include several features of Lifetime Homes, a higher standard than Part M in their requirement for adaptability and flexibility to be designed into the homes as well as accessibility. In contrast Part M is not intended to facilitate fully independent living for all disabled people. The Calderdale Housing Requirements Study also highlighted the fact that the population of Calderdale is an ageing population. There is therefore a need to increase the number of new homes built to Lifetime Homes Standards and the Council will require a proportion of such dwellings in schemes on sites over 1 hectare. The need for such accommodation is emphasised by the fact that the Study found the number of households with a disabled person was higher in Calderdale than in other similar studies undertaken by the consultants responsible for the Calderdale Study. The Study found that there is a specific need to address the under-provision of adapted dwellings to meet the current needs of households containing a disabled person. Sites over one hectare are large enough to accommodate a mix

of dwelling types including Lifetime Homes. A nominal figure of 15% is considered reasonable but will vary from site to site depending on the actual need in an area based on the findings of the Housing Requirements Study. Suitable sites are those within 800 metres of shops and services. Over time this approach will lead to an increase in the proportion of Lifetime Homes in the overall dwelling stock:-

Policy H 15

Lifetime Homes

In order to increase the choice of housing available to disabled people, on sites of 1 hectare or larger, on average 15% of dwellings will be required to be built to Lifetime Homes Standards. The actual proportion will vary depending on local needs as demonstrated in the Calderdale Housing Requirements Study. Such dwellings should be spread throughout the site.

Houses in Multiple Occupation

5.58 Houses in Multiple Occupation (HMOs) are houses that are not occupied by a single household and include dwellings occupied by two or more people living separately, bedsits, lodgings and hostels. They meet specific local housing needs, such as those of students, single people on low incomes or people who move frequently and require temporary accommodation.

5.59 There are 29 HMOs registered under the Calderdale (Registration of Houses in Multiple Occupation) Control Scheme 1998, with another four likely to be registered soon. The Council has a duty to carry out a risk assessment of HMOs to ensure they meet statutory standards with a view to protecting the health, safety and welfare of the occupants.

5.60 The intensification of use associated with HMOs often has implications for the area in which the building is located. Planning control is required in order to protect the amenity of both nearby residents and the future occupants of the building to be converted from increased noise levels. Such proposals are usually located in residential areas whose character also needs protecting. External alterations to the building such as the addition of fire escapes can affect the appearance of the building.

This is of particular importance in sensitive areas such as Conservation Areas or where Listed Buildings are concerned. Neglect of gardens following conversion will affect the character of the locality, as will increases in the number of cars, both in terms of car parking and increased traffic on the local highway network. If a high proportion of conversions to HMOs took place in a locality, this could both change the character of the area and reduce the supply of family housing. This could give rise to the dominance of a particular type of housing rather than retaining a mix of house types and sizes which would support a more mixed community, this being one of the fundamental objectives of PPG3.

5.61 Given the rise in single person households HMOs clearly have a role to play in meeting the District's future housing requirements. However a balance must be struck between this and protecting existing residential amenity. HMOs will be expected to be located in the main urban areas and therefore near to public transport since, as recognised in PPG3, lower levels of car ownership are often found in such properties and this in turn will often reduce car parking requirements. These requirements are therefore reflected in the following policy on HMOs:- .

Policy H 16

Houses In Multiple Occupation

Planning permission will be granted for the use of a building as a house in multiple occupation where:-

- i. there would be no harm to:-**
 - a. the character or appearance of the building;**
 - b. the character or appearance of the locality;**
 - c. the amenity of the occupiers of neighbouring buildings or the intended occupiers of the building;**
- ii. the proposal is well served by public transport;**
- iii. there is adequate car parking provision on site; or**

- iv. **on-street parking would not impair the free flow of traffic or highway safety; and**
- v. **the proposal would not result in a disproportionate concentration of HMOs in an area.**

Gypsies

5.62 This UDP was written prior to the publication of ODPM Circular 1/2006 which substantially changes Government Policy in relation to planning for gypsies. Given the advanced stage already reached in preparation of the RCUDP at the time the Circular was published, its requirements could not be accommodated in this Plan.

5.63 The term gypsy is defined in Paragraphs 2 and 3 of Circular 18/94 (Gypsy Sites Policy and Unauthorised Camping). Circular 1/94 (Gypsy Sites and Planning) encourages local authorities when preparing UDPs to identify, wherever possible locations suitable for gypsy sites. Where this is not possible, criteria are to be set for suitable locations.

5.64 Gypsies comprise a small proportion of the population whose land use requirements need to be met. Their accommodation and occupational needs can be varied, making an assessment of the provision to meet this need a difficult and time consuming task for local authorities. This is compounded by the fact that the gypsy population can vary appreciably.

5.65 As stated in Circular 1/94, gypsy sites are not amongst those land uses normally appropriate in Green Belts or other sensitive locations. They should be within a reasonable distance of local services and facilities such as shops, hospitals and schools. Sites should have access from a properly surfaced road and a reasonable level of service provision including electricity and drinking water supplies, sewage disposal and refuse collection. The following Policy will therefore apply:-

Policy H 17

Gypsy Sites

Planning applications for gypsy sites will be permitted where they comply with the following criteria:-

- i. **sites are located so as to have minimal impact upon the environment and the**

- ii. **surrounding areas, particularly nearby residential areas;**
- iii. **adequate access is available;**
- iii. **the necessary utilities (electricity, water, gas and drainage) are provided or are readily available;**
- iv. **the site is accessible to schools and other community facilities;**
- v. **the development creates no unacceptable environmental, amenity, traffic, safety, or other problems;**
- vi. **the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, where these are material considerations; and**
- vii. **the development complies with the requirements of other relevant UDP Policies.**



6 Retailing and Town Centres

Introduction

6.1 Retailing is an essential sector of the local economy. It has a key role to play in everyone's life; it is a major component in the structure of town centres and also an important employer within the District. The Replacement UDP incorporates land use policies to foster a successful, sustainable and competitive retailing sector, which will enable Calderdale's residents to benefit from the effects of competition, as well as securing the future vitality and viability of existing town and shopping centres. Policies will seek to ensure that any new retailing development that is provided:-

- meets the needs of the community;
- does not adversely effect the vitality and viability of any existing town centre;
- is in locations which are accessible by all modes of transport, where public transport, cycling or walking access is good;
- reduces the overall need to travel, by providing retail facilities which are generally within town centres and by encouraging new facilities within accessible locations, determined by the 'sequential approach', which will reduce the need to travel to other towns and centres for goods and services; and
- does not have adverse traffic, environmental, amenity, safety, security or economic effects.

6.2 The Government's latest policy statement on retailing was published in 2005. PPS6 'Planning for Town Centres' consolidated the planning policy advice from the former PPG6 'Town Centres and Retail Developments' (1997) and a number of Ministerial Statements. These statements expressly considered the issue of 'need' for retail development which has been rolled forward into PPS6. In respect of the 'need' for retail development PPS6 has made it clear that there are two types of need which may be identified. Firstly 'Quantitative Need' and secondly 'Qualitative Need'.

- Quantitative need derives from a realistic assessment of existing and forecast population levels; forecast expenditure for specific classes of goods to be sold within the broad categories of comparison and convenience goods; together with forecast improvements in productivity in the use of floorspace.
- Qualitative need may be considered to be a key consideration in ensuring consumer choice by

providing an appropriate distribution of locations for retailing and promoting the vitality and viability of town centres and issues relating to improving the accessibility of the whole community. In this respect the range of sites for retail facilities leisure and local services which allow for genuine choice to meet the needs of the whole community particularly in deprived areas.

6.3 Showing that 'need' exists is therefore an essential part of the justification for major retail developments, outside town centres. As a result development that seeks to serve a wide catchment area should be located within a centre that seeks to serve a similar catchment area. The Replacement UDP therefore takes into account this change in national policy.

6.4 At the regional level, Regional Spatial Strategy for Yorkshire and the Humber (RSS) (2004) includes policies to ensure that town centres are the main focus of shopping, cultural, social, leisure and business services. The Replacement UDP has taken this approach into account.

6.5 In order to assess retail trends and to give guidance as to the future potential for retail development, the West Yorkshire Planning Forum, (comprising each of the Districts within the County), commissioned the West Yorkshire Retail Capacity Study (WYRCS) (1999) from consultants Colliers Erdman Lewis. This Study provides the background to retail planning within each District. The findings of the WYRCS with respect to the future capacity for new retail development in Calderdale suggest that there is little scope for additional retail provision through the next decade up to 2011. These findings are, however, based upon a number of broad assumptions including there being no changes in the identified patterns of spending, the take-up of existing unimplemented shopping planning permissions and the prospect of a declining population.

6.6 Whilst accepting that the findings of the WYRCS are valid given the assumptions, the Council does not believe that the existing patterns of retail spending should be regarded as supporting sustainability in the long term. These patterns display significant outflow of spending on 'high street' comparison goods and smaller but still large spending flows on convenience goods, to centres and shops outside Calderdale. These flows mean much unnecessary longer distance travel to obtain goods and purchases. As a result the Council is supportive of additional retailing to provide Calderdale's residents with better retail facilities which

will be attractive to them, and help to reduce the need for travel to Huddersfield, Bradford, Leeds, the White Rose, Meadowhall and Trafford Centres for many comparison goods items. It is important however to ensure that any additional major retailing development does not have adverse effects upon the vitality or viability of any existing centre and is wherever possible located within or close to an existing centre in order to support sustainable development.

6.7 One major factor on future changes in the retail sector relates to the development of the internet as a market place. In future, more people will be able to go shopping on their computers and as a result there may be a reduced requirement for actual physical floorspace dedicated to shopping. This development makes the planning for future retail development particularly difficult. Even if people buy items on the internet it is likely that showrooms will be required to enable hands-on comparison of goods to take place, and as part of the leisure/entertainment activity that is the shopping experience. Despite the unknown consequences of e-retailing it is likely that additional floorspace will be required during the Plan period for both comparison and convenience goods retailing, and there does not appear to be any reason to suggest at this time that shopping centres will decline as a result of e-retailing.

Objectives for Retail Policy

6.8 The retail strategy seeks the provision of a modern, competitive and sustainable retail sector meeting the needs of Calderdale's residents in a manner that helps enhance the vitality and viability of the existing town centres, provides facilities accessible by all means of transport, but particularly by alternatives to the private car, reduces the overall need to travel and protects the environment. This objective is encapsulated in Part One Policy GS1:-

POLICY GS 1

RETAIL STRATEGY

THE BENEFITS OF A MODERN, COMPETITIVE, ENVIRONMENTALLY ATTRACTIVE AND SUSTAINABLE RETAILING SECTOR INCLUDING THE UPGRADING, MODERNISATION AND ENHANCEMENT OF RETAILING PROVISION WITHIN TOWN CENTRES AND LOCATIONS HIGHLIGHTED WITHIN THE RETAIL HIERARCHY WILL BE SOUGHT WHICH MEET THE NEEDS OF CALDERDALE'S

RESIDENTS. AS PART OF THIS STRATEGY THE VITALITY AND VIABILITY OF EXISTING CENTRES WILL BE MAINTAINED TO ENSURE THAT THEY REMAIN ATTRACTIVE TO SHOPPERS AND VISITORS AND CAN COMPETE EFFECTIVELY WITH OTHER CENTRES AND OTHER FORMS OF RETAILING.

Location of Retail and Key Town Centre Uses

6.9 To ensure that new retail and other key town centre developments are sited in appropriate locations in accordance with the principle of maintaining the vitality and viability of existing centres and ensuring they are in accessible locations well related to public transport, it is appropriate to apply the 'sequential approach' to retail developments and other key developments. (Additional policy advice for leisure uses may be found in Policy CF 10 and for offices in ~~Policy E 6~~, Policy E 7 and ~~Policy E 8~~). This approach is set out in PPS6 and therefore forms an important part of national retail policy. ~~As a result the following general principles will apply:-~~

~~POLICY GS 2~~

~~THE LOCATION OF RETAIL AND KEY TOWN CENTRE AND LEISURE USES~~

~~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, ROLE AND CHARACTER OF THE CENTRE AND THE CATCHMENT THAT THE DEVELOPER 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.~~

Retail Hierarchy for Calderdale

6.10 To focus retailing activity into appropriate locations, a shopping hierarchy has been defined. In Calderdale, the retail hierarchy is dominated by Halifax town centre, which is the fifth largest centre in West Yorkshire (1999 WYRCS). The West Yorkshire retail hierarchy is dominated by the regional centre of Leeds, Bradford city centre, Huddersfield town centre and Wakefield city centre and are all larger than Halifax town centre which itself possesses more retailing floorspace than all the other town and smaller centres within Calderdale combined. Halifax town centre is a little larger than Keighley, which is sixth in the county's retail hierarchy. Halifax is also the main focus for services within the District and a major centre for office employment, leisure and cultural activities. Brighouse, Elland, Todmorden and Hebden Bridge provide a focus for shopping and services within their parts of the District but remain subservient to Halifax within the hierarchy. Todmorden and Hebden Bridge act as service centres to their respective rural hinterlands in the western part of the District. The WYRCS found that Halifax has a strong core catchment based upon the Halifax/Sowerby Bridge/Hebden Bridge/Ripponden area, but that its influence in Brighouse, Elland and Todmorden is greatly diminished by other competing centres such as Huddersfield, Bradford, the White Rose Centre, Leeds, Meadowhall, the Lancashire Towns, Manchester and the Trafford Centre. Despite having a strong core catchment, Halifax experiences significant outflow of expenditure to other competing centres, which means that the centre does not provide the sorts of retail facility and range of goods that would generally be expected from a town of its size and status. It is a reasonable position to attempt to bolster the retail offer of Halifax, but recognising that this is in the context of the West Yorkshire hierarchy. Any major new retail proposal intended to significantly increase the retail potential in Halifax Town Centre should demonstrate that the proposals are appropriate to the role that the centre serves and address the implications for other centres within the hierarchy.

6.11 Despite these weaknesses, the Calderdale retail system has some notable strengths, particularly in respect of the small independent retailers which

characterise much of the retail sector within the District. It will be important to assist the smaller retailers and the services that they provide by providing attractive town centres, which will continue to be a focus for activity. As a result the application of the sequential approach to retail development becomes an essential part of securing the future of the town centres.

6.12 There are several out-of-centre convenience and comparison retailing facilities which provide significant facilities throughout the District. These have been defined as Other Retail Locations and are shown on the Proposals Map. They attract the majority of convenience expenditure and are an important feature of Calderdale's retail trading pattern. In terms of comparison retailing however, the floorspace outside Halifax centre is only slightly larger than that within the centre, although a number of developments are coming forward. Much of this out-of-centre comparison floorspace has been developed since 1990 and consists of large retail warehouse units.

6.13 A retail hierarchy has been defined as suggested by PPS6 based upon the relative trading patterns and turnovers of the centres as identified by the WYRCS (1999) for the larger centres and based upon the floorspace and retail characteristics of the smaller centres. The hierarchy is as follows:-

Table 6.1 Calderdale's Retail Hierarchy

TYPE OF CENTRE
MAJOR TOWN CENTRE
<ul style="list-style-type: none"> • HALIFAX
TOWN CENTRES
<ul style="list-style-type: none"> • BRIGHOUSE • ELLAND • HEBDEN BRIDGE • SOWERBY BRIDGE • TODMORDEN
Local Centres
<ul style="list-style-type: none"> • King Cross • Mytholmroyd • Queens Road • Northowram • Ripponden

TYPE OF CENTRE
<ul style="list-style-type: none"> • Hipperholme • West Vale
<p>Local Shops (These are not shown on the Proposals Map)</p>
<ul style="list-style-type: none"> • Bailiff Bridge • Boothtown • Highroad Well • Illingworth • Lee Mount • Luddendenfoot • Mixenden • Ovenden Cross • Shelf • Skircoat Green • Sowerby <p>Additional small groups of shops, which serve a local walk-in catchment, also contribute to the Retail Hierarchy. These are too numerous to mention and too small to show on the Proposals Map.</p>
<p>Other Retail Locations</p> <p>These are convenience and comparison stores and small retail parks which are a feature of the Retail Hierarchy. They may be edge-of-centre or out-of-centre in terms of location. Whilst the Council does not accept that they should be regarded as Town Centres for the operation of the Sequential Approach, their enhancement or expansion would in many instances be a more satisfactory solution than the creation of another free standing facility, should there be no alternative town centre or edge of centre sites available. They therefore have an important role to play in the overall implementation of the sequential approach to retail planning.</p>

6.14 The Council supports proposals that achieve the consolidation, strengthening and enhancement of centres and wishes to see as a general principle new retail development being located within the centres identified on the Proposals Map. Whilst there may be a place for out-of-centre retailing developments, a sequential approach to the location of development is appropriate to ensure that central or edge-of-centre sites are developed in preference to out-of-centre locations. ~~(See POLICY GS 2 and Policy S 1).~~

6.15 In order to help sustain the character, vitality and viability of existing shopping centres, new retail

development should be seen to complement the retail hierarchy rather than fundamentally change it. As a result it is important that new retail development is in scale with any centre with which it is associated and forms an appropriate addition or extension. Where a development may be considered to be out of scale, an appraisal of sustainability in accordance with RSS (2004) Policy SOC3 will be required to provide information regarding traffic, environmental and retail impacts of the proposals in order to allow informed decisions to be made.

~~**POLICY GS 3**~~

~~**SCALE OF RETAIL PROPOSALS**~~

~~**RETAIL DEVELOPMENT PROPOSALS SHOULD RELATE TO THE SCALE, ROLE AND CHARACTER OF THE CENTRE WITHIN WHICH THE DEVELOPMENT IS TO BE LOCATED AND THE CATCHMENT THAT THE DEVELOPMENT SEEKS TO SERVE. WHERE THE DEVELOPMENT IS NOT IN SCALE OR CHARACTER THE APPLICATION SHOULD BE ACCOMPANIED BY A FULL APPRAISAL OF SUSTAINABILITY.**~~

Major Development Opportunities

Sites Which May Include Retailing

6.16 There are a number of major development opportunities within the District. Within Halifax town centre there is scope at Broad Street to accommodate major new retailing development to assist in maintaining the town's competitive position in the face of expanding and improving major centres throughout West Yorkshire. The following are previously developed land sites where their development will support sustainability objectives. The Council has identified two sites within or at the edge of the centre of Halifax for major mixed-uses, these being shown on the Proposals Map:-

- i. **BROAD STREET, HALIFAX:** (See Policy E 4 Site MU6) This site is within the Halifax town centre and was given planning permission in June 1997 for a mixed retail/leisure/restaurant development with significant car parking, which did not proceed. This is a major town centre site with significant potential and the Council wishes that it remains at the top of the sequential test list for Halifax. This site was marketed again by the Council during 2002/3 and new developers

have been selected. The new scheme proposes a mixed development that will include retailing and residential uses. Retailing up to 15,000sq.m may be appropriate, which supports the role of Halifax as a sub-regional centre and fifth in the retail hierarchy of West Yorkshire.

- ii. **TRANSCO SITE, MULCTURE HALL ROAD, HALIFAX:** (See Policy E 4 Site MU2). This site forms part of a key area within the Halifax Renaissance Strategy theme of 'Re-Populating the Valley Bottom'. Whilst it is accepted that some retailing may be appropriate here, it is considered that this should be small in scale, ancillary to the predominant residential development of the site. Any retailing on the site is unlikely to exceed 1,500sq.m in gross area. Single use developments other than residential that would not be supportive of the objective of repopulating the valley bottom will be resisted. Other uses that may be appropriate within the mixed development include Use Classes A2; A3 (ancillary); B1; D1; C1; and C2.

6.17 There are other development opportunities across the District where retailing could form either the main element of the development or where it could be part of a mixed development:

- i. **DEWSBURY ROAD, ELLAND:** (See Policy E 4 Site MU5). This site includes the old Gannex Mill site and other derelict or underused premises along the south side of Dewsbury Road. A major mixed-use development of retailing, leisure, residential and community use would be supported. The retail element should meet the needs of Elland and be appropriate to the role of the centre and the catchment that the development is intended to serve.
- ii. **SUGDEN'S MILL AND SITE ON MILL ROYD STREET, BRIGHOUSE:** (See Policy E 4 Site MU4). This is a major edge of centre site, which when developed would expand the centre of Brighouse. This site has been approved for a major mixed-use development including food and non-food retail, (1,500sq.m and 5,300sq.m respectively) a new swimming pool, offices, car parking and new canal crossings for vehicles and pedestrians. Major mixed-use development including retailing, business and possibly housing together with the replacement pool would be supported.

Sequential Approach to Retail, Key Town Centre and Leisure Developments

6.18 Government Policy as contained in PPS1, PPS6 and PPG13 together with RSS (2004) stress the importance of town centres and the desirability of locating new retail, leisure and other key developments within or adjacent to town centres, in order to encourage multi-purpose trips and provide greater opportunities for the use of public transport. The adoption of a sequential approach to site selection will assist in ensuring that the benefits of new forms of retailing are available to the greatest number of people and that locally generated retail expenditure is retained to support investment and jobs within the local economy and assist in the aim of reducing the need to travel. This sequential approach gives priority to town centre sites as development locations. Edge-of-centre sites, district and local centres and finally out-of-centre locations should be considered in turn in assessing suitable development locations. Out-of-centre sites should generally be regarded as an option of last resort. Within town centres, there may be Listed Buildings and Conservation Areas, which may have implications for considering whether sites or buildings are suitable for retail or other development. In some instances it may be necessary to consider edge-of-centre sites where the alternative central sites would have serious implications for a Conservation Area or Listed Buildings. ~~The Council will therefore apply the sequential test as follows:-~~

~~Policy S 1~~

~~Sequential Approach for Retail and other Key Town Centre or Leisure Uses~~

~~Proposals for retailing or for other key town centre or leisure uses should be sited in accordance with the following preferred sequence of locations:-~~

~~FIRSTLY within town centres as defined on the Proposals Map, where suitable, viable sites or buildings for conversion are available;~~

~~SECONDLY in accessible edge of centre locations, having good links with the town centre or in district and local centres, where no suitable, viable central sites or buildings are available;~~

~~THIRDLY in sustainable out-of-centre locations which are accessible by a choice of means of transport or at Other Retail Locations where no suitable, viable sites or buildings are available in any of the above areas higher in the sequential approach.~~

~~Applications for proposals in edge-of-centre or out-of-centre locations will be expected to demonstrate that there are no reasonably available, suitable and viable alternative sites within locations higher in the preferred sequence, and that development of these sites will support sustainable development principles.~~

6.19 For the purposes of interpreting the shopping policies and to ensure certainty for developers where these apply, the centres as identified on the Proposals Map and listed above in the shopping hierarchy (paragraph 6.13) are considered to be appropriate locations for retail development. ‘Other Retail Locations’ are not regarded as centres and therefore, should not be considered as part of the initial sequential approach except where they may be edge-of-centre locations. It is accepted that in some circumstances, the expansion or enhancement of an existing out-of-centre ‘Other Retail Location’ may be a more satisfactory solution than the creation of an entirely new out-of-centre retail park.

Criteria for Assessing Retail Development

6.20 Shopping development will only be acceptable if, ~~in addition to the locational criteria of POLICY GS 2, POLICY GS 3 and Policy S 1,~~ all the criteria of Policy S 2 are met. These criteria are to ensure that:-

- the need for the development is demonstrated;
- proposals are appropriate to the role of the centre and the catchment that the development is intended to serve;
- a sequential approach to site selection has been undertaken;
- proposed developments are of an appropriate scale;
- do not create unacceptable environmental, amenity, highways or other problems;
- proposed developments maintain the viability and vitality of the existing centres;
- proposed developments are accessible to all including those dependent on public transport;

- sustainability criteria are applied to the consideration of the application; and
- proposed developments ensure the provision of a high quality environment.

6.21 Reference should also be made to other UDP Policies such as, those on design, POLICY GBE 1 and Policy BE 1; landscaping Policy BE 3; and the provision of publicly available toilet facilities Policy BE 8 and Policy BE 9. Other UDP policies may also have implications for retail developments, such as those on Listed Buildings and Conservation Areas, and this cross-reference does not intend to be comprehensive but rather indicative. Other matters may also be of relevance and be regarded as a material consideration when determining any planning application.

6.22 All retail applications in excess of 2,500sq.m (gross area) in locations outside the designated town centres should be supported by a Retail Assessment in accordance with PPS6. Proposals within town centres should demonstrate that they relate to the role, scale, and character of the centre and the catchment the development is intended to serve. All retail developments of this size will be referred to the Secretary of State under the Town and Country Planning (Shopping Development) (England and Wales) (No.2) Direction 1993. Such assessments may occasionally be necessary for smaller developments depending on the size and nature of the development in relation to the centre concerned. Transport Assessments may be required under the terms of POLICY GT 5 where the effects of the development upon the highway network could be significant or give cause for concern.

6.23 In order for the sequential approach outlined in POLICY GS 1 ~~and Policy S 1~~ to work properly, developers must be prepared to be flexible in their requirements for space and land. In seeking to find a site in or on the edge of an existing town centre, developers should be able to demonstrate that they have been flexible about their proposed business model in terms of the following considerations: -

- the scale of their development;
- the format of their development;
- car parking provision; and
- the scope for disaggregation.

6.24 For example, the shape of a site may not be ideally suited to a rectangular box, but it may accept an ‘L’ shaped structure. Developers must consider whether the alternative available sites or methods of trading including operating from separate sites can

meet their requirements. As part of this exercise developers should explore whether specific parts of their proposals could be operated from separate sequentially preferable sites. PPS6 provides further policy advice on this issue. As a result it is important to set out the criteria against which planning applications for retail developments will be assessed as follows:-

Policy S 2

Criteria for Assessing Retail Developments

Applications for all retail developments will be assessed on the basis of the following criteria:-

Part A : For ALL locations:-

- i. **the proposals relate to the role, scale and character of the centre and the catchment the development is intended to serve;**
- ii. **the development creates no unacceptable environmental, amenity, traffic, safety, or other problems;**
- iii. **the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, where these are material considerations; and**
- iv. **all other relevant UDP Policies are met.**

and PART B : For all locations NOT WITHIN town centres:-

- i. **the 'need' for the development is demonstrated;**
- ii. **having been flexible about the scale, format and design of the development and the provision of car parking, there are no reasonable prospects of the proposed development being accommodated on an alternative town centre site(s);**
- iii. **there will be no serious effect (either on its own or cumulatively with other similar permissions) upon the vitality and viability of any nearby town centre, as a whole;**
- iv. **the proposed development is located where it can serve shoppers using public transport or other modes of transport such as pedestrians or**

cyclists as well as those travelling by car;

- v. **the likely effect on overall travel patterns and car use, the objective being the reduction in travel mileage;**
- vi. **the implications for other relevant UDP policies which relate to the use of the site; and**
- vii. **the development would not undermine the retail strategy of the Plan.**

Local Shopping

6.25 The Council recognises that not all people in Calderdale have easy access to shopping facilities, particularly those without the use of a car. It also recognises that there are parts of the urban areas, which have very few convenience goods facilities. The Council will therefore support proposals that assist in the creation of small scale, local facilities, which will reduce the likelihood of the development of a 'food desert' and will provide residents with much needed local shopping. ('Food deserts' are described in the Glossary). Small scale local food shopping facilities, (generally those that are able to open all day on Sunday, as they are under 280sq.m net area), provide an important local facility that is unlikely to have a detrimental effect upon any of the larger town centres within the hierarchy. However, there may be potential for them to attract expenditure away from some of the smaller centres forming part of the retail hierarchy thereby reducing the vitality and viability of those centres. As a matter of principle, the Council considers that this type of small scale retailing should be located within or close to existing smaller centres or alongside groups of local shops, where suitable sites or buildings capable of being converted may exist and are therefore covered by ~~Policy S 1 and~~ Policy S 2. However, small convenience or some types of comparison shops, may be supportable in locations where there is a local deficiency, within the urban areas or rural settlements, which could help to reduce the necessity to travel, meet local shopping needs and help to tackle the issue of 'food deserts'.

Policy S 3

Local Shopping Outside Centres

Development of small scale retailing intended to meet local needs in out of centre locations will be permitted where there is a deficiency in the general area of the

proposed development, subject to the criteria in Policy S 2 (Part A), and other relevant UDP Policies.

Retailing in the Green Belt and Open Countryside

6.26 Government Guidance as expressed by PPG2 and RSS (2004) is that there is no place for major retail development either within the Green Belt or generally within open countryside. Some smaller scale retailing can however be appropriate to a rural area and can facilitate and foster the development and diversification of the rural economy, and may be considered to be supportive of the advice in PPS7 'Sustainable Development in Rural Areas' (2004). Farm shops, for example, can bring the farmer closer to the market thus meeting the demand from customers who want fresh produce from the point of production. They can also help to diversify individual farm businesses making them more financially stable. Other types of small scale retailing such as a golf shop associated with a golf course, or a horse tack shop at a riding stable may also be appropriate. Small convenience stores may also be appropriate within a rural settlement. It is important however, to ensure that all types of retailing in rural areas are properly managed and controlled and do not develop to such an extent that they become inappropriate.

Policy S 4

Retail Developments in the Green Belt

Proposals for retail developments within the Green belt or within the Area Around Todmorden will not be permitted unless there are very special circumstances.

Farm Shops and Nursery Gardens

6.27 Whilst the importation of some goods for sale to the public from a farm shop must be accepted if the shop is to remain viable and attractive to customers, it is considered that the great majority of goods sold through the farm shop should be produced on the farm to which the shop belongs. In a similar manner to farm shops, the retail element of nursery gardens may be appropriate within the Green Belt or open countryside. However the type of garden centre which imports all its produce for selling on, is unlikely

to be considered appropriate to a rural area as it would be more suitably located close to one of the main town centres or generally within an urban area.

Policy S 5

Farm Shops and Nursery Gardens

Proposals for Farm Shops (where they support farm diversification) and Nursery Gardens will be permitted provided that the great majority of goods retailed to the public are produced on the farm or nursery or sourced from the local area subject to the criteria in Policy S 2 (Part A) and other relevant UDP Policies.

Shopping Frontages in Town Centres

6.28 National and regional guidance on shopping policy places great emphasis upon improving the vitality and viability of existing shopping centres. Vitality comes from the variety and mix of uses and from activity within a town centre, but it is all underpinned by retailing. Different but complementary uses both during the day and in the evening can reinforce each other making town centres more attractive to local residents, shoppers and visitors. Restaurants, entertainment facilities, museums, hotels, banks, building societies and other financial institutions offering services to the public are well suited to town centre locations, but no advantage is achieved if these uses undermine the retail character and function of the centre.

6.29 Primary Shopping Frontages, which form the core of the retail area, have been defined in Halifax, Brighouse, Hebden Bridge and Todmorden town centres, using the criteria of commercial rental levels and pedestrian flows set out in PPS6. In Halifax these frontages have been refined by the work undertaken by Donaldson's Consultants in developing the review of the Town Centre Strategy. Within these frontages it is the intention to keep a very high proportion of retail uses in order to ensure that the retail character of the streets is not diluted to the detriment of the vitality and viability of the town centre as a whole.

6.30 To assist in the interpretation of this policy the following should be taken to apply:-

- A block is defined as being between major road frontages. It is not split by small access points (such as Upper George Yard, Union Cross Yard

or Star Yard in Halifax, nor by entrances to market buildings). More substantial streets such as Cheapside, The Old Arcade, Market Arcade or Old Cock Yard, in Halifax should be regarded as splitting the frontage and therefore assist in defining the block.

- The frontage to any one street should be regarded as being on one side of the street only. Calculations should not consider the implications of the number of non-Class A1 uses on the opposite side of the road, which would be regarded as being within another frontage.

(These rules do not apply within the small centres considered within Policy S 9, where calculations should be taken to include the whole centre, not just one side of the road).

6.31 Within Primary Retail Frontages the following Policy will apply:-

Policy S 6

Primary Shopping Frontages

In the Primary Shopping Frontages identified on the Proposals Map proposals for the development/redevelopment or change of use of ground floor premises in retail use (Class A1) to uses within Class A2 and A3 will be permitted unless they would either:-

- create a continuous frontage of more than two non Class A1 uses, or exceed 15m of continuous frontage in non-Class A1 use; or**
- result in more than about 15% of the total length of street frontage in any one street of any one block being in non-Class A1 use.**

Uses outside Classes A1, A2 or A3 will not be permitted.

6.32 Secondary Frontages have also been defined in these town centres where a more relaxed approach to non-retail uses will be adopted although the intention is still to retain a retail character and dominance. The following Policy relates to these areas:-

Policy S 7

Secondary Shopping Frontages

In the Secondary Shopping Frontages identified on the Proposals Map proposals for the development/redevelopment or change of use of ground floor premises in retail use (Class A1) to uses not within Class A1 will be permitted unless they would either:-

- create a continuous frontage of more than three non-Class A1 uses, or exceed 21m of continuous frontage in non-Class A1 use; or**
- result in more than about 30% of the total length of street frontage in any one street of any one block being in non-Class A1 use.**

6.33 A Tertiary Mixed Use Frontage Area has also been defined for Halifax and Brighouse Town Centres, where non-Class A1 uses will be supported but should not be allowed to dominate the area. This area has been defined to assist in the shaping of the night-time economy within the town centres:-

Policy S 8

Tertiary Mixed-Use Frontage

Within the Tertiary Mixed-Use Frontage Area of Halifax and Brighouse Town Centres, identified on the Proposals Map, proposals for the development/redevelopment or change of use of ground floor premises in retail use (Class A1) will be permitted except where they would lead to more than 50% of the length of the street frontage of any block being in non-retail use .

6.34 In other centres of the hierarchy it has not been possible to identify Primary and Secondary Frontages. However, it is important to protect the retail character of these centres as well and therefore some restrictions will apply. These are not considered to be as restrictive as those within the secondary areas of the town centres and reflect the predominantly tertiary character of these smaller centres.

Policy S 9

Non-Retail Uses in Smaller and Local Centres

In the Local Centres (shown on the Proposals Map) and other parades of shops where there are no defined shopping frontages, proposals for non-shopping uses will be permitted provided that the number of non-Class A1 uses within the centre does not exceed 35% of the total number of units available within the centre or parade as a whole.

Halifax Town Centre

6.35 Halifax Town Centre is the most important within the District and is the fifth largest retail centre in West Yorkshire. It is also a major administrative and employment centre with the Council's own headquarters, together with the Halifax Bank of Scotland (HBOS) and major employment centres at Dean Clough and the Nestlé factory. The Council will seek to maintain and enhance the role of Halifax within the countywide retail hierarchy over the Plan period and to bolster the economy of the town through renaissance of the town and its centre. The provision of good quality facilities for residents, visitors and shoppers will be encouraged to ensure that the centre can compete effectively with other centres in the hierarchy and the 'out-of-centre' retail parks. The continued success of retailing within the town centre is fundamental to the continued vitality and viability of the centre. However, the whole range of land uses expected to be found within a town centre contribute to the vitality and vibrancy of the town, and it is important also to plan properly for these other uses as well.

6.36 The development of new bars, clubs and restaurants has been an important feature of the town centre over recent years, but fear of crime and public disorder is deterring some people from visiting the centre particularly in the evening or after dark. The management of the centre is essential to reduce conflicts between different uses as well as helping to reduce opportunities for crime and disorder. The introduction of an alcohol ban on streets within the town centre has given the Police a useful tool against anti-social behaviour.

6.37 The town centre's role will be further enhanced during the Plan period through:-

- i. improvements to the range and quality of shopping facilities, together with the retention and enhancement of the existing facilities including the market;
- ii. improvements to the variety of employment, leisure and service activities and facilities;
- iii. improvements to the centre's accessibility;
- iv. improvements to the quality of the environment;
- v. encouraging residential uses within the centre and improvements to the residential amenity of areas within the centre;
- vi. developing the town's night-time economy in a manner that is compatible with other objectives;
- vii. implementing Crime and Disorder legislation and developing the centre's management; and
- viii. development and implementation of the Halifax Town Centre Strategy, as reviewed from time to time.

Halifax : "Streets Ahead" - the Renaissance Strategy

6.38 Since the Draft Replacement UDP was published in November 2002, Yorkshire Forward has commenced their Urban Renaissance Programme. One of the main aims of this programme is to "restore civic pride and economic dynamism in town centres by involving local people in designing then implementing masterplans in over 20 towns and market towns".

6.39 The Halifax Renaissance Project Town Team has developed ideas for how Halifax could develop over the next 20 to 25 years. These focus upon creating a world class destination building upon the four major assets that the centre has; the Piece Hall, Eureka!, Dean Clough and the integrity of the town centre as a whole. Generally schemes and proposals will come forward within the framework already existing provided by the UDP within the Town Centre. However, there is one particular scenario that needs to have a specific policy framework: the theme of re-populating the valley bottom. Halifax was founded along the Hebble Brook near to where the Parish Church is sited. During the medieval period the town continued to develop in that part of the valley. It was only with the coming of the industrial revolution that the mills, power station, railway and gas works came to dominate that part of the town. People were displaced and the opportunity now exists to reclaim the valley bottom for the people of Halifax, to bring the Parish Church back into the heart of the town and to create a sustainable living community. The Renaissance Strategy recognises that there are conflicting pressures for development in that part of

the town. However it suggests that the most appropriate course of action would be to signal regeneration through the development of a sustainable community focussed around the Parish Church and new parkland formed along the course of the reopened Hebble Brook (currently culverted). This view has received support from the Council and generally through public participation on the Renaissance Project. As a result the following Policy will apply: -

Policy S 10

Halifax Residential Priority Regeneration Area

The Halifax Residential Priority Regeneration Area is shown on the Proposals Map. Within this area regeneration efforts should be mindful of the objective of re-populating the valley bottom. Whilst existing uses are generally expected to continue, throughout the Plan period, new developments will be supported where they contribute to these aims. With the exception of residential proposals, large scale single use developments will not be considered appropriate.

6.40 As the Renaissance Project and the strategies arising from it are new activity, it is likely that there will be further need for refining policy and the introduction of supplementary advice or Development Plan Documents through the Local Development Framework to assist in the development process.

Areas of Special Consideration in Halifax Town Centre

6.41 There are areas within the centre where increased residential use could bring empty buildings back into use, although it will be important to protect the amenity of possible residents within these areas, and also to assist the existing businesses. As a result several areas within the centre are defined on the Proposals Map within which differing considerations will apply.

Office Amenity Area within Halifax Town Centre

6.42 The Halifax Town Centre Strategy 2000 identified the scope for possible conflicts between different types of land use activities within the office

area of the town centre. These conflicts relate to the potential for essentially evening activities to replace or displace daytime uses which support the principal commercial activities within the area. As a result, it is considered prudent to ensure that new uses or activities support the daytime economy within the office area. An Office Amenity Area has been defined within the centre, within which the daytime uses are considered to provide the predominant character of the area. Whilst evening uses will help to enliven the area after work hours, it is considered important to support the predominant activity as well. Rather than leaving areas of inactivity throughout the day which could reduce the attractiveness of parts of the centre for business investment, it is considered important to try to ensure that uses are generally supportive of the daytime business community. Office supplies, catering establishments, newsagents, and other convenience activities would be seen to support the area, however nightclubs and other purely evening activity would not be appropriate unless they were on upper floors where the ground floors continue in daytime use. As a result the following Policy will apply:-

Policy S 11

Halifax Office Amenity Area

Proposals for the development, redevelopment or change of use of ground floor premises within the Office Amenity Area of Halifax Town Centre as defined on the Proposals Map will be permitted unless they would introduce uses which would not be compatible with or be complementary to the predominantly day time business/office use of the area, subject to the criteria in Policy S 2 (Part A) and other relevant UDP policies.

Residential Amenity Areas within Halifax Town Centre

6.43 During the Plan period it is hoped that the amount of residential uses within the town centre will increase. However, it will be important to protect prospective and existing residents from some aspects of the effects of the night-time economy, in particular noise and anti-social behaviour associated with alcohol. A number of areas have been designated within the town centre where the amenity of residential uses will be the primary consideration in considering changes of use.

Policy S 12

Halifax Residential Amenity Area

Within the Residential Amenity Areas as defined on the Proposals Map for Halifax Town Centre, consideration will be given to the amenity of existing or potential residential premises. All development should respect the amenity of the area so that residents are not subject to unacceptable noise, smells or disturbance, particularly late at night.

Mixed Use Day and Night Zone in Halifax Town Centre

6.44 Within Halifax Town Centre, a Mixed-Use Area, Day and Night Business Area focussed upon the Bull Green/George Street/Fountain Street Area has been defined and is shown on the Proposals Map. Within this area, specific consideration will be given to the need to retain vitality and interest during the day time as well as in the evening:-

Policy S 13

Halifax, Mixed-Use Day and Night Business Area

Proposals for the development, redevelopment or change of use of ground floor premises within the Mixed Use Day and Night Business Area of Halifax Town Centre shown on the Proposals Map will be permitted except where they would lead to more than 50% of the length of the frontage of any block of any street being in a use that is not shown to present an interesting and lively street scene during the principal shopping/office hours, subject to the criteria in Policy S 2 (Part A) and other relevant UDP Policies.

Temporary Retailing / Car Boot Sales

6.45 Where car boot sales or similar events constitute development, the Council will seek to ensure that the environmental effects of the sales are kept to a minimum and traffic, litter, pollution, noise and other disturbances are kept under control. It is also important to ensure that any such proposals do

not undermine the vitality and viability of any nearby town centre, and are in accessible locations. Proposals will be supported provided that the criteria in Policy S 14 are met.

Policy S 14

Temporary Retailing and Car Boot Sales

Proposals for car boot sales and other forms of temporary retailing activity will only be permitted where they comply with the following criteria:-

- i. the proposed development is located in accordance with the sequential approach outlined in POLICY GS 1 and ~~Policy S 1;~~
- ii. the proposed development is in an accessible location where it can serve shoppers using public transport or other modes of transport including walking and cycling, as well as those travelling by car;
- iii. no harm is done to the vitality and viability of an existing town centre as a whole;
- iv. the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, or Historic Parks and Gardens or nationally important archaeological areas, where these are material considerations;
- v. no unacceptable environmental, amenity, traffic, safety, or other problems are created; and
- vi. other relevant UDP policies are met.

Hot Food Takeaways

6.46 Shops selling hot food are popular with Calderdale's residents, and are also much appreciated by visitors. However, the siting of such businesses can create environmental problems by reason of smell, litter, noise, or additional traffic, especially to local residents. Whilst generally wishing to support hot food shops, the Council will only do so if the siting and implementation of the schemes create no unacceptable environmental, amenity, traffic or other problems.

Policy S 15

Hot Food Takeaways

Proposals for hot food takeaways will be permitted where they comply with the following criteria:-

- i. no unacceptable environmental, safety or other problems are created;
- ii. the proposed development would not increase the level of disturbance or nuisance to a level that would be unduly detrimental to the amenities enjoyed by anyone living in the area;
- iii. the proposed development would not generate traffic movements or demand for parking that would be unduly detrimental to highway safety or residential amenities;
- iv. the proposals make adequate and satisfactory arrangements for the discharge of cooking fumes and smells;
- v. the proposals comply with shopping frontage policy;
- vi. the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, where these are material considerations; and
- vii. other relevant UDP policies are met.

Proposals should apply a sequential approach to site location. Sites or buildings within town and local centres defined in the retail hierarchy or within other unnamed small parades of shops within the urban areas or smaller settlements should be considered first and, only when such sites or buildings are not available will proposals in freestanding locations be acceptable. Where proposals are considered to be acceptable, restrictions may be imposed on hours of opening in order to protect the amenity and character of the area within which the site is located.

Shop Fronts

6.47 Shop fronts have a role to play in defining the character of town centres, and can be attractive in their own right. In older properties many shop fronts have been replaced by modern designs that do not

necessarily reflect the style of the building, nor are sympathetic to the character of the area within which they are situated. The Council supports the replacement of inappropriate shop fronts with designs more in keeping with the building particularly within town centre Conservation Areas and on Listed Buildings, and expects that new retail developments should also include shop fronts, which respect the character of the building or streets within which they are situated. Where original shop fronts still exist, efforts should be made to retain these and repair them where appropriate. New and replacement shop fronts will also need to comply with legislation requiring access for disabled people. As a result the following Policies will apply:-

Policy S 16

Shop Fronts in New Retail Developments

Wholly new retail developments should include shop fronts which are an integral part of the design of the building as a whole, consistent with it and with its setting in quality and use of materials, and proportioned to fit in with the façade and street scene of which it forms a part and provide access for the disabled and mobility impaired.

Policy S 17

New and Replacement Shop Fronts

New or replacement shop fronts will be permitted where they:

- i. relate well to the building in which they are to be built;
- ii. create no unacceptable environmental, amenity, traffic, safety, or other problems;
- iii. preserve or enhance Conservation Areas and do not adversely affect Listed Buildings or their settings, where these are material considerations;
- iv. preserve any existing separate access to upper floors or create separate access to upper floors, where these are clearly not required, or unlikely to be needed for ancillary use in association with the ground floor use;

- v. provide access for the disabled and mobility impaired; and
- vi. use materials which are appropriate to the location.

106 Retailing and Town Centres



7 Open Space, Sport and Recreation Facilities

Introduction

7.1 Open space, sport and recreation facilities form an essential part of Calderdale's environment and play an important role in maintaining the health and wellbeing of its residents. They contribute towards quality of life by improving the quality of the environment and enabling exercise and other pastimes to take place, and they can play a key role in regeneration and sustainable development. The Council's main objectives for open space, sport and recreation facilities are to:-

- i. provide a wide range of high quality open space and sport and recreation facilities that are accessible to all residents of the District and increase the provision of these in areas of demand where resources permit;
- ii. protect existing open spaces and sport and recreation facilities from inappropriate development; and
- iii. protect and enhance the District's recreational footpaths and public right of way network.

7.2 ~~This will be achieved through the following Part One Policy:-~~

~~POLICY GOS 1~~

~~THE PROTECTION AND ENHANCEMENT OF OPEN SPACE, SPORTS AND RECREATION FACILITIES~~

~~OPEN SPACE, SPORT AND RECREATION FACILITIES WILL BE PROTECTED FROM INAPPROPRIATE DEVELOPMENT AND THEIR PROVISION AND IMPROVEMENT TO MEET THE NEEDS OF ALL CALDERDALE'S RESIDENTS WILL BE SUPPORTED. SUCH FACILITIES SHALL:-~~

- ~~I. BE IN CONVENIENT AND SUITABLE LOCATIONS WELL RELATED TO THE COMMUNITY AND USERS THEY ARE INTENDED TO SERVE;~~
- ~~II. CONFORM TO THE OBJECTIVES OF SUSTAINABLE DEVELOPMENT; AND~~
- ~~III. BE ACCESSIBLE BY WALKING, CYCLING, PUBLIC AND PRIVATE TRANSPORT.~~

Protected Open Spaces

7.3 Open space has a very broad definition which has been modified by PPG17 'Planning for Open Space, Sport and Recreation' (2002) to embrace accessible countryside in urban fringe areas, allotments, amenity greenspace (including informal recreation spaces, greenspaces in and around housing, domestic gardens and village greens), cemeteries, children's and teenagers' play and informal areas, churchyards, city farms, civic spaces, community gardens, golf courses, grasslands and scrub (e.g. downlands, urban and rural commons and meadows), green corridors (including river and canal banks, cycleways, and rights of way), parks and gardens (including urban parks, country parks and formal gardens), playing fields, open and running water, outdoor sports and recreation facilities and grounds (with natural or artificial surfaces and publicly or privately owned), school grounds, urban forests, wastelands and derelict open land and rock areas (e.g. cliffs, quarries and pits), wetlands and woodland.

7.4 The level of public access is not a criterion for definition. An open space, for instance, located on private land could mean that it will not always be available for public recreation. The areas of identified open space are shown on the Proposals Map. However, there may be additional areas that the 2002 version of PPG17 defines as open space, which could be of public value such as domestic gardens, but which due to time constraints, the Council has yet to identify. PPG17 is a material consideration in the assessment of planning applications within such areas (as outlined in paragraph 7.10).

7.5 The Council undertook an assessment of open space provision throughout the District in 1999. This survey, when compared to the Council's adopted standard, revealed significant under-provision not only in terms of the land area devoted to recreational open space provision but, more importantly, in terms of its distribution around the District. Meeting the standards for open space provision and achieving a satisfactory distribution within Calderdale are long-term objectives.

7.6 Open space (both public and private) fulfils several valuable functions which enhance quality of life by improving the quality of the environment, aiding nature conservation, providing regeneration and ecological benefits, and providing outdoor recreational and leisure opportunities close to where people live. Areas of open space add much to the character of settlements and are considered important by the communities in which they are located. Many act as

lungs of open land breaking up densely populated urban areas, acting as buffer areas between incompatible uses and helping to combat pollution. Others form fingers of undeveloped land passing through and linking communities. Some are important simply for their visual amenity value and some land with little intrinsic quality may be of value simply because there is no other undeveloped land in the vicinity. A survey undertaken by the Council in 1999 (based on the definition of open space contained in the 1991 version of PPG17) indicated that there is a deficiency in the provision of all types of open space across the District when compared to the National Playing Fields Association (NPFA) 'Six Acre Standard' of open space provision. Standards for the provision of open space within the district are to be developed (as advocated in PPG17, 2002) but in the interim the Council has adopted the NPFA recommended standard for outdoor sport and recreation provision. A further survey of open space in the District is being undertaken based on the revised definition of open space contained in PPG17 (2002) and the results will inform the formulation of the Local Development Framework (LDF). It has not been possible to incorporate revised standards into the Plan, but work is in hand to develop locally determined standards to inform a supplementary planning document (SPD) which will be published to interpret the requirement of Policy.

7.7 English Nature has established a standard for the provision of Accessible Natural Greenspace (ANG). ANG can possess significant biodiversity value and offer alternative recreational opportunities, and serves an important function of an equivalent value to managed open space and sports pitches. Section 11 (Natural Environment and The Countryside) incorporates policies for the designation and protection of Local Nature Reserves, which are also important open space features contributing to the biodiversity of the District.

7.8 There are many areas of open space shown on the Proposals Map, some of which, whilst being below 0.4ha in area, have limited potential for leisure opportunities, but which are nevertheless important. These small sites perform a valuable function in both providing passive recreation opportunities and contributing to visual amenity by providing greenery and breaking up the built-up area.

7.9 Open spaces often come under pressure for development, particularly for housing or employment development, and this pressure is set to increase in the future. There are limited opportunities to increase the amount of open space, particularly in urban areas, and therefore it is imperative that existing open space is preserved and that it is protected from loss and inappropriate development that would harm its character, appearance or function. PPG 3 'Housing' (2000) reaffirms this stance in paragraph 53 by stating that "developing more housing within urban areas should not mean building on urban green space". The plan identifies adequate opportunities and land for development and these open space areas must be safeguarded in order to retain a balance between the amount of land which is built-up and the amount of open land, particularly within urban areas. PPG17 (2002) is a material consideration in the assessment of planning applications relating to areas of open space. This is particularly pertinent where development proposals are located within areas of open space that are considered to be of public value but which are not located on the Proposals Map.

7.10 There will be exceptional occasions when it will be appropriate to release open space for development and these are set out in Policy OS 1. Uses appropriate to the particular open space area which would bring community benefits may be acceptable such as outdoor sports facilities, interpretation centres, toilets, refreshment facilities, woodlands, allotments, cemeteries, and horticulture. The onus will be upon prospective developers to demonstrate that there would be no adverse effect in terms of the various functions that the open space

~~POLICY OS 2~~

~~AUDIT AND ASSESSMENT OF OPEN SPACE, SPORT AND RECREATION FACILITIES AND NEEDS~~

~~AN AUDIT OF OPEN SPACE, SPORTS, RECREATIONAL AND OTHER FACILITIES AND AN ASSESSMENT OF COMMUNITY NEEDS FOR THESE FACILITIES WILL BE UNDERTAKEN. THE RESULTS OF THIS ASSESSMENT WILL INFORM AND GUIDE THE COUNCIL AND DEVELOPERS IN ESTABLISHING NEED FOR EXISTING AND ADDITIONAL FACILITIES, PROVIDE LOCAL OPEN SPACE AND SPORTS/RECREATION STANDARDS AND DETERMINE WHETHER LAND IS SURPLUS TO REQUIREMENTS. POLICIES PROTECTING OPEN SPACE (Policy OS 1, Policy OS 3, Policy OS 6) WILL NOT BE APPLICABLE TO LAND DECLARED SURPLUS UNDER THIS AUDIT.~~

fulfils. Developers will be required to consult with the local community to establish whether open space is surplus and to demonstrate that their proposals are widely supported by them, as advocated in PPG17 (2002). This should be at least as accessible to current or potential new users. The alternative provision could take the form of on-site and/or off-site replacement open space provision or the enhancement of existing open space in the area. The provision of appropriate replacement open space or recreational facilities as part of any planning permission will be ensured through the use of conditions or a planning obligation. The policy for the preservation of open space is set out in Policy OS 1 below.

Policy OS 1

Protected Open Spaces

The Proposals Map identifies as Open Space, areas which make a significant contribution to public amenity by virtue of their open space character, appearance and/or function. Development proposals located within open spaces will only be permitted where one of the following circumstances applies. The proposed development:-

- i. **is for the replacement or extension of an existing building(s) currently set in open space or for a new building which supports a recreational or sports use and where the proposal does not detract from the open character of the area, maintains or enhances visual amenity, and does not prejudice the established function of the area; or**
- ii. **is necessary for the continuation or enhancement of established uses for recreation, leisure or nature conservation which would result in community benefits and where the proposal maintains the open character of the area, and maintains or enhances visual amenity; or**
- iii. **includes the provision of an appropriate equivalent or improved replacement facility in the locality, of at least quantitative and qualitative equal value to compensate for the open space loss, and it can be demonstrated that the**

- iv. **open space is surplus to present and future community needs; and is consistent with all other relevant UDP policies.**

Open Spaces in Areas of Deficiency

7.11 The Council recognises that certain areas in the District are deficient in open space, and this detrimentally affects the quality of life of residents in these areas. Methods of improving provision may include increasing the range of facilities, promoting better use of open spaces by introducing good design to reduce crime, or improving accessibility. The Council will carry out some of these activities or, in other cases, the Council will seek to influence private landowners, developers or local communities to achieve necessary action.

7.12 The role of the local community in identifying the need for open space and the way it is used is more likely to reflect the particular needs and aspirations of the residents of an area. The aim is that all people will have convenient and safe access to a range of open space facilities, and that they will be encouraged to use them.

Policy OS 2

The Provision of Open Space in Areas of Deficiency

Improvements in the provision of open space in areas of deficiency should be undertaken. Development proposals and schemes that conserve, improve, maintain or create open space will be permitted providing that they are consistent with other relevant UDP policies.

Safeguarding Sports Grounds and Playing Fields

7.13 Playing fields and sports grounds are an important resource for sport and recreation in Calderdale. As well as providing an important resource for team sports they make a significant contribution to informal recreation, and possess amenity value. Playing fields and sports grounds are a scarce resource and the loss of any part of a playing field may represent an irretrievable loss. The English Sports Council, operating as Sport England, opposes

the development of playing fields in all but exceptional cases (Planning Policy Statement: 'Policy on planning applications for development on playing fields' 1998). There is therefore a need to safeguard existing playing fields and sports grounds from unacceptable development in order to continue to provide for the needs of both current users and future generations as advocated in PPG17.

~~Policy OS 3~~

~~The Safeguarding of Sports Grounds and Playing Fields~~

~~Development proposals which result in the loss of, or would prejudice the use of, all or any part of land presently or last used as a sports ground or playing field will not be permitted except where it can be demonstrated that one or more of the following circumstances exist:-~~

- ~~i. an assessment of current and future needs demonstrates that there is an excess of playing field provision in the catchment, and the site has no special significance to the interests of sport; or~~
- ~~ii. the proposed development is ancillary to the principle use of the site as a playing field(s), and does not affect the quantity or quality of pitches or adversely affect their use; or~~
- ~~iii. the proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of or inability to make use of any playing pitch, a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facilities on the site; or~~
- ~~iv. the playing field(s) which would be lost as a result of the proposed development would be replaced by a playing field(s) of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development; or~~
- ~~v. the proposed development is for an indoor or outdoor sports facility, the provision of which would be of~~

~~sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field(s).~~

Provision of Sport and Recreation Facilities

7.14 In seeking to provide an appropriate recreation and leisure infrastructure, the Council recognises that scarce and expensive facilities need to have as wide a range of uses and users as possible, an example being the wider community use of schools and school playing fields and multi-purpose pitches (~~See Policy CF 3~~). The Council will also encourage privately owned facilities to be widely open to public use, particularly at a price that is affordable to all, in the interests of equal opportunities and to facilitate the efficient and effective use of land. In the case of the use of land in school use, there is a need to seek to ensure that facilities would remain open to wide public use in the event of the control of a site passing to local school management. The Council has developed a Sports Strategy for the District entitled 'Fit for the Future' (2001). The aim of the strategy is to give vision and direction for sport over the next 5 years within Calderdale. It sets out what the Council would like to achieve and establishes a framework for other organisations within the community in an attempt to bring about greater partnerships and co-ordination throughout the District.

7.15 The Council acknowledges that its existing swimming pools are in certain instances not well located to best meet the present or future needs of communities, or are in need of extension or even replacement. The Council will assess swimming pool provision and subject to the availability of resources will seek to remedy recognised deficiencies. In addition, the Council has steadily built up a range of sports halls and facilities. However, it is now recognised that this range is in need of extension and improvement.

7.16 New sites and buildings providing recreation infrastructure such as all-weather sports pitches, should create no unacceptable environmental, amenity, traffic or other problems and must be well served by good quality public transport. A particular issue that needs careful consideration is the siting and design of any external floodlighting, the relevant policy against which a proposal will be assessed being Policy EP 5.

7.17 New facilities which are likely to attract large numbers of visitors and are thus considered to be key town centre facilities (such as swimming pools and major sports centres) will be expected to conform to the sequential tests advocated in PPS 6 'Planning for Town Centres' (2005). The following Policy will apply:-

Policy OS 4

The Provision of Sports and Recreation Facilities

New or replacement sports and recreation facilities or extensions to existing facilities will be permitted provided that:-

- i. the development relates well in scale, character and function to the locality;**
- ii. the proposal does not adversely affect the nature conservation value of the site;**
- iii. the development is accessible by good quality public transport as existing or with enhancement;**
- iv. the proposal does not create any unacceptable environmental, amenity, safety, highway or other problems;**
- v. where appropriate (such as major recreation facilities) the development shall be sited in accordance with the following preferred sequence of locations:-**

FIRSTLY – within town centres as defined on the Proposals Map where sites or buildings suitable for conversion are available;

SECONDLY – in edge-of-centre locations where no suitable central sites or buildings are available;

THIRDLY – in out-of-centre locations which are, or can be made accessible, by a choice of means of transport where no suitable sites or buildings are available in either of the above areas; and

- vi. the proposal is consistent with all other relevant UDP policies.**

Provision of Recreational Open Space in Residential Development

7.18 Standards for the provision of open space within the District and within new housing developments are to be developed as required by PPG17. The Good Practice Companion to PPG17 'Assessing Needs and Opportunities' (2002), provides detailed guidance for undertaking such an assessment. The Council is developing locally devised standards, based on the needs of local people and will expect developers to provide open space in accordance with those standards.

7.19 In the interim the Council has adopted the National Playing Fields Association (NPFA) recommended standard for outdoor sport and recreation provision (hereafter referred to as 'recreational open space') across the District of 2.4ha of outdoor recreation and playing space per 1000 population. This standard is broken down into 1.6ha per 1000 population provision of adult and youth outdoor playing space (to include elements of pitches, greens and courts) and 0.8ha per 1000 population provision of children's playing space to include outdoor equipped playgrounds and informal or casual playing space. The average household size in Calderdale at the 2001 Census was 2.36 persons per dwelling. This will be applied to the number of dwellings in a development to assess the population likely to be generated.

7.20 The Council undertook an assessment of open space provision throughout the District in 1999. This survey, when compared to the Council's adopted standard, revealed significant under-provision not only in terms of the land area devoted to recreational open space provision but, more importantly, in terms of its distribution around the District. Meeting the standards for open space provision and achieving a satisfactory distribution within Calderdale are long-term objectives.

7.21 The cumulative impact of new residential development, both large and small, will further compound deficiencies in recreational open space provision by generating additional demand, which puts increasing pressure on existing facilities. Open space is required to be provided with all new housing developments, either on or off-site. Suitably designed and landscaped areas of formal and informal recreational open space (incorporating children's play areas and associated equipment where appropriate) should be an integral part of the design of new housing schemes. The provision of these facilities should not just be seen as an exercise in meeting

standards. It is important that new open space is both usable, safe and integrated within the scheme as a part of a cohesive landscape structure. New housing developments will be expected to provide and maintain recreational open space to at least the Council's minimum standard as outlined in paragraph 7.19. The exact location, size, and type of open space to be provided will be subject to planning conditions or a planning obligation between the Council and the developer. Where a developer cannot provide the appropriate amount of recreational open space on site, the Council will assist developers in meeting their responsibilities by accepting a financial contribution in lieu of physical provision to enable the creation or improvement and maintenance of alternative local facilities. However, specialised accommodation such as sheltered accommodation would not be required to contribute to overall open space provision, but rather only for the amenity needs of the development itself. The following Policy will apply:-

Policy OS 5

The Provision of Recreational Open Space in Residential Development

All new residential developments should provide for the recreational needs of the prospective residents, by providing, laying out and maintaining recreational and amenity open space of a scale and kind reasonably related to the development within or adjacent to the development within an agreed timescale. Such provision shall be in accordance with standards set by the Council. (Pending preparation of locally based standards the NPFA standards will be applied).

Allotments

7.22 Allotment gardens can contribute to open space within the District. They have positive benefits not only for environmental sustainability but also for food production, wildlife and general amenity value. Allotments are an important community resource.

7.23 The Council has a statutory duty to provide allotments if there is unmet demand under the Allotments Acts 1908-1950 (which also defines the term 'allotment'). The Council also has to get consent from the DCLG if it wishes to dispose of statutory allotments. Almost all allotments in the District are Council owned although there remain a number of

privately owned sites. The provision of allotments is scattered around the District with 34 publicly managed allotment sites holding approximately 669 plots. (There are about 512 statutory allotment plots and 157 non-statutory plots). Allotments are shown on the Proposals Map as a notation of Open Space.

7.24 Planning permission will not be granted for the redevelopment of allotments simply because they have been allowed to fall out of use and become derelict. PPG17 states that poor use or quality of a facility should not be taken as necessarily indicating an absence of need in the area.

7.25 Development which would remove allotments from use altogether will only be allowed if it has been demonstrated that there is no need for the allotments or alternative provision has been made. In the case of statutory allotments such a change requires the consent of the DCLG. Exceptionally, where development is permitted, and there is a proven need, developers should provide for appropriate alternative provision of at least equivalent standard to compensate for the loss of allotments. The following Policy applies.

Policy OS 6

The Safeguarding of Allotments

Development proposals which would result in the loss of, or otherwise adversely affect the continued operation and character of allotments will not be permitted unless:-

- i. it is demonstrated that this would not result in unmet demand for allotments within reasonable walking distance, and the proposals are for an alternative community use of an open space nature; or**
- ii. appropriate alternative allotment provision is made of at least an equivalent standard and in a satisfactory location before the use of the existing allotment ceases; and**
- iii. the proposed development is consistent with all other relevant UDP policies.**

7.26 The Council will, subject to the availability of resources, continue to maintain, upgrade and enhance sites. Where there is demand for plots and a deficiency in provision the Council has a duty to meet this need by providing new allotments. Any new

sites should be located conveniently close to the homes of potential allotment holders and be of a size, quality and aspect suitable for allotment purposes, whilst ensuring that design and management are based on ecological principles and of a standard that enhances the urban environment.

Policy OS 7

The Provision of Allotment Sites

Proposals for the provision of new allotment sites will be permitted provided that they:-

- i. are of a high standard of design and external appearance which is based on ecological principles;**
- ii. provide for suitable pedestrian and vehicular access;**
- iii. do not detrimentally harm the amenity of adjacent residents; and**
- iv. are consistent with all other relevant UDP policies.**

Common Land

7.27 There are approximately 5,400ha of registered common land and village green in Calderdale. The majority of this is urban common (see the Glossary for the definitions). The public has rights of access over urban commons for air and exercise whether on foot or horseback and, to a lesser extent, to rural commons using public rights of way. Village greens are land used by established custom for exercise and recreation and are claimed as such by local inhabitants. Registered urban and rural commons and village greens are collectively referred to as 'Common Land' in the UDP and are shown on the Proposals Map.

7.28 The Countryside and Rights of Way Act 2000 (CRoW) gives people a new right to walk over large areas of open countryside and common land. This 'Access Land' is mapped by the Countryside Agency and includes open country such as moorland, heath and registered commons. The Proposals Map does not show the access land defined under the provisions of the CRoW Act, but does show Council owned access land.

7.29 Common land, whether it is Urban or Rural Common or a Registered Village Green, represents an important resource for public recreation, nature conservation and agriculture. In the past, however,

some areas have been used for mineral extraction and waste disposal. Government guidance rules out policies that would place a general embargo on mineral extraction and restoration of sites. It may be necessary to allow these activities to continue on commons unless there are overriding concerns such as the designation of the land as a Special Protection Area (SPA), Special Area of Conservation (SAC) Site of Special Scientific Interest (SSSI), Site of Ecological or Geological Interest (SEGI) or as a locally designated nature reserve, where development is not considered appropriate.

Policy OS 8

Development Within or at the Edge of Common Land

Development proposals within or at the edge of Registered Urban and Rural Commons and Village Greens will not be permitted unless they:-

- i. do not harm their function, or open character;**
- ii. do not damage the recreational value of the land;**
- iii. preserve the visual amenity of the space by protecting its landscape character, vistas, any trees and other natural features;**
- iv. protect or incorporate important archaeological features, historic artefacts or landscape features;**
- v. do not damage the ecological and wildlife importance of the space;**
- vi. do not conflict with the operation of access land; and**
- vii. are consistent with all other relevant UDP policies.**

Waterways and Open Water

7.30 The Council is aware of the potential afforded by waterways and water areas (canals, rivers, ponds, lakes and reservoirs) and their banks as amenity/recreational resources and wildlife habitats. There are conflicting demands placed upon these features which must be addressed in a balanced way. Additionally Yorkshire Water and North West Water own and operate a considerable number of drinking water collection reservoirs and associated water catchment areas in the Pennine uplands of

Calderdale. These areas are valued in landscape, environmental, conservation and amenity terms and are increasingly important in meeting the recreational needs of all. These conflicting demands must not threaten water supply and not damage public health whilst maintaining the environmental value of the areas. The implementation of management agreements involving Yorkshire Water, other companies and the Council seeks to prevent the conflict of water supply and recreational uses.

7.31 Water sport and recreation must, of course, take place in or adjacent to rivers, canals or other water areas. Currently, opportunities for water sports and recreation have not been maximised in Calderdale. The canals are used for leisure boating, a reservoir for sailing, former gravel pits for water sports and fishing takes place in many water areas, which are also important for amenity, landscape or nature conservation reasons. The banks of these water areas, together with the land around them are also important for more reflective forms of leisure activities, such as walking, fishing or picnicking. Many of the riverbanks in Calderdale are inaccessible, but could form an attractive and notable recreational feature for residents and visitors. A Supplementary Planning Document (SPD) showing how development can embrace the rivers and other water features is in preparation. There is scope for these opportunities to be further developed in line with sound environmental, amenity, traffic and ecological principles. Reference should also be made to Policy EP 15.

Policy OS 9

The Recreational Use of Waterways and Open Water

Development proposals for the recreational use of waterways and water areas will be permitted provided that the proposal:-

- i. maintains or encourages both the access to, and the use of, the related waterway or water area;
- ii. has regard to the requirements of existing recreational users;
- iii. recognises the importance of areas as drinking water catchments and the consequent need to avoid pollution and public health problems;
- iv. respects the importance of the area in terms of the quality and character of

the landscape and for biodiversity and nature conservation;

- v. **is compatible with the continued use for navigation, mooring or use as a boat yard where relevant;**
- vi. **does not create any unacceptable environmental, amenity, safety, highway or other problems; and**
- vii. **is consistent with all other relevant UDP policies.**

Former Halifax Branch Canal

7.32 The former Halifax Branch Canal is a feature running from Salterhebble Basin on the Calder and Hebble Navigation, through the valley containing the Hebble Brook and its associated trails, cycleways and walks to Halifax town centre. It was built in the early nineteenth century (opening in 1828) but was rapidly superseded by the railways and fell into disrepair and was finally abandoned by Warrant of the Minister of Transport in 1942. Whilst the route of the canal is visible through the valley, the canal walls and bed are no longer visible. There is still evidence of many of the old structures such as bridges although very few of the lock workings are visible. The policy will be taken into account where features are in evidence. It should be emphasised that this policy is a general vision and is therefore not site specifically focused. Although there are currently no plans to reopen the canal, nor to restore it, as these would not be cost effective, the historic nature of the canal and features such as the sites of locks mean that it should be protected from development which would see these features removed or obliterated. As a result it is proposed to protect the line of the Halifax Branch Canal from inappropriate development.

Policy OS 10

Former Halifax Branch Canal

Development proposals on the line of the former Halifax Branch Canal will only be permitted where they would not destroy or unacceptably compromise:

- i. the linearity of the site of the canal; and,
- ii. historical features such as the sites of locks or other associated structures.

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8 The Built and Historic Environment

The Contribution of Design to the Quality of the Built Environment

8.1 PPS1 'Delivering Sustainable Development' (2005) recognises that good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning. In addition, high quality design and the layout of new development can increase the density of developments and help to achieve the Government's objectives of making the best use of previously developed land as advocated in PPG3 'Housing' (2000). Four publications supplement PPG and PPS advice and aim to provide guidance on many aspects of the urban design process and reflect good practice. These are 'By Design - Urban Design In The Planning System: Towards Better Practice, A Companion Guide to PPG3' (CABE/DTLR 2000); 'By Design - Better Places to Live' (DTLR 2001); 'Safer Places - the Planning System and Crime' (OPDM/Home Office 2003) and 'Planning and Access for Disabled People: A Good Practice Guide' (OPDM 2003). PPS1 also recognises that the appearance of proposed development and its relationship to its surroundings are material considerations in determining planning applications. Such considerations not only relate to the appearance of buildings and environments but also to the way they function. Calderdale has a unique architectural heritage of high quality. The rich variety of architectural and historic features of the District should be protected and enhanced for the benefit of future generations. Alterations to existing buildings and new development should be designed to create a built environment that complements the area's unique identity and contributes to its special character. Good design plays an important part in achieving the Council's corporate priority of securing a clean and attractive built and natural environment, and can also assist in raising the quality of life in urban and rural settlements by improving the environment as advocated in Policy S4 of the Regional Spatial Strategy for Yorkshire and the Humber (2004).

8.2 Good design is an essential component of all new developments and this section aims to set out clear policy to assist in achieving high standards. Therefore, the following Part One Policy should be considered when assessing the design of a new development.

POLICY GBE 1

THE CONTRIBUTION OF DESIGN TO THE QUALITY OF THE BUILT ENVIRONMENT

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:-

- 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, 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 ENCOURAGE FURTHER GREENING OF THE ENVIRONMENT AND IMPROVE LOCAL BIODIVERSITY.**

Piecemeal Development

8.3 Land resources are finite, and the extent to which development may occur is further restricted by elements such as topography, Green Belt, and the need to ensure appropriate standards of development in the interests of amenity. It is therefore essential that any developable land be put to the most efficient

use. However, this should not unnecessarily restrict or prejudice the further general development of adjoining or nearby land that is potentially developable and allocated for such purposes. Therefore the following Part One Policy will apply to all development proposals:-

POLICY GBE 2

PIECEMEAL DEVELOPMENT

PLANNING PERMISSION WILL NOT BE GRANTED FOR THE PIECEMEAL DEVELOPMENT OF LAND WHICH WOULD PREJUDICE THE DEVELOPMENT OF A LARGER AREA OF LAND FOR AN APPROPRIATE BENEFICIAL USE AS INDICATED ON THE PROPOSALS MAP.

General Design Criteria

8.4 The townscape and landscape of Calderdale are dominated by a local building character comprised predominantly of local natural stone with stone or blue slate roofs together with a vernacular style that reflects its historic influence. These characteristics contribute to a local distinctiveness which should be maintained and not diluted by developments which do not reflect and enhance the identity of the locality. It is particularly essential that this concept is applied within the rural South Pennines landscape as advocated in 'A Heritage Strategy for the Southern Pennines' published by the Standing Conference of South Pennine Authorities (SCOSPA) in 2001.

8.5 New buildings can have a significant effect on the character and quality of an area. Buildings should be designed to complement the traditional character and local distinctiveness of an area by respecting the character of the surrounding built form, paying particular regard to scale, density, building lines, materials, and fenestration. In particular, materials should be used in development proposals that complement the surrounding buildings in terms of form, colour and texture. New developments which are out of scale or whose broad design is incongruous when set against existing buildings on the site or surrounding area will be opposed. This does not preclude buildings of innovative or contemporary design, which will be supported where they complement local architectural styles, adjoining buildings and the street scene.

8.6 Developers should aim to achieve a high quality of design and landscaping and create places that are attractive, safe, accessible and people friendly. Higher densities and more intensive development are being promoted, particularly on brownfield sites through PPG3, in the drive to make more effective use of land and buildings. Residential development should take particular care in the design, layout, orientation and location of buildings, so that no unacceptable loss of amenity results due to the effects of overlooking or overshadowing. In order to be able to assess the design implications of planning applications for complex or large scale development proposals and those involving sensitive sites or buildings, developers are required to submit perspective plans which show the proposal in its wider context within the street scene and design and access statements to justify and explain the design concept and its accessibility.

8.7 Where appropriate, the Council will seek to provide new Supplementary Planning Documents (SPDs) to provide design guidance. Development proposals will need to take into account any relevant SPD together with the criteria set out below:-

Policy BE 1

General Design Criteria

Development proposals should make a positive contribution to the quality of the existing environment or, at the very least, maintain that quality by means of high standards of design. Where feasible development should:-

- i. respect or enhance the established character and appearance of existing buildings and the surroundings in terms of layout, scale, height, density, form, massing, siting, design, materials, boundary treatment and landscaping;**
- ii. retain, enhance or create any natural and built features, landmarks or views that contribute to the amenity of the area;**
- iii. be visually attractive and create or retain a sense of local identity;**
- iv. not intrude on key views or vistas;**
- v. not significantly affect the privacy, daylighting and amenity of residents and other occupants;**
- vi. incorporate landscaping and existing trees that contribute significantly to the**

amenity and nature conservation value of the local environment as an integral part of the development site's design and where appropriate incorporate locally native plants and create wildlife habitats;

- vii. be energy efficient in terms of building design and orientation; and**
- viii. include consideration of the needs of security and crime prevention.**

Privacy, Daylighting and Amenity Space in New Development

8.8 Policy BE 1 stresses the importance of ensuring appropriate design principles, layout and use of materials in development. An additional element, which is of critical importance in achieving good standards of design, particularly in residential areas, is ensuring that adequate space about buildings is achieved, whilst recognising the need to make the fullest use of housing land. The purposes of securing adequate space around buildings are:-

- i. to secure a reasonable degree of privacy in dwellings and prevent overlooking between both new and existing dwellings;
- ii. to ensure dwellings enjoy a reasonable level of light and are not unreasonably overshadowed;
- iii. to ensure that development is not overbearing on the outlook from dwellings;
- iv. to allow amenity spaces around dwellings for landscaping, gardens, play, sitting out, car parking etc - i.e. an 'outdoor room' which can be used in reasonable privacy; and
- v. to ensure that new development does not unfairly place restraints upon adjoining land or property in terms of the latter's development potential where allocated for (or suitable for) development.

8.9 Conditions may be imposed on planning permission restricting future extensions and alterations that could otherwise be carried out without the need to apply for planning permission under the provisions of the General Permitted Development Order (1995) (as amended). Such restrictions would be imposed where future alteration of the permitted design, for example, by erecting a small extension or forming a new window opening, would be to the detriment of privacy or amenity. Additional guidance to assist in evaluating the acceptability of development proposals and the application of Policy

BE 2 is included as Annex A. New buildings, and in particular dwellings, as well as extensions will be assessed against Policy BE 2 below:-

Policy BE 2

Privacy, Daylighting and Amenity Space

Development proposals should not significantly affect the privacy, daylighting and private amenity space of adjacent residents or other occupants and should provide adequate privacy, daylighting and private amenity space for existing and prospective residents and other occupants.

Landscaping of New Development

8.10 Landscaping forms an essential part of the quality of the environment and contributes to the character and identity of local areas. It can contribute to visual amenity, by screening unsightly buildings or land uses, by breaking up the visual impact of large developments and associated car parking areas, and by providing an attractive setting for buildings and spaces. Landscaping is taken to mean open space which does not necessarily possess any recreational value but which includes hard and soft elements, planting, boundary treatment, waterways, water areas and street furniture. Street furniture, such as litterbins and seats has a marked impact on the environment. Where it is required it should compliment the role and function of the area. Superfluous or unnecessary street furniture should be avoided in the interests of reducing clutter. In addition to visual concerns, consideration should also be given to public safety matters and resistance to damage from vandalism and the weather. Landscaping, together with appropriate street furniture, can also contribute to the successful functioning of areas intended for public use. Detailed design of hard and soft landscaping needs careful consideration as part of the overall design process. Landscaping schemes will be required to be submitted for developments which create either public or private open areas such as on housing developments or within office, industrial, and retail developments or on mineral extraction developments. The Council, having regard to the nature and size of an individual application, will make the decision as to whether or not a landscaping scheme is required.

8.11 Landscaping schemes should accurately show the location, height, spread, species and condition of

existing trees, hedges, shrubs and other features, those to be retained, those to be removed or lopped, and the location and type of proposed hard and soft landscaping. The design of landscaping schemes and the species of plants and type of hard materials chosen should reflect the site and existing plants. Native species of trees should preferably be used and in larger proposals should be designed to enhance biodiversity through the creation of new habitats. Consideration of crime issues should be included in landscaping and planting schemes, and in particular hiding places and dark or secluded areas should not be created. Opportunities will be sought through development schemes to improve tree and shrub planting cover, particularly in areas of deficiency. Landscaping schemes should be laid out in accordance with the British Standards Institution, 'Guide for Trees in Relation to Construction' (BS 5837:2005), or other standards which are current at the time an application is made. Special attention must be paid to the selection of materials for new hard surfaced areas. It is important that consideration is given to the future maintenance and management of landscaping, to ensure continued good quality landscaping and open space in the longer term. This can be achieved through the careful design of the landscaping in the first place and by ensuring that appropriate arrangements are made for the future maintenance and management of the landscaping.

8.12 Planning conditions will require the approval of landscaping schemes before development commences and the completion and maintenance of the landscaping schemes following completion of the development. Planning conditions may also require the retention of landscape features such as trees and hedgerows and the retention of existing stone walls and paving, with new walls and 'making good' being carried out in appropriate materials. Therefore, any proposal will be considered against the criteria set out below:-

Policy BE 3

Landscaping

Development proposals will be required, where appropriate, to be accompanied by landscaping schemes that include good quality hard and soft landscaping. They should be designed as an integral part of the development proposal and should contribute to the character and amenity of the area and, where possible, enhance local biodiversity. The scheme should be implemented in full

within an agreed timescale and include details of:-

- i. the retention of existing trees, hedgerows, walls, fences, paving, and other site features which contribute to the character and amenity of the area;**
- ii. appropriate soft landscaping (including tree and plant species, location, sizes and numbers) which respect the landscape characteristics of the site, its setting, and its potential effect on adjacent land uses; and**
- iii. appropriate hard landscaping (including details of street furniture where appropriate) which respect the landscape characteristics of the site and its setting.**

Safety and Security Considerations within New Developments

8.13 It is vital that crime prevention measures become a key consideration in all areas of land use planning. The importance of reducing crime and its impact on society has been reinforced by Section 17 of the Crime and Disorder Act (1998) which places a duty on local authorities to consider the crime and disorder implications of all their functions. This impacts on all areas of land use planning, but specifically can relate to the design and location of new development including housing and other forms of development. Crime prevention is capable of being a material consideration in determining planning applications.

8.14 Safety and tackling the fear of crime is an important issue in Calderdale. The Council has therefore included 'creating safer communities with lower crime levels, less fear of crime and safer roads' as a corporate priority (June 2002). The Council is a partner in the Calderdale Community Safety Partnership, which has published the Calderdale Safer Communities Strategy 2005-2008. In addition, the Council has worked with the West Yorkshire Police and other West Yorkshire local authorities to prepare the document 'Designing for Community Safety, A Residential Guide'.

Designing Out Crime

8.15 Crime prevention has an important role to play in achieving the overall aims of the UDP and needs to be considered in all development proposals. Much can be done to reduce opportunities for crime through

the careful consideration of the design, layout, lighting and landscaping of new development (the sections relating to the design of highway and pedestrian routes are contained in Policy BE 5 and Policy BE 6). Crime prevention features should be incorporated into the design process at an early stage.

8.16 In considering the issue of crime, developments should incorporate the principles of 'Secured by Design' and should reflect both the safety of people and the security of property. 'Secured by Design' is the national police scheme that aims to minimise crime and the opportunities to commit crime, primarily through employing more security conscious building design methods. The scheme principally aims to make communities feel safer and more desirable places to live. Further information can be obtained from the website www.securedbydesign.com. Any design solution should remain sensitive to local circumstances and there should be a balanced approach to design which attempts to reconcile the visual quality of a development with the needs of crime prevention. Developments can be made secure without resorting to razor wire, grilles, bars, unsightly types of fencing and other visually intrusive security measures, if safety and security is considered at an early stage of the design process.

8.17 Developers should, prior to submitting detailed proposals, seek advice from the West Yorkshire Police Architectural Liaison Officer on designing out crime, and any recommendations received should be incorporated into the development proposal unless these conflict with other significant interests (for example, the interests of Listed Buildings). Developers are also encouraged to submit statements in conjunction with planning applications that emphasise the measures taken to design out crime.

8.18 There are two basic principles which are applicable to any attempt to reduce crime through urban design:-

- i. the integration of natural surveillance into the development by ensuring that the design and layout of buildings and estates allows for people to see, and thus monitor communal areas such as streets, footpaths and open space as well as the front doors of other buildings. An important aspect is that hiding places and dark or secluded areas should be avoided. Adequate lighting is essential so as to allow for effective surveillance at night; and
- ii. the integration of defensible space into the development so that all spaces are clearly defined and adequately protected in terms of

their use and ownership. Defensible space is essentially concerned with the adoption of techniques that engender a feeling of territoriality, thereby allowing people to feel that they have control or influence over the use of space around them. This is achieved by defining the various areas of public and private space using real and symbolic barriers such as fencing, gates, narrowed entrances and changes in road surface texture and colour. Generally, when people are empowered with a feeling of ownership of the space around them they will police and look after their own area of private space, so that the public and intruders know when they are intruding on private property.

8.19 In order to ensure that the objectives of natural surveillance and defensible space are achieved developments should be designed having regard to the following principles:-

- buildings should be designed to allow for overlooking of streets, footpaths and public open space wherever possible;
- long areas of blank street frontage should be avoided;
- separate traffic-segregated footpaths within new housing developments should be avoided unless they can be seen from nearby housing;
- cars should preferably be kept in garages, behind lockable gates or in secure car parks, but where this is not feasible consideration should be given to the security and the siting of car parks and open spaces so that they are visible from surrounding buildings;
- the development should be adequately lit, in particular streets, footpaths and communal areas (although care should be taken to avoid light pollution, for further information refer to paragraphs 12.10 to 12.13);
- Closed-circuit television surveillance (CCTV) should be incorporated where appropriate, and in particular of car parks;
- mixed-use developments should be considered as these help to maintain activity 24 hours a day;
- Neighbourhood Watch schemes should be promoted and supported;
- consideration of crime issues should be included in landscaping and planting schemes, and in particular hiding places and dark or secluded areas should not be created;
- external doors/frames/fixings/locks, ground floor windows and those windows that are accessible

by climbing, should meet the requisite Secured by Design recommendations and British Standards;

- there should be a clear demarcation between public and private space by either physical barriers such as walls, fences or other means of enclosure or through changes in surface treatment;
- use of appropriate building and paving materials and street furniture should be used which are durable and resistant to vandalism;
- the number of points of access into a development and the number of through routes should be limited, direct, and encourage connectivity where appropriate; and
- appropriate fencing and other means of enclosure to discourage general public access should be provided.

8.20 The principles of the following Policy apply:-

Policy BE 4

Safety and Security Considerations

The design and layout of new development should address the safety and security of people and property, and reduce the opportunities for crime. In assessing development proposals particular attention will be paid to:-

- the use and creation of defensible space;
- the creation of opportunities for natural surveillance;
- the location and design of street lighting;
- the location of footpaths and access points;
- the location and design of parking facilities;
- the design of landscaping and in particular maximising opportunities for surveillance and avoidance of creating hiding places and secluded areas; and
- advice provided by Police Architectural Liaison Officers.

Design and Layout of Highways and Accesses in New Development

8.21 Highway access and parking in new development must provide for safe and efficient movement by pedestrians, vehicles, and cyclists. It should take account of the Hierarchy of Consideration of POLICY GT 4. Design Bulletin 32 (1992) and the companion guide, 'Places, Streets and Movement' (1998), published by HMSO which provides helpful information regarding the layout of residential roads, whilst the former County Council's Highway Design Guide (1985) is still valid and may provide help for industrial roads. The following Policy will apply:-

Policy BE 5

The Design and Layout of Highways and Accesses

The design and layout of highways and accesses should:-

- ensure the safe and free flow of traffic (including provision for cyclists) in the interest of highway safety;
- allow access by public transport where appropriate;
- provide convenient pedestrian routes and connectivity within the site and with its surroundings;
- incorporate traffic calming, and speed management and reduction measures where appropriate;
- provide an attractive environment which respects the local character of the area;
- take account of the Hierarchy of Consideration of POLICY GT 4; and
- help to reduce opportunities for crime.

Provision of Safe Pedestrian Environments in New Development

8.22 Pedestrians are vulnerable road users, and their needs are therefore at the top of the Hierarchy of Consideration (see POLICY GT 4). The following policy is therefore intended to improve road safety and the pedestrian environment particularly within the town centres, in order to increase the attractiveness of walking as an alternative mode of transport. The West Yorkshire 'Walking Strategy' (contained within the Local Transport Plan, 2000) provides the framework for developing walking as an

alternative mode of transport throughout the county and sets targets for increasing the amount of walking that is undertaken. The Council supports these targets, not just as a transport issue but, in partnership with the health service agencies and the Police, because there is also considerable overlap with other issues concerning health and crime and disorder. Accordingly: -

Policy BE 6

The Provision of Safe Pedestrian Environments

All new developments should provide a safe and attractive environment at all times for pedestrians accessing or traversing the site. In particular, routes should be reasonably direct, well lit, overlooked, have acceptable surfacing, be attractively landscaped, and provide an environment where opportunities for crime are minimised.

CCTV and Area Lighting Schemes

8.23 The criteria set out in Policy BE 4 seek to reduce the opportunity to commit crime at the level of the individual building or development. Policies to achieve the reduction in crime also need to be applied at the area level. The provision of comprehensive lighting schemes and schemes for closed-circuit television surveillance (CCTV) in high risk areas have been shown to be successful in helping to combat crime. However, it is important to ensure that the physical street furniture in such schemes does not harm amenity (for instance of people in their homes), the environment, or buildings and areas of architectural and conservation importance. Area lighting schemes will also be assessed against Policy EP 5. Accordingly:-

Policy BE 7

CCTV and Area Lighting Schemes

Where appropriate, schemes for area lighting and closed-circuit television surveillance (CCTV) will be provided in a manner which:-

- 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.**

Access and the Provision of Public Conveniences and Baby Changing Facilities in New Development

8.24 The Council is committed to ensuring equal opportunities for all including securing a more accessible environment for everyone including people with disabilities. In addition the Council seeks to ensure that facilities for use by the general public and those with mobility difficulties or special needs, including toilets, baby changing facilities and other design features including ramps and dropped kerbs are provided in publicly accessible buildings and areas. The Disability Discrimination Act, (1995) requires those providing goods, facilities, or services to the public to provide access and facilities for people with disabilities of the same standard as those provided for able bodied persons.

8.25 Many issues concerning access are covered by Building Regulations legislation, notably the construction of new buildings, and the Plan does not seek to duplicate these provisions. However, it is important that developers, in formulating development proposals for buildings where a service is being provided e.g. shops, community and health facilities, places of entertainment, places of work, should consider the needs of disabled people and those with special needs at an early stage in the design process. This is particularly important for proposals for the change of use or extension of existing buildings where Building Regulations may not adequately take account of access issues. The Council will also encourage appropriate access and provision for people with disabilities within existing buildings, in areas of informal open space and recreational areas, on public rights of way and in the open countryside. Accordingly:-

Policy BE 8

Access for All

Development proposals within buildings or sites that provide goods, facilities or services

to the public should incorporate design features that facilitate easy access for all including those with disabilities.

Policy BE 9

The Provision of Public Conveniences and Baby Facilities

Publicly available toilet and baby changing facilities should be provided in all developments to which large numbers of the public have access. In particular any retail, leisure or health development with over 1,500sq.m gross floorspace, should provide publicly available facilities.

Art in Public Places

8.26 The creation and display of works of art in public places, as a means of improving the environment and making Calderdale an interesting and stimulating place for the local community and visitors, is supported in general.

Policy BE 10

Art in Public Places

The creation and display of works of art in public areas, including appropriate locations within the street scene, will be supported, provided the work of art is of high design quality, appropriate or complementary to its location and does not create unacceptable environmental, amenity, traffic or other problems.

Telecommunications Development

8.27 Telecommunication systems have developed rapidly in recent years and are likely to continue to do so throughout the plan period as new developments in communications technology are introduced. Telecommunications have become an essential element in modern communication systems and the Council will endeavour to facilitate its growth. This must be balanced against a need to protect important and sensitive environments, as well as residential amenity and other features of acknowledged importance. Government advice is

contained in PPG 8 'Telecommunications' (2001) and the 'Code of Best Practice on Mobile Phone Network Development' (ODPM 2002).

8.28 Telecommunications development includes all forms of communications by electrical or optical wire and cable and radio signals and encompasses various components including antennae, satellite dishes, aerials, transmitters, masts, base stations, cable installations and associated equipment cabins. By their very nature such modern telecommunications equipment will often appear conspicuous or obtrusive in the urban and rural landscape and can have a serious effect on the appearance of buildings and the street scene.

8.29 Advice on minimising the impact of telecommunications installations can be gained from the Code of Best Practice such as sharing of installations (such as masts) and sites, investigating more appropriate alternative sites, and disguising or screening infrastructure. Proposals for telecommunications development will have to show that these have been fully explored and that siting and design (including materials and colour) have been carefully considered along with appropriate measures, including landscaping and screening, to avoid adverse impact. These requirements will help to ensure that the visual and amenity impacts of the telecommunications development will be minimised.

8.30 The Council will oppose telecommunication installations that would be unduly visually obtrusive in either the street scene or the landscape and would detract from amenity (including that of local residents), unless it can be demonstrated that there is an overriding need and technical constraints prevent a more favourable proposal being chosen. Industrial and commercial areas are often locations within which telecommunications installations are most suitable.

8.31 Telecommunication installations will present particular problems when proposed in environmentally sensitive areas and within historic environments. These include: Scheduled Ancient Monuments; the Special Area of Conservation; the Special Protection Area and In-by-land around it; Sites of Special Scientific Interest; Special Landscape Areas; Sites of Ecological or Geological Interest; Priority Habitats and Species identified in the Calderdale Biodiversity Action Plan; and the Green Belt as shown on the Proposals Map. In such areas, the Council will apply more stringent control over the siting and design of telecommunications installations, refusing proposals likely to demonstrably harm interests of acknowledged importance unless there are overriding circumstances

that justify approval. Telecommunications installations will also need to be carefully considered to ensure the protection of the historic environment. Telecommunications installations on Listed Buildings can be obtrusive and affect their character as buildings of architectural or historic interest. Siting on or within the curtilage of a Listed Building will only be acceptable where great care is taken to minimise the inherently adverse effect of the apparatus on the Listed Building and its setting. Similarly, telecommunications development should not unacceptably harm the character, appearance, setting or features of Historic Parks and Gardens and the character and appearance of Conservation Areas should be preserved or enhanced. Telecommunications equipment that would significantly affect the special interests and character of environmentally sensitive areas or the historic environment should preferably be sited elsewhere. Where this would not be technically possible, proposals will need to show that no more environmentally acceptable alternatives or sites exist and that every attempt has been made to minimise obtrusiveness by siting and design, including disguising or concealing the equipment.

8.32 During the course of the plan period some telecommunications installations may become redundant, due to rationalisation of the industry or advances in technology. When such cases arise the particular installation (such as a mast) will be required to be removed and the site either landscaped or returned to its previous condition. This will have been secured either through a planning condition or planning obligation.

8.33 Following public debate concerning the possible adverse health impacts of telecommunications development, in particular the effect of electromagnetic fields, the Stewart Report was published in May 2000 which examined the health effects from the use of mobile phones, base stations and transmitters. In respect of base stations the report concluded, "the balance of evidence indicates that there is no general risk to the health of people living near to base stations on the basis that exposures are expected to be small fractions of the guidelines". However, gaps in current scientific knowledge led the group to recommend a precautionary approach to the use of mobile phone technologies until more detailed and scientifically robust information becomes available. Guidelines on exposure to radio frequency (RF) radiation have been published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP, 1998). The ICNIRP guidelines for the public have been

incorporated in a European Council Recommendation (1999), which has been agreed in principle by all countries in the European Union. The Government has adopted the Stewart Report recommendation that the ICNIRP guidelines for public exposure be adopted for use in the UK. In line with the approach recommended in the Stewart Report, all antenna and mobile phone base stations will have to meet the guidelines of the ICNIRP for limiting exposure to electromagnetic fields. Health considerations and public concern can in principle be material considerations in determining applications for planning permission and prior approval. However, PPG 8 states that "if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them". Therefore, all applications for antenna and base stations should be accompanied by a declaration that the equipment and installation is designed to be in full compliance with appropriate radiation safety requirements of ICNIRP or any subsequent guidance that may be published in the future by this body, the National Radiological Protection Board or other research findings as may be recommended by the Government. Calderdale Council, in its capacity as landowner, adopted a policy in July 2001 that no telecommunication masts or other installations should be placed on Council owned land within 100 metres of school buildings, or any other buildings, where children are present. This policy is reviewed annually and as such is subject to change.

8.34 The installation of a wide range of telecommunications equipment benefits from permitted development rights under the Town and Country (General Permitted Development) Order, 1995 (as amended 1999). These permitted development rights do not generally apply in special areas such as Conservation Areas. Certain permitted development, including the erection of masts, is conditional upon the operator applying for the Council's determination as to whether its prior approval of the siting and appearance of the telecommunications equipment is required. In such cases, reliance will be placed on the telecommunications system service provider to adhere to their statutory obligations. Telecommunications prior approval notifications and planning applications will be considered and assessed against the following Policy:-

Policy BE 11

Telecommunications

Proposals for telecommunications development will be considered having regard to technical and operational requirements and will be permitted provided that:-

- i. the proposal would not have an unacceptable effect on the character or appearance of the surroundings or building on which it is sited in terms of scale, design, and siting;
- ii. the proposal would not have an unacceptable effect on the amenity of adjoining residential areas by reason of siting or appearance;
- iii. the proposal would not detrimentally affect the quality or special interest of any environmentally sensitive areas, where relevant;
- iv. the proposal preserves or enhances Conservation Areas and does not adversely affect Listed Buildings, Historic Parks and Gardens or their settings, where these are material considerations;
- v. the development proposal represents the optimum solution for limiting potential impact on the local environment. Applicants must demonstrate that the possibilities for sharing existing sites or facilities or, in the case of masts, of erecting antennae on an existing building, mast or other structure, have been explored;
- vi. applications for antenna and base stations are accompanied by a declaration that the equipment and installation is designed to be in full compliance with appropriate radiation safety requirements of ICNIRP or any subsequent government approved guidance that may be published;
- vii. applicants have provided technical details of how the proposed equipment fits into the wider network coverage, where relevant; and
- viii. applicants have considered the need to include additional capacity to take account of the growing demands for

the network development including that of other operators, where relevant.

Advertisements

8.35 External signs and advertisements are important to commercial areas and can make a contribution to their character or appearance. However many advertisements affect the appearance of the building, structure or place where they are displayed and need to be carefully controlled to ensure that they do not harm amenity or endanger public safety. The Council will ensure that an advertisement harmonises with its surroundings and is not obtrusive by virtue of its size, siting, design, colouring and visibility.

Control of Advertisement Regulations

8.36 The advertisement control system in England consists of the Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended 1994 and 1999), and encompasses nearly all outdoor advertisements. The Regulations divide advertisements into 3 groups for control purposes:-

- i. Advertisements that are excluded from the local planning authority's control provided certain conditions are fulfilled.
- ii. Advertisements for which the regulations give 'deemed consent' so that the local planning authority's consent is not needed, provided they conform to the stated conditions and limitations for each category of advert.
- iii. An advertisement for which the local planning authority's 'express consent' is always needed.

8.37 PPG19 'Outdoor Advertisement Control' (1992) provides further advice on the application of the regulations and the DETR publication 'Outdoor Advertisements and Signs: A Guide for Advertisers' (2002) gives additional guidance.

The Consideration of Advertisements Requiring Consent

8.38 In assessing all advertisements that require 'express consent', the Council may only consider two issues, described in the regulations as the interests of amenity and public safety. However, the policies in the UDP may be taken into account as material factors in the determination of any matter of advertisement control.

8.39 In assessing an advertisement's impact on 'amenity', regard will be had to its effect on the appearance of the building and on the visual amenity and character of the locality. The appearance of a building can easily be spoiled by a poorly designed or insensitively placed sign or advertisement, or by a choice of materials, colour, proportion or illumination that are alien to the building's design or fabric. In addition, proposed signs, together with existing ones on the property, should not give rise to visual clutter which can seriously detract from the street scene and visual amenity. It is therefore important for visual amenity that advertisements are well related to the design and appearance of the building and the character of the surrounding area.

8.40 Advertisements need to be carefully designed and located so as not to lead to problems of public safety. Careful consideration needs to be given to the effects of advertisements upon the safe use and operation of any form of traffic and transport (including the safety of pedestrians). In particular, regard should be had to whether the advertisement; is likely to obstruct or distract attention; could be confused with traffic signs; would obstruct or impair sight-lines; would effectively leave insufficient clearance above any part of a highway; and where illuminated, the means of illumination is directly visible from any part of the road thus causing dazzle, glare or distraction to road users.

Appropriate Locations for Advertisements

8.41 It is important to strike the right balance between the need to promote commerce and the need to protect the character and appearance of the surrounding environment. Within commercial areas, or in conjunction with business premises, it is reasonable to allow a degree of advertising where this is related to the scale of the surrounding buildings and does not detract from the building to which they are attached. Within predominantly residential areas, general advertising is an unnecessary and unreasonable encroachment on the amenity of residents. Only signs needed to identify business premises within predominantly residential areas will be appropriate.

The Illumination of Advertisements

8.42 The illumination of advertisements on buildings can contribute to the night-time environment and street scene. They need to be well designed and located if they are not to lead to problems for local amenity and highway safety. The method and level of illumination of an advertisement should not harm

the amenities of the area and of local occupiers of property or endanger public safety. In general, if the principle of illumination is considered acceptable for any particular proposal, the use of external floodlighting or the individual lighting of letters, rather than full internal illumination of the whole sign will be preferred. Further guidance on external lighting can be found in paragraphs 12.10 - 12.13 and in Policy EP 5.

Advertisements within Sensitive Areas

8.43 Special attention should be given to advertisements in areas of particular environmental or historic sensitivity, so that they do not detract from the integrity of the building's design, historical character or structure, and do not spoil or compromise its setting. This will include locations on, within, or adjacent to Listed Buildings and Scheduled Ancient Monuments, Conservation Areas, historic parks and gardens, public open spaces and other green areas, and within rural areas. Advertisements within Conservation Areas need to pay special attention to preserving or enhancing its character or appearance. In rural areas it is important to protect against inappropriate advertisements in order to preserve the special interests and character of such areas. ~~Therefore, proposals for advertisement consent will be considered against the criteria set out below:-~~

~~Policy BE 12~~

~~Advertisements~~

~~Consent will only be given for the display of an advertisement that does not harm amenity and public safety. This will be achieved by ensuring that an advertisement reflects and respects the scale, symmetry, architectural character, detailing and any other special interest of the building and/or its surroundings and does not affect the safe use and operation of any form of traffic and transport by reason of its:-~~

- ~~i. siting;~~
- ~~ii. design;~~
- ~~iii. scale;~~
- ~~iv. size;~~
- ~~v. proportion;~~
- ~~vi. colour;~~
- ~~vii. use of materials;~~
- ~~viii. number; and~~
- ~~ix. type and level of illumination.~~

Advertisement Hoardings

8.44 Large-scale advertisement hoardings (also referred to as poster-panels) can have a significant impact on the surroundings and are not appropriate in areas where they would be clearly out of scale, or where they would be directly overlooked by dwellings. Hoardings can also impact upon public safety and the safe use and operation of traffic and transport. In the interest of amenity, advertisement hoardings will not normally be acceptable in or adjacent to predominantly residential areas or in the open countryside. Within commercial and industrial areas they will only be allowed if they are:-

- in scale with adjacent buildings and surroundings;
- screen unsightly land or buildings;
- are not overwhelming upon pedestrians in the area;
- respect the symmetry and architectural features of their location, and;
- maintain and, where necessary, enhance the character and appearance of the local environment.

8.45 Where an advertisement hoarding would screen an unsightly or derelict site the Council may give a temporary consent and condition the consent requiring that the advert is removed at the end of a specified period so as not to prejudice the site's redevelopment.

~~Advertisement hoardings are not considered to be appropriate in environmentally sensitive areas (as defined in Para 8.43), the open countryside or in predominantly residential locations and will be assessed against the above criteria. Advertisement hoardings proposed in non-industrial or non-commercial urban areas will be assessed against the above criteria.~~

Discontinuance Action

8.46 The Town and Country Planning (Control of Advertisements) Regulations (1992) enable the Council to take discontinuance action to stop any advertisement, or the use of any advertisement site, which normally has the benefit of any of the categories of deemed consent, or express consent after a period of five years of granting consent. The discretionary power to serve a 'discontinuance notice' may only be used where the Council consider that an advertisement, or the use of an advertisement site, is causing substantial injury to amenity or endangering public safety.

8.47 The Council may use these powers where required and will take steps to secure the removal of advertisements, and in particular hoardings, which cause serious detriment to visual amenity or constitute a danger to public safety. The Council will assess each advertisement on its merits, but common situations where a discontinuance notice may be served are for inappropriate advertisements and hoardings located in residential areas, Conservation Areas, the open countryside, or along main road corridors and major approach routes to towns.

~~Policy BE 13~~

~~Advertisement Hoardings~~

~~Applications for advertisement hoardings will be granted consent in primarily industrial and commercial areas, provided that the hoarding:-~~

- ~~i. is of an appropriate scale in relation to any adjacent building(s);~~
- ~~ii. does not have an adverse impact on the visual amenity of the area by dominating the street scene, or blocking important or attractive views;~~
- ~~iii. does not affect the amenity of any residential dwellings which overlook the site; and~~
- ~~iv. does not have an adverse effect on public safety.~~

The Historic Built Environment

8.48 Calderdale has a unique architectural heritage of high quality. To further the sustainability objectives of the UDP, the Council will seek to protect and enhance the rich variety of architectural and historic features of the District for the benefit of future generations. Alterations to existing buildings and new development should therefore be designed to create a built environment that complements the area's unique identity and contributes to its special character.

8.49 PPG15 'Planning and the Historic Environment' (1994) and Circular (DETR/CMS) 01/2001 'Arrangements for Handling Heritage Applications' provide advice on the identification and protection of historic buildings, Conservation Areas

and other elements of the historic environment. In accordance with this advice, this section of the UDP aims to:-

- i. continue to protect historic buildings from demolition and neglect and ensure their repair and restoration;
- ii. prevent development that would have an unacceptable effect on historic buildings, Conservation Areas and their settings;
- iii. protect existing Conservation Areas and review their boundaries, designate further Conservation Areas and encourage the enhancement of existing and future Conservation Areas;
- iv. encourage suitable new uses for those historic buildings which can no longer continue in their original use; and
- v. increase public awareness of the importance of historic buildings and Conservation Areas and encourage good conservation practice.

Listed Buildings

8.50 There are over 4,000 buildings of special architectural or historic interest in Calderdale, which have been listed by the relevant Secretaries of State, which at present is the Secretary of State for Culture, Media and Sport. This figure is likely to rise during the life of the Plan as further buildings worthy of protection are added to the list. Property owners, together with the Council, have an important part to play in looking after them, securing their future and ensuring that inappropriate development does not take place that might harm the character or appearance of the structures themselves and their settings. Undoubtedly, the best use for an historic building is its original use, but this may not be possible or appropriate in some circumstances. PPG15 lays down the principal considerations for applications involving the use, repair, alteration or demolition of listed buildings.

8.51 Where a building is 'listed', this usually includes all fixtures and fittings and structures within its curtilage, along with boundary walls. The listing of buildings of historic or architectural interest does not mean that the building will have to be kept in a completely unaltered condition. Sympathetic alterations may be acceptable to enable adaptation to modern requirements or appropriate restoration of original features to take place. In these instances, care is required to avoid damage, to ensure the retention of specific features of importance and to make the correct use of materials and traditional methods of construction. If the original plan form is intact, then it should be preserved where it contributes

to the special character and appearance of the building. Similarly, internal features, which contribute to the character of the building, should be preserved, repaired or if missing, replaced. Accordingly:-

Policy BE 14

Alteration and Extension of Listed Buildings

Proposals involving any alteration or extension of a Listed Building will only be permitted where:-

- i. it does not have an adverse effect on the architectural and historic character or appearance of the building or its setting; and
- ii. it respects the individual details of the building including the form, design, scale, methods of construction and materials, as well as internal features which contribute to the character of the listed building.

Where development is acceptable, conditions and/or planning obligations may be attached seeking the appropriate recording of the character of the building before works commence.

8.52 The setting of a Listed Building can be an essential part of its character and appearance and will be protected where development is likely to have an adverse effect. Whilst development may be some distance away from the Listed Building itself, it could affect views that form an intrinsic part of its appearance and character and impact on the surroundings that contribute to its interest. In appropriate circumstances, where a proposal is likely to affect the setting of a Listed Building, applicants will be required to provide a full assessment of the impact of their proposals upon the Listed Building. Therefore:-

Policy BE 15

Setting of a Listed Building

Development will not be permitted, where through its siting, scale, design or nature, it would harm the setting of a Listed Building.

8.53 The conservation of buildings of historic or architectural interest can generally be brought about by the co-operation of owners, developers and the local authority. It is a criminal offence to carry out works to a Listed Building without the necessary consent and the Council has powers to initiate legal action to ensure that Listed Buildings are not demolished or altered without that consent, or if necessary, are reinstated if unauthorised works are carried out. These may be used against those who undertake works affecting a Listed Building without consent or fail to comply with conditions attached to an approval for works to a Listed Building.

8.54 Where it is accepted that the continuation of the original use of a Listed Building is not practical or viable, it may be possible to find an alternative use to secure the future of the building and assist in the regeneration of the area. Many buildings are capable of a new use, and when considering whether it is appropriate, particular attention will be paid as to whether the new use would preserve the architectural or historic features of the building. For instance, the upper floors of buildings, particularly in town centres, can provide an important source of additional housing supply. It will also be expected that changes to alternative uses should keep internal and external alterations to a minimum.

8.55 The full implications of an application for alteration, extension or change of use of a Listed Building can only be assessed with full details. Applications for works to a Listed Building must be accompanied by fully detailed drawings of the existing buildings and all proposed alterations. Developers are encouraged to enter into early negotiations with the Council to ensure that any development proposal is in keeping with the Listed Building and its setting. Where necessary, applicants may be required, by planning condition or obligation, to prepare and submit an appropriate record of the building prior to development. This will be placed on public deposit with the West Yorkshire Archaeology Advisory Service. As a result, the following Policy will apply:-

Policy BE 16

Change of Use of a Listed Building

Change of use of part, or the whole of a Listed Building will be permitted where all the following criteria apply:-

- i. **the original use of the building is no longer practicable or appropriate; and**
- ii. **the new use preserves the architectural or historic character, features or setting.**

Where development is acceptable, conditions and/or planning obligations may be attached seeking appropriate recording of the character of the building before works commence.

8.56 Preservation of Calderdale's historic fabric is the primary aim of the Council's Listed Building controls. Demolition of a Listed Building is therefore considered to be a measure of last resort. Where applications for consent to demolish a Listed Building are being considered, the Council will require a very strong case to be made by the applicant that every possible effort has been made to retain the present use or find a suitable alternative use without the need for demolition. Consent for demolition should not be given simply because redevelopment is economically more attractive to the developer. In accordance with PPG15, paragraph 3.19, if demolition of a Listed Building is considered to be the only option the owner will have to prove:-

- i. that the building is beyond repair and maintenance when weighed against the value of the building's importance and continued use;
- ii. that efforts to secure an alternative use have failed. This should include offering the unrestricted freehold on the market at a reasonable price; and
- iii. that redevelopment would result in a substantial community benefit which outweighs the loss of the building.

8.57 Where the demolition of a Listed Building is permitted, conditions or legal requirements may be imposed, requiring the recording of the building and details of the construction of a replacement building. To make sure that sites do not remain undeveloped for long periods of time, conditions may also be imposed on planning permissions to ensure that redevelopment occurs within specified time limits. This may require that demolition does not take place until the applicant has entered into a contract with a demolition company with which they have no legal interest, for the carrying out of work and the planning permission for these works has been granted. Therefore:-

Policy BE 17

Demolition of a Listed Building

There is a presumption in favour of the preservation of Listed Buildings. Total or substantial demolition of a Listed Building will only be permitted where all the following criteria can be demonstrated to the Council's satisfaction or in any other exceptional circumstances:-

- i. **it is not possible to continue to use the building for its existing or a previous use;**
- ii. **no other reasonable beneficial use can be found for the building;**
- iii. **demolition will not cause harm to the setting of any other listed building or the character or appearance of a Conservation Area; and**
- iv. **demolition and subsequent redevelopment will result in a community benefit.**

Where demolition is permitted and redevelopment considered necessary by the Council, redevelopment should be undertaken within an agreed timescale, secured by condition and/or planning obligation. Wherever appropriate, it will be conditional upon a programme of recording being agreed and implemented prior to demolition.

8.58 It is important that all buildings of architectural or historic interest are protected from the effects of neglect as well as demolition. Modest expenditure on repairs and maintenance can prevent much more extensive repairs at a later date, which may damage the character or appearance of the building and/or result in the loss of the building. However, if its owners neglect a building, the Council will consider using its powers to take the necessary action to secure its repair. The Council will also endeavour to maintain a Register of Listed Buildings at Risk.

Conservation Areas

8.59 While individual historic buildings contribute to the character of many settlements in Calderdale, lesser buildings and structures, open spaces, trees and landscape can all combine to give an area special character. Designation of Conservation Areas by the

Council is an important means of retaining and enhancing the character of areas of special architectural or historical interest. Conservation Areas are defined in the Planning (Listed Buildings and Conservation Areas) Act (1990) as, "areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". Conservation Area status is valuable in that it allows the Council to apply stricter control over design and siting of new buildings and small scale changes and additions. Additionally, it gives control over demolition of structures and the cutting down or lopping of trees.

8.60 The Council has designated 19 Conservation Areas throughout the District where priority will be given to preservation or enhancement. These are listed below and are shown on the Proposals Map.

Table 8.1 Conservation Areas within Calderdale

- Akroydon, Halifax
- Copley, Halifax
- Elland
- Halifax Town Centre
- Hebden Bridge
- Heptonstall
- Huddersfield Road East, Halifax
- Luddenden
- Lumbutts and Mankinholes
- Mill Bank and Cottonstones
- Mytholmroyd
- People's Park, Halifax
- Ripponden,
- Savile Park, Halifax
- Skircoat Green, Halifax
- Sowerby Bridge
- Stainland
- Todmorden
- Warley

8.61 The Council will investigate the designation of new Conservation Areas and review the performance of existing areas. An appraisal statement will be produced when investigating or reviewing an area, setting out the criteria used to determine its special character. The criteria will follow the guidance set out in Conservation Area Appraisals (1997) produced by English Heritage. Public consultation will be undertaken when assessing such areas.

8.62 Development proposals must be assessed as to how they preserve or enhance the character or appearance of a Conservation Area. Development

proposals outside a Conservation Area can also affect its setting and impact substantially on its character or appearance and will therefore, need to be considered carefully. Any new development should respect the scale, layout and materials of the existing architecture as well as open spaces, trees and views which can be as important as the buildings themselves. It is important that buildings of character and quality, in their own right or which are of townscape value, are retained in Conservation Areas. The alteration, extension or change of use of Listed Buildings is covered in Policy BE 14, Policy BE 15 and Policy BE 16. Alteration or change of use of unlisted buildings can also assist in securing the future of buildings and revitalise a Conservation Area.

8.63 The character of a Conservation Area is not determined solely by buildings. For instance, boundary walls, paving materials and street furniture can all contribute to the preservation or enhancement of its character or appearance, as can advertisements. In all cases, natural materials and the use of traditional construction techniques will be preferred. Where traditional materials exist, these should be retained and reused. When they do not exist, opportunity should be taken to introduce them when roads and footpaths are resurfaced and new boundary walls are constructed. Detailed control over these aspects is dealt with in Policy BE 3, ~~Policy BE 12~~ and Policy NE 23.

8.64 Trees can also make an important contribution to the character of Conservation Areas and are protected from removal or surgery by existing legislation. The Council will normally resist proposals for the removal or inappropriate cutting back of trees of amenity value and has given further recognition of their importance by making areas or individual specimens the subject of Tree Preservation Orders. Such orders will be extended to other trees where it is considered necessary.

8.65 Open spaces add considerably to the character or appearance of an area and it is therefore important to protect these wherever possible and appropriate, in accordance with Policy OS 1. In addition any proposal relating to open space within a Conservation Area will be considered against the criteria set out in the Policy below:-

Policy BE 18

Development within Conservation Areas

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:-

- 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.**

8.66 To ensure that development proposals are in keeping with the character of a Conservation Area, all planning applications that affect the character and/or appearance of a building or space in a Conservation Area must be for full planning permission. In considering applications within Conservation Areas, the Council will have regard to the advice contained in PPG15.

8.67 Developers are encouraged to enter into early negotiations with the Council to ensure that any development proposals within or which would affect the setting of a Conservation Area are acceptable. Detailed matters may be controlled through conditions attached to planning permissions.

8.68 Demolition of a building in a Conservation Area will only be allowed in exceptional circumstances. Advice on the demolition of Listed Buildings is covered in paragraphs 8.56 and 8.57 and Policy BE 17 applies. In considering applications for unlisted buildings, applicants will be asked to provide an assessment of the contribution the existing building makes to the character and appearance of the area, the condition of the building and whether viable

alternative uses can be found. Buildings should be retained where they make a positive contribution to the area. There may be circumstances where the removal or replacement of a building would enhance the appearance or character of a Conservation Area and bring about substantial community benefits. All proposals for demolition and redevelopment will need to include full and detailed plans outlining what is proposed for the site after demolition.

Policy BE 19

Demolition within a Conservation Area

Development involving the demolition of an unlisted building within a Conservation Area will only be permitted if: -

- i. **the structure makes no material contribution to the character or appearance of the area;**
- ii. **no other reasonable beneficial uses can be found for a building; and**
- iii. **detailed proposals for the reuse of the site have been approved, where appropriate.**

Where demolition is permitted, redevelopment should be undertaken within an agreed timescale, secured by condition on a planning approval. Wherever appropriate, it will be conditional upon a programme of recording being agreed and implemented prior to demolition.

8.69 The Council may seek the withdrawal of permitted development rights for certain forms of development in Conservation Areas or parts of Conservation Areas where these would detract from the character of an area or where it would assist a positive policy for preserving or enhancing the character or appearance of a Conservation Area. Permitted Development rights will also be removed to protect investment made in Conservation Areas using public funds. This will be carried out through the use of Article 4 Directions of the Town and Country Planning (General Permitted Development) Order (1995) (as amended) where specific permitted developments are likely to threaten the Conservation Area's character or appearance.

8.70 Government advice indicates that, "local authorities should adopt a positive scheme for each area at an early stage". Therefore, the Council will,

as resources permit, carry out schemes of enhancement in Conservation Areas both in its own right and in partnership with appropriate conservation and funding agencies.

Historic Parks and Gardens

8.71 Registered Historic Parks and Gardens are of national importance. English Heritage is responsible for compiling a Register of Parks and Gardens of Special Historic Interest in England and classifying them according to the degree of importance of their historic interest. It includes parks, cemeteries, the grounds of large houses and other formal open spaces. At present, there are six registered gardens in Calderdale. These are listed in Table 8.2 below and are shown on the Proposals Map:-

Table 8.2 Registered Parks and Gardens of Special Historic Interest in Calderdale

- | |
|---|
| <ul style="list-style-type: none"> • Shibden Hall, Halifax • Shroggs Park, Halifax • The People's Park, Halifax • West View Park, Halifax • Lister Lane Cemetery, Halifax • Stoney Royd Cemetery, Halifax |
|---|

English Heritage is currently reviewing the register and the number of protected sites in Calderdale may increase.

8.72 Registered historic parks and gardens do not have the same statutory protection as Listed Buildings, but are nevertheless of much historic interest and amenity value and are worthy of preservation. The setting of such sites is also often an essential part of their character and appearance and will be protected where development is likely to have an adverse impact. The following Policy is applicable to development proposals that would have an impact upon Registered Historic Parks and Gardens. Proposals will also need to comply with other UDP policies including the provisions of Policy OS 1 where appropriate.

Policy BE 20

Protection of Registered Historic Parks and Gardens

The Council will pay special regard to the protection of sites included in the English Heritage Register of Historic Parks and Gardens of Special Historic Interest. Development proposals that would harm their character, appearance, setting or the enjoyment of any part of the grounds will not be permitted. Proposals that appropriately restore or enhance Registered Historic Parks and Gardens will be supported.

Locally Designated Historic Parks and Gardens

8.73 Registered Historic Parks and Gardens are of national importance, but the District also has a number of other unregistered gardens, parks, cemeteries and other local spaces that contribute to the regional or local environment and heritage. These have been collectively referred to as 'Locally Designated Historic Parks and Gardens'. The following parks and gardens are considered worthy of protection and are defined on the Proposals Map:-

Table 8.3 Locally Designated Historic Parks and Gardens

- Abbott's Ladies Homes, Halifax
- Akroyd Park, Boothtown
- Albert Promenade/Woodhouse Scar Halifax
- Allan Park, Sowerby Bridge
- All Souls Burial Ground, Akroydon
- Bailiff Bridge Memorial Park, Bailiff Bridge
- Bellevue and Sir Frances Crossley Almshouses, Halifax
- Brighouse Cemetery
- Calder Holmes Park, Hebden Bridge
- Castle Carr, above Hebden Bridge
- Centre Vale Park, Todmorden
- Clayhouse Park, Greetland
- Clifton War Memorial, Brighouse
- Crow Wood Park, Sowerby Bridge
- Dobroyd Castle, Todmorden
- Elland Cemetery
- Erringden Grange Model Farm
- Field House, Sowerby
- Heath Villas, Halifax

- Holmes Park, Luddenden Foot
- Hullen Edge Park, Elland
- Joseph Crossley Almshouses, Halifax
- King George V Memorial Park, Lightcliffe
- Kirklees Hall/Park, Brighouse
- Luddenden Cemetery
- Mytholmroyd Memorial Garden
- Park Wood Crematorium, Elland
- Rastrick Cemetery
- Rydings Park, Brighouse
- Savile Park and Manor Heath, Halifax
- Shaw Garden, Holywell Green
- Shaw Park, Holywell Green
- Shelf Hall Park, Shelf
- Sowerby Bridge Cemetery
- Square Park, Akroydon
- The Stray, Hipperholme
- Wellholme Park, Brighouse

8.74 The following Policy is applicable to development proposals that would impact upon Locally Designated Historic Parks and Gardens. Where the Council considers that Locally Designated Historic Parks and Gardens should be included on the list of Registered Historic Parks and Gardens it will be particularly vigorous in the protection of them from insensitive development.

Policy BE 21

Protection of Locally Designated Historic Parks and Gardens

Development proposals that would harm the character, appearance, setting or the enjoyment of Locally Designated Historic Parks and Gardens will not be permitted unless it can clearly be demonstrated that there are reasons for the proposal that outweigh the need to safeguard the site. Proposals that appropriately restore or enhance Locally Designated Historic Parks and Gardens will be supported.

8.75 Funding has been secured for the enhancement and restoration completed of People's Park and Square Park, Akroydon, from sources such as the Heritage Lottery Fund. Further opportunities will also be taken, where possible, to secure funding sources to enable the enhancement of other historic parks and gardens to take place.

Areas and Sites of Archaeological Interest

8.76 There is a long history of human habitation in Calderdale and the remains of human activity, including the remains of past industrial development, in the area have an important contribution to make towards its history. In many cases, these remains are very fragile and vulnerable to damage and destruction. They are not always visible at the surface and may include unlisted standing buildings, but nevertheless represent a finite and non-renewable resource that requires protection and recording. Government advice in PPG16 'Archaeology and Planning' (1990) requires that UDPs should include policies for the preservation, recording and enhancement of sites of archaeological interest and their settings.

8.77 The West Yorkshire Archaeology Advisory Service (WYAAS) maintains a register of sites and areas of archaeological significance throughout West Yorkshire. This is called the Historic Environment Record (HER) and is the only up-to-date record of sites and areas. These sites are subject to continuous review and updating. Information presented in the plan therefore represents not only a snapshot in time but is also likely to omit some important, but as yet unknown, sites. It is therefore vital that WYAAS is consulted in situations where a site may be affected, as it holds full information on sites. Landowners should also consult and liaise with WYAAS for advice on the most suitable and appropriate measures to protect sites within their control. The Royal Commission on the Historical Monuments of England (RCHME) also holds a national database of England's ancient monuments and Listed Buildings. It operates as an index of the more detailed information held at West Yorkshire level on the Historic Environment Record.

8.78 There are three classes of site identified in the HER:-

Class I Scheduled Ancient Monuments

These are of national significance. The sites are protected by statute under the Ancient Monuments and Archaeological Areas Act (1979). Scheduled Monument Consent is required from the Department for Culture, Media and Sport for any works or change of use, including repairs, irrespective of any need for planning permission.

Class II Sites of Special Archaeological Value

These are of regional or potentially national (though unscheduled) significance. Whilst they merit a high degree of protection, the degree of protection will be dependent on their archaeological significance, as defined by WYAAS.

Class III Sites of Archaeological Value

These are potential sites where there is evidence or probable evidence of the existence of archaeological remains of importance, not warranting a Class II designation. Evaluation prior to a planning decision may be required in order to assess the potential impact of the proposed development on the archaeological remains to allow a reasonable and informed planning decision to be made.

8.79 The approximate location of Class I and Class II archaeological sites is shown on the Proposals Map. This is based on the most up-to-date information at the time of publication. Details of all sites, including Class III archaeological sites, are available for inspection at the office of WYAAS.

8.80 Archaeological remains and monuments are irreplaceable and once disturbed, the precise record of the past is lost for all time. The preferred option for important archaeological remains is preservation in situ. However, in the case of less important sites, development may be acceptable subject to appropriate archaeological recording. As a result, the following Policies will apply:-

Policy BE 22

Archaeological Sites of National Significance

There is a presumption in favour of the physical preservation in situ of Class I archaeological sites and Class II Sites of unscheduled national importance and their settings. Development that would have an adverse effect upon these sites will not be permitted.

Policy BE 23

Archaeological Sites of Regional Importance

Class II Sites of regional importance will be preserved where possible. When

development affecting such sites is acceptable in principle, mitigation of damage will be sought through preservation of the remains in situ as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for recording before or during development. Appropriate protective and mitigation measures will be secured by planning condition and/or legal agreement.

8.81 Class III sites include urban locations that are subject to considerable development pressure. The prevention of development on these sites might conflict with the revitalisation of such areas and the presumption in favour of developing previously developed land. Therefore, where the benefits of development would outweigh the value of archaeological remains, it is considered unreasonable to require the preservation of these sites. Accordingly:-

Policy BE 24

Protection of Sites of Archaeological Value

Class III archaeological sites will be preserved where possible. Where development is acceptable, conditions may be attached to ensure the remains are properly recorded and evaluated and where practicable, preserved.

8.82 WYAAS should be consulted at an early stage to establish whether archaeological remains are likely to exist on site and the implications for a development proposal. Advice can be given on the best means to preserve and enhance remains that have previously been identified, as well as remains discovered during development. However, the preservation of archaeological sites in-situ will nearly always be preferred to preservation by record.

8.83 Some sites may not be currently regarded as being worthy of protection because there is incomplete or insufficient evidence available or they may be discovered as part of a site development feasibility study. It is necessary to take account of such circumstances. Whatever the degree of archaeological importance a site possesses, it may be necessary to carry out an evaluation as part of a planning application submission. This will enable the Council to make a reasonable and informed decision

on a development proposal and attach appropriate planning conditions requiring the recording of the remains and their removal or preservation, where this is justified. Without this, an application is unlikely to be approved. ~~Therefore:-~~

~~Policy BE 25~~

~~Archaeological Assessment~~

~~Where development proposals affect sites of known or possible archaeological interest, an archaeological assessment or, if necessary, a field evaluation may need to be submitted as part of the application. Planning permission will not be granted without adequate assessment of the nature, extent and significance of the remains present and the degree to which the proposed development is likely to affect them.~~

8.84 The decision as to whether an archaeological evaluation of a site is required, prior to the determination of a planning approval, will be taken on the advice of the District's archaeological advisors, the WYAAS. The onus will be on the developer to ensure that the required archaeological work is carried out. An appropriate record may vary from nothing more than a series of dated exterior photographs, through to a full drawn and photographic survey, depending on the historical interest of the site. The report will be placed on public deposit with WYAAS. The developer may employ any archaeologists recognised by the Council or WYAAS as being qualified and competent to carry out the necessary archaeological work. ~~Where planning permission is granted, the following Policy will apply:-~~

~~Policy BE 26~~

~~Archaeological Recording~~

~~Where planning permission is granted to develop a site where there are archaeological remains, conditions may be attached to secure the recording of the archaeological remains and their removal or preservation, prior to development.~~

~~Where an archaeological record or preservation in situ is required, an appropriate archaeological report should be produced.~~



9 Transport

Introduction

9.1 Transport policy is an essential element of integrated land use planning. It is supportive of, and complementary to land use strategies. Within the framework of the Unitary Development Plan therefore, transport policies and land use planning are used to ensure that the whole range of benefits and improvements on the quality of life can be achieved. The Council's overall vision is therefore supported by these policies and proposals.

Vision for Transport in Calderdale and Across West Yorkshire

9.2 Calderdale Council has, jointly with the other West Yorkshire local authorities and the West Yorkshire Passenger Transport Authority, produced the West Yorkshire Local Transport Plan (WYLTP) (July 2000 and July 2006). The WYLTP provides a vision for transport within the whole West Yorkshire area which is to provide a high quality local transport system that:-

- i. is efficient, reliable, affordable and safe;
- ii. meets the travel needs of all the people and businesses of West Yorkshire;
- iii. secures a high quality environment, with the environmental impacts of traffic carefully managed in order to improve road safety and avoid compromising standards relating to noise, air quality and severance;
- iv. provides access to a wide range of goods and services without the need for private motorised transport; thus ensuring that car use is seen as a choice rather than a necessity; and
- v. does not have unacceptable effects on the local or global environment.

NOTE: This Section of the Replacement UDP was drafted in the light of the provisions of the West Yorkshire Local Transport Plan (2000). The Council is fully aware of the changes introduced by the West Yorkshire Local Transport Plan 2006, but it has not been possible to revise this section to take account of these changes. The Council and its partners are developing a Vision for Transport building upon the WYLTP 2006, but this has not been taken into account in this Replacement UDP.

Targets For Transport

9.3 WYLTP (2000) includes targets for monitoring the success of the Plan in achieving its objectives. Key targets are included within the UDP below for information. Most of these targets relate to West Yorkshire as a whole and have not been broken down into specific targets for Calderdale. However, the target for traffic growth across the Halifax Central Monitoring Cordon (see Glossary of Terms) is Calderdale specific. The targets recognise that the overall long-term aim must be for a reduction in traffic. However, for the next few years it is important to stabilise traffic growth below the high levels that are forecast by the Department for Transport (DfT), which considers that growth between 8.5% and 15.2% from 1999 to 2006 is likely.

Targets for Road Traffic Reduction

- Traffic growth not to exceed 5% (16 hour flow on all roads) between 1999 and 2006;
- Morning peak inbound traffic crossing the Halifax Centre Cordon not to grow by more than 3% between 1998 and 2006;
- Total bus patronage to grow by 3% between 1999 and 2006; and
- Total rail patronage to grow by 40% between 1999 and 2006.

Cycling Strategy Targets

- Double the overall number of cycle trips by 2002 and double again by 2012 from a base of 1996 levels; and
- Reduce fatal and serious cyclist casualties by 40% from 1994/98 average by 2010, with no increase in slight casualties.

Walking Strategy Targets

- Halt the decline in journeys made by foot generally and increase the proportion of journeys made on foot by young people between 1998 and 2003; and
- Reduce fatalities and serious injury to pedestrians by 40% from 1994/98 average by 2005 and by 50% by 2010, with no increase in slight casualties.

Target for Air Quality

- Contribute to the achievement of emission targets by 2005 by meeting traffic reduction targets.

Targets for Road Safety

- Reduce fatal and serious road casualties by 40% by 2010 from the 1994/98 average;
- Reduce the number of children killed or seriously injured by 50% by 2010 from the 1994/98 average; and
- Reduce the rate of slight injury accidents per 100 vehicle km by 10% by 2010.

9.4 The Replacement Calderdale UDP can contribute to achieving the vision of the WYLTP and targets by making sure that development is built where it can give opportunities to use public transport, walking, cycling or other modes of transport, and by putting in place policies to encourage and support sustainable development.

The Context for Transport Planning in Calderdale

9.5 The context for transport planning in Calderdale is hierarchical in nature. The Government's Planning Policy Guidance and Statements are at the apex of the pyramid. The region produces the Regional Transport Strategy (RTS) as an integral part of Regional Spatial Strategy for Yorkshire & the Humber (2004), which is now a part of the development plan for Calderdale, whilst the WYLTP (2000 and 2006) carries forward strategies and proposals for the county as a whole and within each partner District. The Replacement Calderdale UDP puts the policies and proposals in these documents into effect at the local level where they relate to land use.

9.6 It is important that a balance is achieved which takes account of the need for social and economic prosperity and the need to protect the environment and achieve sustainable development in all its forms. Significant development is neither desirable nor possible in many locations, nor is it feasible to provide all the road and parking space to meet the growing demands of private car users. Whilst it is important to acknowledge the importance of the private car for many journeys, it is also necessary to respond to the impact of car traffic, help meet current and future road traffic growth reduction targets, and help to plan for potential future traffic reduction as well as to encourage public transport, cycling and walking as attractive and viable alternative modes of transport. Whilst the scope for physical change in the transport network is limited, it is important to ensure that the range of travel opportunities is maximised to contribute to improving the quality of life for all.

9.7 In order to achieve this it is necessary to ensure that development is located where it can contribute to sustainability. To contribute to this aim the Council seeks to ensure that development is properly sited in accessible locations and contributes to the principles of sustainable development set out in the Guiding Principles and Key Themes section of the Plan.

9.8 In addition there is explicit support for: -

- higher density development that can help in the provision of good quality public transport;
- mixed-use developments where there are benefits accruing from comprehensive development; and
- combinations of land uses that could help reduce the overall need to travel.

9.9 To support this, public transport, cycling and walking can make a major contribution, whilst restraints in travel by private cars and parking controls where appropriate are complementary to the aim of achieving a balanced transport policy. Encouragement of cycling and walking can also contribute to the achievement of better general health within the population by encouraging more exercise. To this end, partnerships between the Council and the Health Service agencies have been forged.

Securing a Safe, Sustainable, Efficient Transport System

9.10 Transport policy seeks to relieve the pressure on the busier roads and town centres, in order to secure environmental and road safety improvements, and help meet current and future road traffic reduction targets. It cannot be seen in isolation, but works in conjunction with other land use strategies to ensure integrated planning of housing, employment, shopping, and other facilities, the overall aim being the provision of a safe, efficient and integrated land use/transportation strategy which satisfies the travel needs of all. Traffic reduction and associated land use changes will have beneficial social effects in increasing access, social inclusion and quality of life, whilst fostering a regionalised local economy. ~~These aims are put forward in the following Part One Policy:~~

~~**POLICY GT 1**~~

~~**PROVISION OF A SUSTAINABLE, SAFE AND EFFICIENT TRANSPORT SYSTEM**~~

~~**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:-~~

- ~~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.~~

Priorities for Transport Investment

9.11 Transport investment is a major element of Council expenditure, particularly with the development of the WYLTP joint bid for Government funding. The Council will seek to ensure that its investment decisions are soundly based, have regard to needs and support the development of sustainable communities.

~~POLICY GT 2~~

~~PRIORITIES FOR TRANSPORT INVESTMENT~~

~~TO ENSURE THAT TRANSPORT INVESTMENT IS DIRECTED TOWARDS PROPOSALS THAT SUPPORT THE DEVELOPMENT OF SUSTAINABLE COMMUNITIES AND SATISFY SUSTAINABLE TRAVEL NEEDS (INCLUDING THOSE OF THE DISADVANTAGED AND PEOPLE WITH PHYSICAL DISABILITIES), PARTICULAR~~

~~EMPHASIS WILL BE PLACED ON INVESTMENT THAT:-~~

- ~~I. IMPROVES CONDITIONS FOR PEDESTRIANS, CYCLISTS AND NON-CAR BORNE MOBILITY;~~
- ~~II. IMPROVES TRAFFIC AND TRAVEL CONDITIONS, GIVING PRIORITY TO THE NEEDS OF PUBLIC TRANSPORT, BUSINESS AND INDUSTRY IN BOTH URBAN AND RURAL AREAS;~~
- ~~III. IMPROVES ROAD SAFETY WITH AN EMPHASIS ON ACHIEVING THE MAXIMUM REDUCTION IN NUMBER AND SEVERITY OF ACCIDENTS;~~
- ~~IV. ASSISTS IN URBAN REGENERATION OR RURAL DIVERSIFICATION;~~
- ~~V. ACHIEVES GOOD ACCESSIBILITY TO JOBS WITHIN AND OUTSIDE CALDERDALE; AND~~
- ~~VI. IMPROVES POOR ENVIRONMENTAL CONDITIONS RESULTING FROM TRAFFIC CONGESTION, NOISE, POLLUTION AND OTHER PROBLEMS.~~

~~INVESTMENT WILL NOT AUTOMATICALLY GATE FOR PEAK PRIVATE VEHICLE DEMANDS, NOR PROVIDE ADDITIONAL ROAD CAPACITY TO IMPROVE TRAFFIC CONDITIONS EXCEPT WHERE IT MAY BE NECESSARY IN ORDER TO SUPPORT THE NEEDS OF SUSTAINABLE DEVELOPMENT WITHIN THE DISTRICT.~~

Strategic Road Network

9.12 The road network is an important part of the physical makeup of the District. There is a hierarchy of roads, which can be used to support sustainable development principles by focussing development within certain corridors which have good public transport links or which act as a focus for the community. A number of roads have been categorised according to their function in order to assist in determining land use proposals and to give weight to transport investment decisions. The purpose of this hierarchy is the promotion of accessibility in support of sustainable development objectives rather than increasing highway capacity. The hierarchy works in conjunction with ~~POLICY GT 2~~ and POLICY GP 2 to help focus investment decisions, and assist in defining the Transport Corridors, where development should be focussed.

POLICY GT 3

STRATEGIC ROAD NETWORK

TO ASSIST IN THE DETERMINATION OF LAND-USE PROPOSALS AND THE ALLOCATION OF RESOURCES ~~IN ACCORDANCE WITH POLICY GT2~~, A STRATEGIC ROAD NETWORK HAS BEEN DEFINED (SHOWN ON THE PROPOSALS MAP) WHICH DESIGNATES ROADS ACCORDING TO THEIR FUNCTION AND HELPS TO DEFINE THE TRANSPORT CORRIDORS WITHIN POLICY GP2 AS FOLLOWS:-

CATEGORY 1 – ROADS THAT CARRY INTER-REGIONAL TRAFFIC THROUGH CALDERDALE (THE M62, FOR WHICH THE HIGHWAYS AGENCY IS HIGHWAY AUTHORITY. FOR THE PURPOSES OF POLICY GP2, THE M62 DOES NOT FORM A TRANSPORT CORRIDOR WHERE DEVELOPMENT SHOULD BE FOCUSED).

CATEGORY 2 - ROADS WHICH LINK MAJOR CENTRES WITHIN CALDERDALE AND WHICH CONNECT THESE CENTRES TO THE CATEGORY 1 NETWORK AND TO MAJOR CENTRES WITHIN WEST YORKSHIRE AND OTHER ADJACENT AREAS.

CATEGORY 3 - ROADS THAT LINK SECONDARY CENTRES WITHIN CALDERDALE TO MAJOR CENTRES WITHIN THE DISTRICT AND IN ADJACENT AREAS AND TO THE CATEGORY 1 AND 2 NETWORKS.

Hierarchy of Consideration

9.13 In making land use and transport related decisions and in implementing transportation measures, it is important to ensure that proposals do not lead to problems for vulnerable road users. As a result, regard will be had to the following Hierarchy of Consideration, which defines users of the highway network as follows:-

POLICY GT 4

HIERARCHY OF CONSIDERATION

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:-

- 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;
- VI. SHOPPERS TRAVELLING BY CAR;
- VII. OTHER FREIGHT MOVEMENTS;
- VIII. OTHER HIGH OCCUPANCY VEHICLES; AND
- IX. OTHER PRIVATE CARS.

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.

Transport Assessment of New Development

9.14 Transport Assessments (TAs) are required under the terms of PPG13 wherever a development has significant transport implications. The scale of development for which a TA is necessary will be the levels used for Travel Plans as set out in Table 9.1

in Policy T 1. This will also generally be applied to requests for TAs. These will be expected to detail the effects of the development on the transport networks and the works necessary to mitigate any problems arising from the proposals. In order to achieve amelioration of transport effects there are a number of other policy matters that should also be considered. Travel Plans (under Policy T 1) are required for all development over a certain size. These can help to reduce travel by car through a range of tools set out in paragraph 9.19. In addition, the new maximum parking allowances under Policy T 18 endeavour to restrict parking to ensure that excessive demands are not placed upon the road network. The TAs required under POLICY GT 5 should take all these matters into account.

POLICY GT 5

TRANSPORT ASSESSMENTS

WHERE A TRANSPORT ASSESSMENT (TA) IS REQUIRED TO BE SUBMITTED ALONGSIDE A PLANNING APPLICATION, THE TA WILL BE EXPECTED TO TAKE ACCOUNT OF THE HIERARCHY OF CONSIDERATION (POLICY GT 4) AND SHOW HOW THE NEEDS OF PUBLIC TRANSPORT, PEDESTRIANS, CYCLISTS, THE DISABLED AND WHEELCHAIR USERS, HAVE BEEN TAKEN INTO ACCOUNT. THE MEASURES NEEDED TO MITIGATE ANY TRANSPORT PROBLEMS ARISING FROM THE DEVELOPMENT SHOULD BE SET OUT IN THE TA AND THE COUNCIL WILL SEEK TO ENSURE THAT THESE ARE IMPLEMENTED AS PART OF THE DEVELOPMENT THROUGH THE USE OF PLANNING CONDITIONS OR PLANNING OBLIGATIONS.

Highway and Pedestrian Improvements Associated with Development

9.15 New development can lead to major road works, which could include new access roads and pedestrian links leading into and through a site. Some of the larger sites shown on the UDP Proposals Map will probably require major investment to bring them forward. Other development schemes that may come forward during the life of the Plan may also require new investment to facilitate highway and pedestrian access. It is important that these improvements to the highway and pedestrian network are appropriate

to their task, take account of the principles of sustainable development and assist in ensuring that the development itself is optimised (further policy advice on pedestrian and highways access and design is given in Policy BE 5 and Policy BE 6). Transport Assessments may be required for some developments and the outcome of these will impact upon the nature of highway and pedestrian improvements judged to be necessary.

~~POLICY GT 6~~

~~HIGHWAY AND PEDESTRIAN IMPROVEMENTS ASSOCIATED WITH DEVELOPMENT~~

~~WHERE HIGHWAY OR PEDESTRIAN ACCESS IMPROVEMENTS ARE REQUIRED TO FACILITATE THE DEVELOPMENT OF SITES IDENTIFIED WITHIN THE UDP, ENABLE OTHER LAND TO BE BROUGHT FORWARD FOR DEVELOPMENT OR IMPLEMENT THE FINDINGS OF A TRANSPORT ASSESSMENT, THE COUNCIL WILL SEEK TO ASSIST DEVELOPERS TO ACHIEVE SUCH IMPROVEMENTS AND ENSURE THAT DEVELOPMENT AND ASSOCIATED HIGHWAY OR PEDESTRIAN ACCESS IMPROVEMENTS ARE CARRIED OUT IN A COMPREHENSIVE WAY, WHICH:-~~

- ~~I. OPTIMISE DEVELOPMENT IN ACCORDANCE WITH SUSTAINABLE DEVELOPMENT PRINCIPLES;~~
- ~~II. FACILITATE DIRECT, SAFE AND ATTRACTIVE PEDESTRIAN MOVEMENTS;~~
- ~~III. SAFEGUARD THE PROPER PLANNING OF THE DISTRICT;~~
- ~~IV. TAKE ACCOUNT OF THE HIERARCHY OF CONSIDERATION (POLICY GT 4); AND~~
- ~~V. OTHER RELEVANT UDP POLICIES.~~

Travel Plans

9.16 The development planning process gives an opportunity to seek to modify travel demands and habits in the interest of achieving greater sustainability. This can be through a requirement for Travel Plans to be submitted either alongside planning applications or as a result of planning conditions or obligations. Developments attracting large numbers of people, such as hospitals, large offices and major

employment sites, schools, or major retailing are generally considered appropriate for Travel Plans. The Councils within West Yorkshire together with West Yorkshire Transport Executive (METRO) also consider that there is potential for Travel Plans in respect of the conversion of large buildings to housing where there may be 50 or more dwellings created as part of a lease-hold development of new build property to encourage the use of public transport by residents. The potential for Travel Plans in smaller scale residential developments (ten or more dwellings) should also be recognised and their use will be encouraged by the Council.

9.17 The Council is supportive of METRO's Residential MetroCard Scheme which is being introduced across West Yorkshire (2006), but has not been able to incorporate its provisions into the Replacement UDP. Developers will be encouraged to enter negotiations with METRO over the implementation of such schemes in developments of ten or more dwellings.

9.18 PPG13 requires that Travel Plans be submitted alongside major development in accordance with the standards laid out in the guidance. The West Yorkshire Demand Management Strategy attached to the WYLTP also provides more details about the use of Travel Plans. The Council will also encourage developers and employers to consider the benefits of introducing Travel Plans within their development or company as part of the development of sustainable transport.

9.19 The Travel Plan should set objectives for reduced car usage, increased use of public transport, cycling and walking, improvements to safety features, and environmentally friendly consideration of the movement of freight and delivery of goods and services. Achieving the objectives might include a range of tools including:-

- the use of car sharing schemes;
- facilities for bicycle parking and changing;
- links to public transport, provision of shelters and information;
- home based working and teleworking;
- the use of loans to staff for the purchase of season tickets; and
- the use of flexi-time and staggered working hours.

9.20 In addition it is important that proper use is made of finite resources in an effort to support sustainable development. Such resources include highways, public transport and fuel, together with

land, water and air. Heavy congestion resulting from peak period demands upon the highway network reduces the efficiency of the transport system, and causes significant delays to public transport, commercial traffic and private cars. One way of attempting to improve the efficiency of the transport system is by spreading the peak period demand. The Council can, through example and persuasion encourage employers to introduce such initiatives as flexible working patterns, home based working, lift sharing and the promotion of more sustainable modes of travel in order to spread peak demand and improve the efficiency of the transport system. This will be to the benefit of all road users, the economy and improve the quality of life for all within the District.

9.21 The weight to be attached to a Travel Plan in a planning decision will depend upon the extent to which it materially affects the acceptability of the development proposal and the degree to which it can be legally secured. A Travel Plan can be made legally binding through the use of a Planning Obligation or through the use of conditions attached to the permission. Therefore the following Policy will apply:-

Policy T 1

Travel Plans

Travel Plans will be required in connection with development proposals (and will be sought in collaboration with businesses outside the planning application process) in order to:-

- i. **spread the demand for transport services and highway space;**
- ii. **reduce congestion, traffic growth and pollution;**
- iii. **increase the efficient use of the transport network; and**
- iv. **enhance the quality of life for all.**

Conditions placed upon the grant of permission or the use of Planning Obligations will ensure that the Travel Plan is implemented.

Any application falling within the thresholds, for which a Travel Plan is required and is not accompanied by a Travel Plan, will be refused.

9.22 Thresholds for the requirement of Travel Plans have been established by PPG13 and in agreement across the West Yorkshire Authorities and are set out in Table 9.1. The Council may request a Travel Plan

in other circumstances where it considers that there are large numbers of people employed within a development that would be under the floor area set out within these criteria.

Table 9.1 Thresholds for the Requirement of a Travel Plan or Transport Assessment

USE CLASS - DEVELOPMENT TYPE	THRESHOLD ABOVE WHICH A TRAVEL PLAN OR TRANSPORT ASSESSMENT IS REQUIRED (Gross sq.m)
A1 Retail (Food and Non-Food)	>1,000sq.m
B1 Business	>2,500sq.m
B2 General Industry	>1,000sq.m
B8 Warehousing	>1,000sq.m
C3 Residential	For a Travel Plan: - Leasehold development or where a ground rent or maintenance fee is paid on owner occupied development - 50 or more Dwellings; For a Transport Assessment - all residential development in excess of 50 dwellings.
D1 Health Centres/ Clinics/ Surgeries	By agreement
Hospitals	>2,500sq.m
Educational Establishments	>2,500sq.m
D2 Assembly and Leisure	>2,500sq.m
Cinemas and Conference Centres	>1,000sq.m
Stadia	>1,500 seats

Figures taken from PPG13 (March 2001) and West Yorkshire Local Transport Plan (July 2000)

Policies of the Highways Agency

9.23 The Highways Agency (HA) acting on behalf of the Department for Transport (DfT) is the Highways Authority for Motorways and All-Purpose Trunk Roads (APTRs), and operates policies for the control of development accessed from these roads. The advice of the HA applies to all proposals where development would affect the Trunk Road network. Full details of the HA's policies in respect of development affecting trunk roads and motorways are detailed in DTLR Circular 04/2001 'Control of Development Affecting Trunk Roads and Agreements with Developers under Section 278 of the Highways Act' (1980). It is important that the UDP provides details of the HA's stance with respect to development, which may affect the Motorway and All-Purpose Trunk Roads. It should be noted that the only road to which this advice applies in Calderdale is the M62. The following are

the policies that the HA will follow in the planning process including applications for planning permission:-

1. Access to Trunk Roads and Motorways

- i. Direct access to trunk roads will be rigorously controlled, with no direct access permitted to motorways other than to or from service areas, maintenance compounds and at junctions. There will be a strong presumption against the creation of new accesses to high standard all-purpose trunk roads and to trunk roads with a clear strategic importance. On the less important trunk roads and the majority of the trunk roads in urban areas, this policy may be relaxed provided that road safety is not compromised. In particular the HA would not

normally issue a direction of refusal to developments within a 40mph limit.

- ii. The funding of any new or altered access to a trunk road consequent on a development is the responsibility of the developer to be met through a Section 278 Agreement under the Highways Act 1980 (as amended). The access, including its connection with the trunk road should be designed for the traffic flows expected 15 years after the development first opens and should meet normal trunk road standards (but see also section 3 below 'Developer Contributions to Trunk Road Improvements'). As a statutory consultee on development plans and planning applications that affect a Motorway or Trunk Road, the Highways Agency encourages early consultation on any potential use allocations or development proposals, as stipulated in DTLR Circular 04/2001.

2. Assessment of Wider Network Effects of Development

- i. Calderdale Council will consult the HA whenever a development is likely to create or attract traffic which will result in a material increase in the volume or material change in the character of traffic entering or leaving a trunk road. In such cases, any necessary Transport Assessment (TA) for the development should be carried out for the opening year and at 15 years after the development first opens.
- ii. The traffic growth forecast used in the TA will reflect local circumstances including factors such as plan assumptions about population and employment growth and network constraints on traffic growth. A range of forecasts (corresponding to low and high national road traffic forecasts) may be required where network implications might involve major investment.
- iii. In assessing the traffic generated by the development itself, account will be taken of measures to encourage use of other modes of travel proposed as part of the planning application including measures to restrict traffic generation, for example, by limiting the provision of private parking.

3. Developer Contributions to Trunk Road Improvements

Where the TA reveals that the development is expected to take junctions or links over their normal operation capacity, or where roads are already over the normal operating capacity, three courses of action are possible:-

- a direction will be given to Calderdale Council to refuse permission for the development;
- a condition will be imposed on the development application requiring that improvements are made to the road network; or
- the application is allowed on the basis that development has no material impact on the functioning of the trunk road.

Whilst the assessment of traffic impact on the trunk road should be made for 15 years after opening, the design of improvement sought through a condition need not necessarily cater fully for traffic growth. In particular the following factors will be taken into account:-

- Network balance; the scale of improvement sought under a condition should not be out of balance with the capacity provided on adjacent sections of the trunk road network, taking account of planned improvements in the road programme;
- Environmental impact: the scale should not be greater than the HA itself would promote given the local circumstances, taking account of the expected impact of an improvement on the environment.

Public Transport

9.24 The Council has only limited responsibility for public transport but, with its partners, including METRO, can provide policies and support for public transport. The Council is represented on the West Yorkshire Passenger Transport Authority (WYPTA – a joint board of West Yorkshire District Councils with 22 members). METRO implements the policies of the WYPTA. It is essential that adequate public transport services and facilities contribute effectively to meeting travel needs and redressing the imbalance in travel opportunity which makes certain members of the community disadvantaged in transport terms.

Priority for Buses

9.25 It is an aim of the Council and METRO to make travel by bus at least as convenient as by private car. The West Yorkshire Bus Strategy and the West Yorkshire Rail Plan 5, both included within the Appendix to the WYLTP (2000), provide details of specific aims and objectives with respect to both these modes of transport. Quality Partnerships, between the Council, METRO, Bus Operators and the Police, concentrating investment on important travel corridors, are an essential feature of the WYLTP, providing benefits greater than the sum of the parts.

9.26 If public transport, and in particular buses, are to become more attractive as an alternative travel mode, it is important that efforts are undertaken to make it more convenient, reliable and comfortable. It is important therefore that priority measures ensuring adequate access for buses within major developments are provided and also that, policy initiatives are aimed at promoting bus priorities at traffic signals and totally segregated routeing where appropriate. In a similar way it is important to ensure that new developments, particularly where these may be large, make adequate provision for the needs of public transport. This could be through ensuring that the layout of the development provides for access by public transport, or that adequate connections are available to existing services. The Council may seek to enter into agreement through negotiation with developers to secure funding, through the use of planning obligations, towards public transport provision. (METRO would be involved in any such discussions).

9.27 In achieving priority for public transport, it may be necessary for the Council to consider wide ranging controls on the availability and use of car parking spaces, particularly along existing highways and bus routes, or more specifically at bus stop locations by means of bus stop clearways. It may also be necessary to ensure adequate stopping facilities are provided for buses, such as lay-bys, to ensure that they do not cause traffic congestion when stopped for collecting or dropping off passengers. Concepts such as Urban Clearways may have to be investigated but would only be introduced after full public consultation.

9.28 As part of the WYLTP (2000) a number of bus promotion measures have been implemented on the A629, (Huddersfield Road), A646 (Calder Valley) and A629 (Keighley Road) Corridors. Future proposals include measures on the A641 Huddersfield / Brighouse / Bradford route and the A6036 Stump Cross / Northowram route. Further improvements to the bus network will be brought forward through the WYLTP as necessary.

~~Policy T 2~~

~~Bus Priority Measures~~

~~In collaboration with the West Yorkshire Passenger Transport Executive (METRO) and in consultation with bus operators, the public and other road users, bus priority measures which improve journey reliability and time keeping and increase the attractiveness of~~

~~buses as a viable alternative mode of transport, whilst not significantly leading to the disbenefit of other traffic, will be introduced wherever they can be justified and when resources allow.~~

Policy T 3

Public Transport Provision at New Development

Where development over 1.00 ha, is located immediately adjacent to public transport services, convenient pedestrian connections or links should be provided to and within the development site to facilitate easy access to nearby public transport access points such as a railway station or bus stop. Where there are no existing services available within 400m of the boundary of the site, financial contributions will be sought from the developer towards the cost of providing new or diverted services and/or highways improvements to facilitate public transport access .

Local Rail Passenger Services

9.29 The Council supports the efforts made by METRO to upgrade services provided on the railway lines through Calderdale. Local rail services provide important longer distance accessibility and can also have a role to play over shorter distances throughout the District. The current direct services provide a limited range of destinations within the north of England, and through interchange at York, Huddersfield, Leeds, Wakefield, Manchester and Preston to the rest of the country. It is recognised that benefits would come from the development of new routes, faster services and the opening up of new destinations particularly with connections or direct services to Manchester Airport. The re-opening of the Halifax to Huddersfield railway line has introduced new travel opportunities as well as providing Brighouse with a much needed new station. However, there is also further scope within the District for the opening of new railway stations and passenger routes, from which benefits can accrue through improved environmental conditions, reduced congestion and increased travel opportunities. It is important for the social and economic development of Calderdale that opportunities are exploited and

proposals implemented as quickly as possible. The Council wishes to see the development of new routes and services on the railway network serving Calderdale and therefore advocates the improvement or provision of the following services:-

Existing:-

- (York) - Leeds - Bradford - Halifax - Manchester - (Liverpool)
- (Scarborough/York) - Leeds - Bradford - Halifax - Preston - Blackpool
- Leeds/Bradford - Halifax - Brighouse - Huddersfield - (Sheffield)
- Selby - Leeds - Bradford - Halifax - Huddersfield - Mirfield - Wakefield

New Services:-

- Leeds - Dewsbury - Brighouse - Halifax - Bradford (Leeds)
- Manchester (Victoria) - Rochdale - Todmorden - Burnley - Preston
- (Manchester/Blackpool) Calder Valley - Brighouse – Wakefield/Leeds - York
- Direct Services or upgraded connections to Manchester Airport

9.30 Introducing new stations into the railway network can make services more attractive even though journey times may be increased. However, the Council and METRO are keen to develop the rail network further including the introduction of new rail stations wherever these are feasible. The Council sees the provision of new stations at Elland, Lowfields and Hipperholme as a priority for rail stations within the District.

9.31 The Council will press for the re-opening of the Todmorden Curve, subject to it being shown to be economically feasible. This will allow trains for Preston and Blackpool to call at the town, which is currently by-passed by this service. It will also open up journey opportunities from Manchester/Rochdale through Todmorden to Burnley, Blackburn and Preston and the West Coast Main Line. The developments on the rail network are constrained by a tight budget and are dependant upon METRO receiving adequate financial support through the Plan period.

Passenger Facilities

9.32 Just as it is recognised that the rail and bus network is important to the economy and environment of the District, the provision of good quality passenger

facilities is also of critical importance to improve the image and experience of using public transport. There is a need to continuously improve facilities at rail and bus stations and their environs to meet present and future needs of passengers and operators alike and to improve security at bus stops and stations.

9.33 In Brighouse, the existing bus station, whilst well located in respect of the town centre, suffers from poor operational standards and environment for passengers and needs improving. Facilities at Elland are poor and scattered throughout the centre. Improvements at both locations are programmed through the WYLTP. The WYLTP also provides details of other potential improvements at rail and bus stations, both in the short term, over the next 5 years and in the longer term beyond 2010. The following Policy therefore includes these proposals:-

Policy T 4

Bus Station and Passenger Facilities at Brighouse, Elland and Other Locations

The replacement/refurbishment of Brighouse Bus Station and bus facilities at Elland will be undertaken during the Plan period. Other improvements to bus and rail passenger facilities and their environs throughout the District will be undertaken as necessary, and in light of priorities within the West Yorkshire Local Transport Plan.

Transport Interchanges and Park & Ride

9.34 Transport interchanges give the opportunity for inter-modal or flexible changing between public transport services. They serve a useful role in ensuring good quality public transport accessibility and can assist in reducing trips made by private car. Park & Ride schemes may have some potential in relieving highway congestion and help to reduce demand for central area parking. Opportunities to promote rail-based Park & Ride exist at a number of railway stations (including Hebden Bridge, Sowerby Bridge and Todmorden), and may exist at potential railway stations such as Elland and Hipperholme. These will encourage use of the railway network for journeys into Halifax towards Leeds and Manchester and beyond. Proposals for new railway stations will be assessed in accordance with the guidance from the former Strategic Rail Authority (SRA) (now Network Rail) contained in 'New Railway Stations –

a guide for promoters' (2004). Consultation should be undertaken with the appropriate bodies at an early stage on any new proposals.

~~Policy T 5~~

~~Transport Interchanges and Park & Ride~~

~~Transport interchanges and/or Park & Ride facilities will be investigated as facilities to reduce congestion, increase public transport usage, improve the environment and support the sustainable development principles within the Plan. The appropriate bodies should be consulted with regard to any new railway station proposals, and any schemes found to be feasible will be progressed through the West Yorkshire Local Transport Plan.~~

Rural Public Transport

9.35 The rural areas of Calderdale cover nearly 80% of the District. These range from the high Pennine Moors in the west through the valleys of the central part of the District to the agricultural areas surrounding Halifax, Brighouse and Elland. Within the eastern half of the District focussed upon Halifax, Brighouse and Elland there is a fairly dense network of good quality public transport services linking towns within the District with those outside such as Bradford, Cleckheaton, Huddersfield, Leeds, Wakefield and Keighley. In the west, public transport services are generally focussed upon Todmorden and Hebden Bridge, with longer distance services to Halifax, Burnley, Oldham and Rochdale overlying the more local services.

9.36 Within the Upper Calder Valley a number of innovative public transport schemes have been introduced through the auspices of the WYLTP. In particular 'Hebden Bridger' local bus services funded through the Government Rural Bus Challenge are providing better services to the rural communities of Hebden Bridge. The Council supports these efforts (generally facilitated by METRO), which became fully operative in July 2003. The development of further rural public transport services, which meet the needs of the rural community, will be supported.

9.37 Good quality public transport in the rural areas is essential to enable the Council's vision to be realised. In order to assist in this process, Todmorden and Hebden Bridge are to be designated as Rural

Service Centres. This recognises their significant role in the local area whereby they provide services and facilities for the local community, not just within their respective urban areas, but within the wider rural context as well. As a result the following Policy will apply:-

Policy T 6

Rural Service Centres

Hebden Bridge and Todmorden are designated as Rural Service Centres. The provision of public transport in the surrounding rural areas should take account of that role.

Proposals for retailing, leisure facilities, financial and social services to serve the needs of the rural communities should take account of the role of these settlements as Rural Service Centres.

Taxis and Private Hire Vehicles

9.38 Taxis are a special form of public transport, which have traditionally provided a service on demand. The Transport Act (1985) changed the regulatory context for taxis and has encouraged local authorities to grant rather than restrict licences. Taxis do have a major role to play in providing mobility on demand to an infinite range of locations and often are able to provide a facility for disabled people that conventional public transport cannot, provided that fully accessible taxis are available. Taxi ranks at railway stations can allow longer journeys to be made entirely without the use of a private car and ranks within shopping centres can provide a very useful function. Private hire offices also act as a focus for people wishing to hire a vehicle. However it is important to ensure that the location and operation of taxi ranks and private hire offices are to the benefit of the users and not at the expense of the environment or inconvenience or disturbance to neighbours at the local level.

9.39 There are problems in formulating a comprehensive policy for the location of Private Hire offices. This is because of the diversity that lies within this industry. Firms may vary in size from one car to a large fleet; they may seek to operate from a house, a small office or a garage. Radio cars may only need to return to base for repairs (and even those may be undertaken at an independent garage) whereas other

operators may prefer their vehicles to return to base for new instructions, cashing up, rest periods etc. Two main types of Private Hire offices may be identified and are defined as follows:- non-operational and operational. The following table provides a breakdown of the considerations that should be applied to the determination of planning applications for Private Hire operating centres.

Table 9.2 Matters to be considered when determining Private Hire Planning Applications

DEFINITIONS
<p>Non-Operational Offices</p> <ul style="list-style-type: none"> Non-operational offices are where vehicles are directed by radio and do not operate from or visit the office. Generally only employing one or two persons, this minor office use may be acceptable in most types of area including those that are predominantly residential. However, operations that may use more than one vehicle are unlikely to be acceptable within residential areas because of the possibility that drivers will seek to visit the office for rest periods, resulting in disturbance over and above that which may normally be expected within a residential area. <p>Operational Offices</p> <ul style="list-style-type: none"> Operational offices are those from which vehicles operate and where a public waiting room and drivers accommodation is normally provided.
ISSUES
<p>The Highway Network</p> <ul style="list-style-type: none"> The road on which the office is located should be of a standard in terms of geometry and construction adequate to cater for the number of vehicles trading from or visiting the site. This is to ensure the operations do not interfere with the free flow of traffic or create unsafe conditions for vehicles and pedestrians.

ISSUES
<p>The Site and Availability of Parking</p> <ul style="list-style-type: none"> An important criterion for the location of a base is the number of off-street parking places that are available and in the control or ownership of the applicant. This must be sufficient to accommodate the total number of vehicles operating from the site at any one time. It may be appropriate to impose a condition on a planning permission restricting the number of vehicles that may be present at the site at any one time in order to ensure that parking is adequate. It may be acceptable to have parking in an off-site location associated with the operational office if this is a short distance from the site. However, it has to be recognised that if the parking is too remote from the office, there is a possibility that drivers will not use that parking facility. It may be appropriate to have a separate drivers' mess associated with remote parking, but this should not be over 100 metres from the office. This will need to be considered on its merits at the time of the application.
<p>Character of the Area</p> <ul style="list-style-type: none"> The main problems associated with private hire operational offices are frequent vehicle movements, noise and anti-social hours of operation. Activity often continues throughout the night when it can be most disturbing. As a result an office that has more than one vehicle operating from it should not be located within a residential area. In mixed commercial/residential areas the position may be more difficult to determine. In both these areas it is considered that temporary permissions should be granted initially for a short period (one year is suggested) in order to enable the effects of the operations to be monitored.

9.40 Within Halifax, Brighouse, Elland, Sowerby Bridge, Hebden Bridge and Todmorden town centres, it may be problematical to find a site with convenient car parking. A reliance on on-street parking will disadvantage shoppers and other town centre users. The use of off-site parking may therefore be necessary, particularly during daylight hours. Edge-of-centre sites close to the focus of the evening

economy may therefore be appropriate as locations. Proposals will only be supported where there are unlikely to be adverse effects upon vehicular movements, where road safety is not compromised, environmental and amenity concerns, particularly within Conservation Areas can satisfactorily be addressed, and no other problems are created. As a result the following Policies will apply:-

Policy T 7

Private Hire Operating Centres

Private Hire Operating Centres at which a public waiting room and driver accommodation is provided, will be granted permission where benefits will accrue to the user/passenger, such as within town centres across the District, at railway and bus stations, or in other locations, where:-

- i. disturbance to neighbouring uses can be minimised;
- ii. parking facilities are provided;
- iii. the development creates no unacceptable environmental, amenity, traffic, safety, or other problems;
- iv. the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, where these are material considerations; and
- v. the development complies with all other relevant UDP policies.

NOTE: Parking facilities must be provided in accordance with the Council's Parking Guidelines set out in Policy T 18, including where they are proposed within town centres, but may be divorced from the office site in location, provided that the Council can be certain that the facilities will be available at all times and that operators will ensure that they are used. (Conditions may be attached to any grant of permission or a planning obligation required to ensure compliance).

Policy T 8

Taxi and Private Hire Radio Offices

Taxi and Private Hire Radio Offices at which no vehicles are based or which are visited by not more than one operating vehicle at a time will be granted permission where the design and siting of the radio mast and equipment in visual and operational terms is acceptable and where:-

- i. disturbance to neighbouring uses can be minimised;
- ii. parking facilities are provided;
- iii. the development creates no unacceptable environmental, amenity, traffic, safety, or other problems;
- iv. the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, where these are material considerations; and
- v. the development complies with all other relevant UDP policies

NOTE: Parking facilities must be provided in accordance with the Council's Parking Guidelines set out in Policy T 18, including where they are proposed within town centres, but may be divorced from the office site in location, provided that the Council can be certain that the facilities will be available at all times and that operators will ensure that they are used. (Conditions may be attached to any grant of permission or a planning obligation required to ensure compliance).

Socially Inclusive Transport System

9.41 The Council is concerned that there are large numbers within the community who have great difficulty in making use of conventional public transport. These difficulties may be physical, economic or social. The mobility of all within the community is essential if sustainable development is to be achieved in social and economic terms. Fully accessible buses, trains and taxis have a role to play in achieving these aims, as does the provision for access and parking for drivers displaying disabled badges. The Council supports METRO in the provision of 'Access Bus' and the full range of issues relating to social inclusion.

9.42 The Disability Discrimination Act (1995) supports the rights of disabled people to access employment and other goods, facilities, services and premises that are available to the general population. The WYLTP 'Social Inclusion Strategy' addresses the issues relating to social inclusion in detail and the Council supports the actions proposed within that strategy. The objectives of the Strategy are to ensure that no one is excluded from using the transport system and that transport policies complement broader social inclusion strategies. In order to achieve this a range of initiatives are being promoted throughout West Yorkshire including:-

- ensuring access to public transport through the use of wheelchair accessible vehicle and bus stops;
- provision of lifts at railway stations;
- information provision in accordance with the Disability Discrimination Act (1995) Part III;
- removing obstructions within footways and providing accessible crossing points;
- ensuring good penetration of services into residential and commercial areas; and
- supporting shop-mobility schemes (see Glossary of Terms) within central areas.

9.43 Social inclusivity means not only ensuring that the physical barriers are removed which prevent or hinder those with mobility difficulties from using the system but also addressing issues for individuals, groups or communities which by virtue of poverty or discrimination are also excluded from mainstream opportunities, activities and access to services generally available to the wider public. A commitment to reducing social exclusion is a recurring theme within the regional agenda.

9.44 The Social Inclusion Strategy of the WYLTP has a five-year action plan, which is supported by the Council. This action plan provides a framework for the further development of socially inclusive transport and provision. (For further details see the WYLTP Social Inclusion Strategy). ~~As a result the following Policy will apply:-~~

~~**Policy T 9**~~

~~**Socially Inclusive Transport Network**~~

~~Efforts will be made, in consultation with the West Yorkshire Passenger Transport Executive (METRO), public transport operators and users, to make the transport~~

~~network fully socially inclusive and accessible to all, including the disabled and others with mobility difficulties.~~

Footpaths, Bridleways and Other Rights of Way

9.45 The Council has a statutory duty to ensure that footpaths, bridleways and other public rights of way remain open for public usage as part of the highway network of the District. There is a total length of about 1,800kms (1,125 miles) of public footpaths, bridleways and other rights of way within the District and increased leisure time is being used to undertake recreational activities on these highways. There is an important tourism and recreational potential associated with the District's footpath network. The paths also provide corridors for wildlife and habitats for flora and fauna. There are also packhorse trails and other ancient highways and walled lanes throughout Calderdale, which have significant historic importance as well as being recreational resources. Where an existing public right of way has historic features such as stone setts or walls those should be safeguarded in the development process.

9.46 It is important that the footpath network is protected, enhanced and extended, and that the needs of different user groups including the elderly and those with disabilities are recognised in ensuring accessibility to the rights of way network. It is also important that development control decisions do not result in the loss of useful footpaths and bridleways, and that development proposals contain provision for new or enhanced facilities.

9.47 In some instances, ecological and landscape features may have naturally occurred as a result of the under-use of the land in the past. Where this might be a possibility, developers will be encouraged to discuss the ecological value of sites with West Yorkshire Ecology or the Council's Countryside and Forestry Section prior to formalising proposals to assess ways in which to retain them.

9.48 Recreational walking is an activity enjoyed by many throughout Calderdale. The network of longer distance footpaths (Pennine Way, Calderdale Way etc) together with the extensive network of public footpaths open up large areas of the District to walkers and hikers. Whilst the network is extensive there are opportunities to improve connectivity through the introduction of new footpaths or other rights of way. The Council will investigate these and

their provision sought where, following consultation, there is support. As such the following Policies will apply:-

~~Policy T 10~~

~~Safeguarding Public Rights of Way~~

~~Footpaths, bridleways, other public rights of way and canal towpaths will be safeguarded to ensure their retention, preservation of character and usability as part of the public right of way network and to allow their promotion and development as part of the utility/leisure/recreational resources or as part of the tourist attractions of the District.~~

~~Policy T 11~~

~~Protection of the Sites of Former Railway Lines~~

~~Development on the sites of former railway lines shown on the Proposals Map will not be permitted if it would:-~~

- ~~i. prejudice the creation of appropriate rights of way;~~
- ~~ii. prejudice the ability to keep the integrity of a linear route; and~~
- ~~iii. harm the functioning of the land as a wildlife corridor or linear open space.~~

~~9.49 To assist in meeting the requirements of Policy T 12, which follows, guidelines are set out here for development affecting Public Rights of Way (PRoW):-~~

- ~~i. Due account should be taken at the design stage of PRoW affected by the development so that the layout of the development can allow, wherever possible for the preservation of the PRoW on its existing line.~~
- ~~ii. Where diversion of a PRoW is unavoidable, an alternative route should ideally be provided which is wholly or predominantly separate from proposed footways of estate roads so that the identity of the PRoW is preserved.~~
- ~~iii. Existing or diverted public footpaths or bridleways should have a minimum width of 1.8~~

or 3 metres respectively following the development.

- ~~iv. Consultation with West Yorkshire Ecology or the Council's Countryside/Forestry Units, where appropriate.~~

~~The following policy relates to planning applications which affect Public Right of Way~~

~~Policy T 12~~

~~Applications Affecting Public Rights of Way~~

~~All applications for planning permission will need to ensure that:-~~

- ~~i. development proposals do not have any adverse effect on the amenity of, or result in a loss of footpaths, bridleways, cycleways, byways and other public rights of way;~~
- ~~ii. satisfactory alternative provision is made nearby when development affects such a route;~~
- ~~iii. where appropriate, new development makes adequate provision for new or enhanced public rights of way; and~~
- ~~iv. pedestrian links to public transport routes and services are provided that are safe, direct, well lit, overlooked and attractive.~~

Cycling

9.50 Individual and community benefits can accrue from growth in cycling within the District, particularly in relation to individual health and potential reductions in car use. Although the topography of the area is difficult, it does not hinder many cyclists from tackling the steeper hills and routes within the District. It does, however, generally confine many to the valley roads, which are also the most heavily trafficked. The very nature and vulnerability of the bicycle can easily bring motorised forms of transport into conflict with cyclists and cause difficulties for riders and other road users. It is therefore, important to make provision for the protection of cyclists in order to reduce conflict and thereby increase cycle safety. In the longer-term increased cycle use, through the provision of cycle lanes, routes and phasing at traffic signals, and the design, layout and location of developments will also bring benefits.

9.51 The West Yorkshire Cycling Strategy contained within the WYLTP describes the potential for and the means by which cycling can contribute to the Plan's overall objectives and is fully supported by the Council. The Strategy has been translated into a detailed Cycling Action Plan within Calderdale and the other Districts. By encouraging more people to cycle, benefits to the whole community will accrue through:-

- i. Improved health and general fitness, reduced risk of heart attack, weight control and reduced stress.
- ii. Reduced pollution and congestion.
- iii. Reduced greenhouse-gas emissions.
- iv. Reductions in use of non-renewable fossil fuels.
- v. Economic gains through walking and cycle tourism and leisure activities.

9.52 The needs of cyclists in the design and layout of highway schemes need to be taken into account in accordance with the Hierarchy of Consideration. For the purposes of this Policy a cycleway is any path, footway, bridleway or road where cycles are permitted. The Council is designating a number of cycleways in support of the West Yorkshire Cycling Strategy and as a result the following Policy will apply:-

Policy T 13

Cycleways

The following routes are designated as cycleways:-

- **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.**

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.

Motor Cycles and Mopeds

9.53 Motorcycles, mopeds, scooters and other forms of motorised non-car transport have a useful role to play in the transport system within the District. This is recognised by the WYLTP. There are signs that the use of environmentally friendly motorcycles and mopeds is increasing for both commuting and leisure use. Like bicycles, they are vulnerable to the effects caused by other road users and can cause problems for other road users including pedestrians when they are ridden in an aggressive or dangerous way. The Council supports the campaigns by West Yorkshire Police to increase motorcycle safety and awareness. The needs of motorcyclists/moped users are recognised within the Hierarchy of Consideration set out in POLICY GT 4. Requirements for motorcycle/moped parking have been introduced as theft of motorcycles/mopeds is recognised as a major issue and potential deterrent to their usage. Increasing provision for the secure on-street parking of motorcycles/mopeds is being made through the WYLTP and it is recognised that advantages would also accrue if parking requirements were to be introduced for new development as well. These requirements are set out in Policy T 20.

Highways and Traffic Management

9.54 The highways and traffic management policies are contained within sections under the following headings: -

- Traffic Management
- On-Street Parking Controls
- Pedestrian Priority/Pedestrianisation
- Highways Schemes

Traffic Management

9.55 Traffic causes significant problems relating to road safety, intimidation, noise and air pollution and thereby reduces the quality of life for local residents. Part of the problem arises from non-essential through traffic constraining local amenity and increasing the potential risk of road casualties. It is important to minimise the impact of traffic growth on the environment and manage the particular requirements of local businesses, industry and residents for deliveries, access to shops, facilities and homes whilst ensuring the network is not compromised by inappropriate traffic. Traffic management measures and minor highway improvement schemes can assist in reducing the impact of traffic and of new developments on the local community and road network. It is also important that any measures are introduced in a balanced way to secure benefits over a wider area. As a result comprehensive traffic management reviews will periodically be undertaken to provide the necessary basis for such measures. ~~Therefore:-~~

~~Policy T 14~~

~~Traffic Management Schemes~~

~~Traffic management schemes that make the best use of the road network in a balanced way to reflect the needs of all road users, giving particular importance to road safety and improvements of facilities for pedestrians and cyclists, people with disabilities and access to public transport will be introduced in consultation with the local community.~~

On Street Parking Controls

9.56 Restraint on the amount of parking that will be allowed with new development under the Maximum Parking Allowances (set out in Policy T 18) could result in increased pressures for on-street parking nearby. Indiscriminate parking will lead to problems of obstruction and traffic congestion in certain streets, increasing the potential risk of road casualties and noise and air pollution. Car parking controls around schools or other generators of significant traffic movements could alleviate problems of congestion, pollution and road safety that arise in these locations. For larger new developments, Travel Plans and Transport Assessments (required under Policy T 1 and POLICY GT 5) will help to identify such need and

provide considered solutions to the problems. It is important to ensure that problems do not arise from the application of the new parking standards that will compromise road safety or seriously impede traffic flows. ~~The following Policy will therefore apply:-~~

~~Policy T 15~~

~~On-Street Parking Controls~~

~~On-street parking and other restrictions will be considered and, following public consultation introduced to address any likely parking problems arising from development. Where on-street parking can be safely accommodated it will be provided in a balanced way to meet the needs and demands of the local community.~~

Pedestrian Priority / Pedestrianisation

9.57 Traffic limitation and pedestrianisation of main shopping streets results in safe and attractive shopping environments which in turn help promote the vitality and viability of shopping centres. The pedestrianisation of streets in Halifax, Brighouse and Elland are considered to be examples of this success. Considerable scope exists for further extension and improvement of the pedestrianised areas, particularly if combined with traffic management schemes to improve traffic circulation and safety. Appropriate town centre management can also assist such measures. The Council, therefore, proposes to carry out investigations to identify possible new and extensions to existing pedestrian priority schemes in the town centres of the District. However, this will only be done in full consultation with the occupiers and users of the shops and in the knowledge that servicing and parking facilities will have to be improved in most, if not all, cases. In Halifax town centre, a 'Zones and Loops' principle for traffic circulation has been created as part of the implementation of the Town Centre Strategy. This has increased the attractiveness of the town centre through a balanced transport policy whilst maintaining good accessibility for public transport and improving the environment for pedestrians.

9.58 All pedestrian priority and pedestrianisation proposals will be subject to consultation with the public and appropriate statutory undertakers and agencies. Therefore the following Policy will apply:-

Policy T 16

New and Extended Pedestrian Priority Schemes

New, extended or improved pedestrian priority schemes within the shopping centres will be brought forward, along with appropriate traffic management to assist in improvements to the vitality, viability, safety, sustainability and environment of centres throughout Calderdale, where considered appropriate and where resources allow.

Policy T 17

Abandoned Highway Proposals

The following schemes contained in the previous Unitary Development Plan (Adopted 1997) are now abandoned:-

- i. Sowerby Bridge Relief Road;
- ii. Calder and Hebble Junction;
- iii. Ainley's Access Road; and
- iv. A58/A644/A649 Junction: Hipperholme

Highway Schemes

9.59 The Replacement Calderdale Unitary Development Plan does not include any new highway schemes that were not already identified in the previous UDP (April 1997). Any that were included in the previous UDP that have not been undertaken or which are not programmed within the West Yorkshire Local Transport Plan have been omitted. The West Yorkshire LTP does not include any highway proposals in Calderdale within the next 5 year period. However there is a longer term requirement within the Replacement UDP for a scheme within Halifax. This is set out in Policy GT7 as follows: -

POLICY GT 7

HIGHWAY PROPOSALS

THE FOLLOWING IMPROVEMENTS TO THE STRATEGIC ROAD NETWORK WILL BE SAFEGUARDED:-

- I. HALIFAX, NORTH-SOUTH TRAFFIC IMPROVEMENTS (CHURCH STREET WIDENING).

Abandoned Highway Proposals

9.60 In order not to create blight and thereby reduce environmental quality and economic confidence, it is important that any highway schemes which were previously shown within the UDP, and which are not now to be progressed, be abandoned. Therefore the following Policy will apply:-

Parking in New Development

9.61 Car parking provision is a tool in the management of travel demand and traffic congestion. It is important that car parking is generally provided with new development but that the scale of the parking is managed to ensure that demands upon road space, traffic congestion and land take are not excessive. PPG13, 'Transport' (2001), introduces nationally applicable levels of parking provision for various categories and scales of development. At the regional level, the 'Regional Spatial Strategy for Yorkshire & the Humber' (2004) (RSS) Policy T5 confirms the need for parking levels to be consistent at the regional level, extends the policy into the regional context and provides a range of parking allowances that are to be applied across the region. The RSS forms part of the Development Plan for Calderdale by virtue of the provisions of the Planning and Compulsory Purchase Act (2004) and as a result the parking allowances contained are applicable within the District. These allowances have been set out in Policy T 18 and indications as to where the ranges of parking are applicable have been given. As part of the further development of parking policy within Calderdale, a Supplementary Planning Document, under the new planning system, will be prepared in accordance with the Local Development Scheme. This will indicate levels of accessibility within the District and relate the ranges of parking provided for in Policy T 18 to the levels of accessibility identified.

9.62 Within the town centres of Calderdale the application of the new maximum parking requirements could have serious consequences for traffic congestion, amenity, conservation efforts, regeneration, use of valuable town centre land, or compromise efforts to encourage travel by alternative modes of transport. As a result the Council will not expect developers to provide parking with their

developments within these centres. In some circumstances, for instance within Conservation Areas or within the curtilage of Listed Buildings, it may be necessary on conservation or amenity grounds to preclude parking altogether. However, there may be circumstances within the town centres where essential

operational parking is needed. The Council will assess these requirements on their merits, and will not seek to allow parking that would be used for general long stay purposes. The following Policy will therefore apply:-

Policy T 18

Maximum Parking Allowances

New development should provide parking not in excess of the maximum allowances set out below.

In determining the appropriate level of parking to be achieved for any given development, consideration will be given to the following factors:-

- the accessibility of the site;
- its relationship to urban areas, (including proximity to town centres and other locations of high accessibility);
- relevant parking or traffic management strategies;
- opportunities for the use of alternative modes of transport including public transport, walking and cycling;

Parking provision above these allowances will not be permitted.

ATTENTION : Please note the following:

1. PARKING FOR THOSE WITH PHYSICAL DISABILITIES

- Developments that allow access to the public, including retailing, offices, cultural and recreational uses should provide car parking for disabled people at a ratio of 1 disabled space per 10 spaces provided. **THIS IS ADDITIONAL TO THAT IN THE MAXIMUM REQUIREMENTS BELOW.** (Therefore if 50 spaces are required to serve a development an additional 5 spaces for disabled people will be necessary to serve the development).

2. PARKING FOR BICYCLES AND MOTORCYCLES/MOPEDS

- New commercial, retail, employment and leisure development should provide opportunities for the parking of bicycles and motorcycles in secure facilities. Large residential conversions and major new blocks of apartments (creating over 5 units) should also provide facilities for the secure storage and parking of bicycles and motorcycles. (See the Bicycle and Motorcycle and Moped Parking Requirements in Policy T 19 and Policy T 20.

3. FACILITIES FOR DELIVERIES

- All new commercial, retail, employment and leisure development should provide facilities for the delivery and collection of goods. In particular, adequate space must be provided for delivery vehicles to unload in an appropriate manner, off the public highway where necessary or desirable and to leave the site in a forward gear.

4. EXCEPTIONS :-

- **Town Centres:-** within the designated town centres shown on the Proposals Map, the Council will generally not expect developers to provide parking and therefore the Maximum Allowances will not apply. However in some circumstances, at the discretion of the Council, where it is considered that on-street parking problems will arise or that issues of road safety may be compromised, then parking may be required. For larger applications such matters will be assessed during the consideration of the Transport Assessment. Where a developer, for operational or other reasons seeks to provide parking space, this will be limited to that genuinely necessary to serve the development and will not be allowed to cater for long stay or commuter parking.
- **Conservation Areas and at Listed Buildings:-** within Conservation Areas and at Listed Buildings, the provision of parking may not always be appropriate for reasons of amenity or conservation value. The Council will consider the provision of parking within these areas on their merits at the time of the application.
- **Rail Stations and Interchanges:-** appropriate provision of parking facilities will be encouraged near rail stations and interchanges to encourage motorists to use public transport for part of their journeys.

Where Regional Spatial Strategy states maximum parking allowances these are used in the following table.

URBAN AREAS for the purposes of this Policy are :- Halifax/Sowerby Bridge; Brighouse/Rastrick/Hipperholme; Elland/West Vale/Greetland.

ALL other settlements, and out lying parts of the district for example:- Todmorden, Hebden Bridge, Mytholmroyd, Ripponden, Stainland/Holywell Green, Southowram, Northowram and Shelf together with the rural areas and the countryside fall into Rural Areas/Market Towns as defined by Regional Spatial Strategy.

All figures are based upon the gross floor area of the development. Maximum Allowances are expressed in terms of 1 space per xx square metres gross floor area.

USE CLASS	TYPE OF DEVELOPMENT	MAXIMUM PARKING ALLOWANCES : Parking for Disabled Users is ADDITIONAL to this Maximum (See Note 1) 1 space per xx sq.m Gross
A1	SHOPS	
	Food Retail - Under 500 sq.m	• 35 sq.m
	Food Retail - 500 to 999 sq.m	• 20 sq.m
	Food Retail - 1000 sq.m or over	• URBAN: 14 - 25 sq.m • RURAL: 14 - 20- sq.m
	Non-Food Retail - Under 1000 sq.m	• 25 sq.m
	Non-Food Retail - 1000 sq.m or over	• URBAN: 25 - 60 sq.m • RURAL: 20 - 30 sq.m

USE CLASS	TYPE OF DEVELOPMENT	MAXIMUM PARKING ALLOWANCES : Parking for Disabled Users is ADDITIONAL to this Maximum (See Note 1) 1 space per xx sq.m Gross
A2	FINANCIAL AND PROFESSIONAL SERVICES	
	Under 2500 sq.m	<ul style="list-style-type: none"> 35 sq.m
	2500 sq.m or over	<ul style="list-style-type: none"> URBAN: 35 - 60 sq.m RURAL: 35 sq.m
A3	FOOD AND DRINK	<ul style="list-style-type: none"> In settlements defined on the Proposals Map - 5 sq.m Green Belt and the area Around Todmorden - 3.5 sq.m <p>(The different maximum recognise that within urban areas, opportunities for walking to these facilities are much greater than within rural areas, where the preponderance to use a vehicle may be greater).</p>
B1	BUSINESS	
	Under 2500 sq.m	<ul style="list-style-type: none"> 30 sq.m (All areas)
	Over 2500 sq.m	<ul style="list-style-type: none"> URBAN: 30 - 60 sq.m RURAL: 30 sq.m
B2	GENERAL INDUSTRY	<ul style="list-style-type: none"> URBAN: 50 - 75 sq.m RURAL: 30 - 50 sq.m
B8	WAREHOUSING	<ul style="list-style-type: none"> 250 sq.m
MIXED USE	MIXED USE DEVELOPMENTS	These should provide parking to meet the needs of each element of the development within the Maximum Allowances set out in this Policy.
C1	HOTELS	<ul style="list-style-type: none"> 1 space per 4 staff (likely to be present at any one time); PLUS 1 space per bedroom
C2	RESIDENTIAL INSTITUTIONS	
	HOSPITALS (Levels of parking at hospitals may be varied in accordance with the Transport Assessment and Travel Plan)	<ul style="list-style-type: none"> 1 space per 4 staff (likely to be present at any one time); PLUS 1 space per 4 daily visitors.

USE CLASS	TYPE OF DEVELOPMENT	MAXIMUM PARKING ALLOWANCES : Parking for Disabled Users is ADDITIONAL to this Maximum (See Note 1) 1 space per xx sq.m Gross
	NURSING HOMES / RESIDENTIAL HOMES	<ul style="list-style-type: none"> • 1 space per 4 staff (likely to be present at one time); PLUS • 1 space per 5 bedrooms
C3	DWELLING HOUSES	NOTE: Provision of parking for residential developments should be within curtilage except where communal parking is proposed.
	ALL HOUSES, DWELLINGS FLATS AND APARTMENTS	<ul style="list-style-type: none"> • 1 space per dwelling PLUS • 1 space per dwelling where parking is available within the curtilage of the dwelling otherwise 1 space per 2 dwellings, (giving a total of 1.5 spaces per dwelling on developments where communal parking is provided). • Larger dwellings, in excess of 5 bedrooms will be assessed separately. • Lower provision of residential parking will generally be acceptable in more sustainable locations such as Town Centres or in locations of high accessibility.
	SHELTERED HOUSING	<ul style="list-style-type: none"> • 1 space per 2 units PLUS • 1 per 4 units for visitors

GENERAL NOTE ON RESIDENTIAL PARKING

- For residential conversions or new development where there may be no opportunity for off-street or in-curtilage parking, account will be taken of the effects of parking on the highway and the availability of public parking and of public transport as an alternative travel mode in the vicinity of the development. Permission will not be refused on the grounds of lack of parking, except where on-street parking would result in a road safety hazard, significant congestion or compromise other material considerations of concern. (See Policy T21 on Car Free and Low Car Ownership Housing Developments as well).
- Where parking is provided within the curtilage, consideration of the need to remove Permitted Development Rights or the imposition of conditions will be undertaken regarding the retention of the parking spaces to ensure their availability at all times in order to reduce the likelihood of on-street parking. Where a residential property is to be extended, the result of which will be to place the extended dwelling in another parking band, consideration will be given to the need to seek increased parking provision within the curtilage of the site.
- On larger development sites where a range of house types may be provided, communal parking should be provided where feasible or appropriate in order to reduce the overall parking requirement on the development site and to ensure that an average of 1.5 spaces per dwelling is provided across the development.

USE CLASS	TYPE OF DEVELOPMENT	MAXIMUM PARKING ALLOWANCES : Parking for Disabled Users is ADDITIONAL to this Maximum (See Note 1) 1 space per xx sq.m Gross
D1	NON-RESIDENTIAL INSTITUTIONS	
NOTE: Levels of parking at schools and colleges to be assessed under the Transport Assessment and Travel Plan	PRIMARY SCHOOLS	<ul style="list-style-type: none"> 1 space per 2 staff PLUS 5 spaces for visitors
	SECONDARY SCHOOLS	<ul style="list-style-type: none"> 1 space per 2 staff PLUS 10 spaces for visitors
	FURTHER EDUCATION AND COLLEGES	<ul style="list-style-type: none"> 1 space per 2 staff PLUS 1 per 15 Full time Students
	HEALTH CENTRES / SURGERIES	<ul style="list-style-type: none"> 3 spaces per consulting room
	DAY NURSERIES / CRECHES	<ul style="list-style-type: none"> 1 space per 2 staff members (likely to be present at any one time) PLUS no more than 4 spaces for visitors. Parking on-street may be acceptable
	LIBRARIES	<ul style="list-style-type: none"> 1 space per 25 sq.m
	PLACES OF WORSHIP	<ul style="list-style-type: none"> 1 space per 25 sq.m
	MUSEUMS	<ul style="list-style-type: none"> 1 space per 3 staff (likely to be present at any one time); PLUS 1 space per 10 patrons expected to be present at any time.
D2	ASSEMBLY AND LEISURE	
	CINEMAS, THEATRES, CONCERT HALLS AND CONFERENCE FACILITIES	<ul style="list-style-type: none"> URBAN: 1 space per 5 - 10 seats RURAL: 1 space per 5 seats
	STADIA	<ul style="list-style-type: none"> 1 space per 15 seats Sufficient parking for coaches should be provided to the satisfaction of the Council taking account of the Transport Assessment and Travel Plan and be designed/managed as a resource separate from car parking.

USE CLASS	TYPE OF DEVELOPMENT	MAXIMUM PARKING ALLOWANCES : Parking for Disabled Users is ADDITIONAL to this Maximum (See Note 1) 1 space per xx sq.m Gross
	SPORTS FACILITIES	<ul style="list-style-type: none"> Generally - 1 space per 3 staff likely to be present at any one time PLUS as follows for each sporting activity below
	Outdoor Facilities	<ul style="list-style-type: none"> 1 space per 2 players expected to be present at any time
	Sports Halls	<ul style="list-style-type: none"> 1 space per 10 sq.m
	Squash/Tennis Clubs	<ul style="list-style-type: none"> 2 spaces per court
	Swimming Pools	<ul style="list-style-type: none"> 1 space per 10 sq.m pool area
	Spectator Area	<ul style="list-style-type: none"> 1 space per 15 seats
	OTHER D2 USES	<ul style="list-style-type: none"> URBAN: 1 space per 22 - 100 sq.m RURAL: 1 space per 22 - 25 sq.m
OTHER USES	OTHER USES OUTSIDE THE USE CLASSES ORDER	
	Private Hire Operating Centres	<ul style="list-style-type: none"> 1 space per vehicle operating from the centre (This applies in all areas). (See also Policy T 7 and Policy T 8)
	Hostels	<ul style="list-style-type: none"> 1 space per 4 staff (likely to be present at any one time); PLUS 1 space per 4 residents;
	Auction rooms	<ul style="list-style-type: none"> 1 space per 2 sq.m standing room or 1 space per 4 seats
	Car Repairs and Car Workshops	<ul style="list-style-type: none"> 1 space per 2 staff (likely to be present at any one time); PLUS 3 spaces per maintenance bay
	Car Sales	<ul style="list-style-type: none"> 1 space per 2 staff (likely to be present at any one time); PLUS 1 space per 6 vehicles for sale.
	Petrol Filling Stations	<ul style="list-style-type: none"> 1 space per 2 staff likely to be present at any one time

Bicycle and Motorcycle / Moped Parking Guidance

9.63 It is important that secure facilities are provided for cyclists to park their machines if there is to be an increase in the usage of this environmentally friendly and healthy mode of transport. Security for

bicycle parking for both long stay and visitor parking is very important to assist in reducing opportunities for crime. Where long stay bicycle parking (for employees) is to be provided, this should ideally be within the building or an appropriate annex. Bicycle parking requirements are set out in the following Policy:-

Policy T 19

Bicycle Parking Guidance

Bicycle parking shall be provided in accordance with the following guidelines:-

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;
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;

USE CLASS	TYPE OF DEVELOPMENT	BICYCLE PARKING STANDARD (Gross sq.m)
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.

Policy T 20

Motorcycle/Moped/Scooter Parking Guidance:

Motorcycle/Moped/ Scooter parking shall be provided in accordance with the following guidelines:-

USE CLASS	TYPE OF DEVELOPMENT	MOTORCYCLE/ MOPED/ SCOOTER PARKING STANDARD (Gross sq.m)
A1	Retail under 500 sq.m	1 space (total);
	Retail over 500 sq.m	1 space per 500 sq.m (minimum);
A2	Financial and Professional services	1 space per 1000 sq.m;
A3	Food and Drink	1 space per 200 sq.m;
B1	Business	1 space per 1000 sq.m;
B2	General Industry	1 space per 500 sq.m for units under 1000 sq.m; PLUS for larger units: 1 space per 1000 sq.m for over 1000 sq.m.;
B8	Warehousing	1 space per 500 sq.m (1 space minimum);
C1	Hotels and Hostels	1 space per 20 bedrooms (1 space minimum);
C2	Residential Institutions	
	a. HOSPITALS b. Nursing/Residential Homes	a. For Hospitals:- 1 space per 50 staff (or as agreed as part of the Transport Plan for the development) b. For Nursing/Residential Homes -1 space minimum.
C3	Dwelling Houses	No requirement but thought should be given within the design process to the storage and parking of motorcycles within any housing development;
D1	Primary Schools	1 space per 300 pupils (1 space minimum);
D1	Secondary Schools	1 space per 300 pupils (1 space minimum);
D1	Further Education and Colleges	1 space per 200 pupils (1 space minimum);
D1	Health Centres, Clinics and Day Centres	1 space minimum;

USE CLASS	TYPE OF DEVELOPMENT	MOTORCYCLE/ MOPED/ SCOOTER PARKING STANDARD (Gross sq.m)
D1	Places of Worship	1 space per 50 seats (1 space minimum);
D1	Museums, Galleries, Public Exhibition Halls	1 space per 20 staff (1 space minimum); PLUS space for visitors;
D2	Assembly and Leisure	1 space per 20 staff PLUS 1 space per 300 public seats;
	Stadia	1 space per 20 staff PLUS additional spaces agreed as part of the Transport Assessment for spectators and visitors.

Car Free and Low Car Housing Development

9.64 Within urban areas where accessibility is generally high and there is good availability of public transport and essential facilities, there may be the opportunity to promote totally car-free housing developments or low car schemes where vehicles are shared by way of Car Clubs. This would support objectives of reducing reliance upon the private car and the promotion of sustainable development. The Council has granted permission for new housing developments within Halifax Town Centre and other locations, which do not have car parking associated with them. However, there may be demands from residents to seek to have a car and to park these either on-street or in Council car parks. This undermines the overall aim of car free housing developments. It may, therefore, be necessary to introduce parking controls alongside new car free housing developments to ensure that they remain genuinely 'car free'.

9.65 Car Clubs are becoming popular throughout Europe, and have potential for development within the UK. They can reduce car dependence, create more sustainable patterns of development, make more efficient use of land and promote good design in new housing developments, all of which support the Council's planning objectives. The Yorkshire and Humber Assembly published a Good Practice Guide for Low Car Housing Schemes in January 2002, which should be referred to in developing any Car Club Scheme.

9.66 This type of housing development will only work where there are management controls in place to ensure compliance as follows:-

- i. residents must be made aware that by living in a designated car free development or Car Club Scheme development they do not qualify for Residents' Parking Permits;
- ii. residents must be required to provide an undertaking not to keep a car either within the development or on-street within the District;
- iii. the developer should enter into a legal agreement with the Council confirming the car free or Car Club Scheme status of the development; and
- iv. adequate on-street parking controls are in place or are implemented before the development is occupied.

9.67 As a result the following Policy will apply:-

Policy T 21

Car Free and Low Car Ownership Housing

Planning permission will be granted for Car Free Housing or for Low Car Ownership Housing development where:-

- i. **the development is located where there is good access to public transport and local services and where there are complementary on-street parking controls;**
- ii. **it can be demonstrated that the development will remain genuinely car free or low car owning over the long term (implementation of this will be secured through conditions or a planning obligation);**

- iii. the development creates no unacceptable environmental, amenity, traffic, safety, or other problems; and
- iv. the development complies with the requirements of other relevant UDP policies.

Garage and Car Parking Courts

9.68 Car ownership in Calderdale is growing, a trend that is expected to continue throughout the Plan period and beyond. However, many dwellings in Calderdale do not have off-street car parking facilities, leading to problems of on-street car parking, congestion and problems for pedestrians, private vehicles and for public transport alike. This problem is particularly acute in the areas of older housing and in outlying villages. There is also a large number of garage courts serving these areas but developers are seeking alternative uses for many of them. Whilst redevelopment of these sites would be supported as brownfield development it is important that they are retained wherever necessary, in order to provide a parking facility for local residents and to reduce on-street parking.

9.69 However, not all garage courts are required for their original purpose as they are unused or derelict and alternative uses for them would assist in bringing the land back into productive use. As a result the following Policy will apply:-

Policy T 22

Development of Garage Courts

Proposals involving the loss or partial loss of garage courts will be permitted:-

- i. where there is clearly no need for the garages;
- ii. their loss will not lead to congestion or a road safety hazard;
- iii. the development creates no unacceptable environmental, amenity, traffic, safety, or other problems; and
- iv. the development complies with the requirements of other relevant UDP policies.

The Movement of Freight

9.70 The growth in the number and size of goods vehicles has led to deteriorating environmental conditions and damage to the road network over recent years. The use of 44 tonne vehicles on British roads could further increase problems associated with intrusion through noise, vibration and the physical scale of vehicles. The movement of freight is essential for the well being of the local economy and in support of the just-in-time economy, but it is important that such movements do not detrimentally affect the environment or lead to a degradation of the District's heritage. Alternative modes of transporting freight do exist, notably the railways and canals, and manufacturers and hauliers can contribute to sustainable development and improving environmental conditions and reducing congestion by transferring bulk and long distance loads to these modes. Within the urban areas there may also be possibilities for the transfer of goods from larger vehicles to smaller ones, which may be more appropriately proportioned for the town centres. It is recognised that the transfer of freight to other modes will be slow unless there is significant legislation to encourage their use.

9.71 Whilst road and rail are likely to be the dominant modes in the movement of freight in Calderdale, the Calder and Hebble Navigation and the Rochdale Canal do provide some scope for the bulk movement of goods, waste or minerals. Whilst it may be that the waterways will always be marginal, in order to protect the environment and to relieve highway conditions, their potential to move freight must be safeguarded and utilised where appropriate.

9.72 In conjunction with its partners, in preparing the WYLTP, special emphasis has been placed upon the development of a Strategy for the Sustainable Distribution of Freight. ~~In order to support this Strategy the following Policies will apply:-~~

~~Policy T 23~~

~~Lorry Routeing, Parking and Signing~~

~~Lorry routeing, parking and signing in order to reduce the environmental intrusion of goods vehicles into sensitive areas, reduce congestion, assist in traffic management and promote the sustainable distribution of freight will be considered and any schemes found to be appropriate implemented.~~

~~Policy T 24~~

~~Use of Waterways and Railways for Freight Movement~~

~~The use of rail or waterways as alternatives to road freight transportation, particularly for the bulk movement of minerals, waste or other freight, will be permitted where the overall environmental and sustainable development advantages outweigh local problems, subject to the following criteria:-~~

- ~~i. the development creates no unacceptable environmental, amenity, traffic, safety, or other problems; and~~
- ~~ii. the development complies with the requirements of other relevant UDP policies.~~

9.73 Another aspect of concern is that caused by lorry parking, especially overnight, at inappropriate locations. The 'Operators Licence' system operated by the Traffic Commissioners, for which the Council acts as a consultee, provides scope for the control of parking and the use of operating routines. Where these facilities require planning permission the Council will be mindful of the need to ensure that they are located in an appropriate area such as within a Primary Employment Area, other industrial area, within a complex of non-residential buildings or where environmental problems can be minimised. Therefore:-

~~Policy T 25~~

~~Goods Vehicle Operating Centres~~

~~Goods vehicle operating centres and parking facilities will only be supported where:-~~

- ~~i. the location is appropriate to such a use;~~
- ~~ii. there is an operational need for the facility;~~
- ~~iii. the development creates no unacceptable environmental, amenity, safety or other problems; and~~
- ~~iv. the development complies with the requirements of other relevant UDP policies.~~

Helicopters

9.74 The use of helicopters is becoming increasingly common, particularly in business, but also within the emergency services. The impact of the helicopter in terms of noise and intrusion both visually and in terms of privacy can be severe, and it is therefore important that these are mitigated by strong planning policies. The use of this mode of transport is not being actively encouraged as it is intrusive and unsustainable. However, it is accepted that there may be an economic case for their use in some circumstances where entrepreneurial spirit can assist in the development of the economy of Calderdale, or where the provision of facilities for the emergency services may be considered to outweigh environmental concerns. As a result it is important that where an application for landing facilities is submitted to the Council, the UDP provides some guidance. Within the context of Listed Buildings and Conservation Areas, or Sites of Special Scientific Interest or nature conservation value, the effects of helicopter landing facilities will need to be weighed carefully to ensure that development preserves or enhances the environment. The following Policy will therefore apply:-

Policy T 26

Helicopter Landing Facilities

Proposals for helicopter landing facilities will only be permitted where they comply with the following criteria:-

- i. it can be demonstrated that there is an economic or operational need for the facility, which could be considered to outweigh the environmental disbenefits associated with the development;**
- ii. the development creates no unacceptable environmental, amenity, safety or other problems;**
- iii. satisfactory arrangements can be made regarding ground traffic and servicing arrangements;**
- iv. the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings, Historic Parks, or Scheduled Ancient Monuments or their settings, where these are material considerations;**
- v. the development does not cause harm to a Site of Special Scientific Interest,**

a Site of Ecological or Geological Interest, or an area of recognised nature conservation value; and

- vi. the development complies with the requirements of other relevant UDP policies.

Safeguarding Aerodromes and Air Traffic Technical Sites

9.75 Under the requirements of DfT/ODPM Circular 1/2003, 'Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas', the Council is required to put in place a policy protecting these sites from inappropriate development. Calderdale does not possess any Military Explosives Storage Sites, nor does it fall within the protection area for any such site outside the District. As a result this section deals purely with the safeguarding of aerodromes and technical sites.

9.76 The main elements of concern arising from this Circular are the wind turbine consultation zone and the Aerodrome Safeguarding Map (concerned with building heights) for Leeds/Bradford Airport (LBA) and the protection zone for the technical area (concerned with air traffic control) at Hameldon Hill, between Burnley and Accrington in Lancashire. The areas shown on the Proposals Map are neither the responsibility nor the proposal of the Council.

9.77 The Safeguarding Zones for Leeds/Bradford Airport and the Leeds/Bradford Airport Wind Turbine Consultation Zone are shown on the Proposals Map. All planning applications or development proposals for buildings, structures, erections and works falling within the criteria laid down within ODPM Circular 1/2003 are subject to consultations with the airport or site operator as follows:-

- Within the LBA Safeguarding Zone the criteria for Calderdale indicate that consultations are necessary where the development proposals for buildings, structures, erections and works proposed are over 45 metres high.
- Within the LBA Wind Turbine Consultation Zone applications for wind turbine proposals within 30 km of the airport are subject to consultation with the Airport Operator. The 30 km radius is a guideline to indicate that statutory consultation is necessary. However, depending upon the terrain, proposals beyond 30 km may sometimes prove to be problematic to aircraft safety and the operations of the airport. The Council will

liaise with the Airport Operator in respect of wind turbine proposals in excess of 30 km to assess whether the Airport Operator wishes to be formally consulted on these proposals as well to ensure that air safety is taken into account in the determination of proposals. The Airport Operator will take the cumulative effects of wind turbine developments into account.

9.78 The development of tall buildings, erections, structures or works can be a physical obstacle to aeroplanes and in addition to the physical obstacle that wind turbines can produce, the rotating blades can create certain problems particularly from the electro-magnetic fields, which may cause interference with navigation and aeronautical systems. The amount of interference depends on the number of turbines, their size, construction materials and location and on the shape of their blades.

9.79 With respect to the Hameldon Hill Technical Site, consultations will be required for different heights of development depending upon their location within the safeguarded zone. This is because of the refracting effects of buildings upon radar signals and therefore the interference that can be caused affecting air safety. It is not intended to show the detailed zoning on the Proposals Map. However, generally within the Calder Valley and the towns lying within it height consultations will only be necessary for development in excess of 45.7 metres high. On parts of the high moorland, over 390 metres elevation, all planning applications will be referred for consultation. There is a sliding scale for consultations for varying heights of buildings. The detailed maps are kept within Planning Services and may be consulted during normal office hours.

Policy T 27

Safeguarding Aerodromes and Air Traffic Technical Sites

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.



10 Infrastructure, Education and Community Facilities

Introduction

10.1 Infrastructure is essential to the wellbeing of the District. This includes schools and colleges, community halls, hospitals, health centres and surgeries, nursery units, accommodation for disadvantaged persons and other uses required to serve the community such as highways, flood prevention measures, landscaping, public and other forms of non-car borne transport, nature conservation and other elements. These add to the quality of life of Calderdale's residents and help make the District a place where people want to live, work and visit. Support for these facilities is therefore an important part of the Council's Vision. Improving education is at the forefront of the Corporate Priorities and it is necessary to provide a planning framework for the consideration of the land use needs of these facilities.

Infrastructure and Facilities Necessitated by New Development

10.2 Some developments place significant 'costs' on the local community, which must be taken into account when determining any planning application. Under the Planning and Compulsory Purchase Act (2004) the Council has the right to seek to enter into negotiations to seek agreement to ameliorate these 'costs' and rectify problems that may have otherwise led to the refusal of the planning application. In negotiating with applicants, the Council may seek modifications or improvements to applications or enter into agreements to overcome planning objections or meet the 'costs' to the community imposed by the development. The provision of any facilities or works that are regarded as necessary to cater for the needs generated by a development should be related to the needs in the local area, rather than across the District and should be timed to meet the demand generated by the development. ODPM Circular 05/05 'Planning Obligations' sets out the framework for the use of planning obligations.

10.3 There are a number of situations where the Council will enter into negotiations with developers in order to ensure that the costs of the development imposed on the community are borne by the developer as follows:-

- educational provision: where nearby or local schools are unable to cater for children arising from a new housing development;

- road infrastructure: where local highways need changes such as junction improvements or traffic signals to facilitate access, reduce congestion or improve traffic flow in connection with the development;
- contributions to public transport or other modes of transport, (including cycling and walking) which will assist in ensuring the development is well served by alternative modes of transport giving opportunities for non-car borne travel;
- open space provision: where there is a need to develop open space in association with new development, particularly housing, in order to provide adequate leisure, recreation and amenity facilities to ensure a high quality development;
- other infrastructure: including sewerage, flood prevention, drainage or utilities: where the infrastructure is inadequate to support the additional demands placed upon the system by the new development; and
- nature conservation provision: where there is a need to provide new wildlife habitats or enhance the existing nature conservation value.

10.4 During negotiations it will become clear whether the matter can be resolved by the use of conditions or 'Grampian Conditions', or by planning obligation/agreement.

10.5 Planning obligations or conditions can be used to ensure that facilities or infrastructure are put in place before the development makes a demand upon it, and can also be used to phase development to enable infrastructure to be provided alongside new building. The infrastructure or facilities may be either provided directly by the developers or through the use of commuted payments by the Council or other party. Commuted payments will normally be the case in respect of educational requirements.

10.6 ODPM Circular 05/2005 'Planning Obligations' states that a planning obligation must be:

- i. relevant to planning;
- ii. necessary to make the proposed development acceptable in planning terms;
- iii. directly related to the proposed development;
- iv. fairly and reasonably related in scale and kind to the proposed developments; and
- v. reasonable in all other respects.

10.7 In order for Planning Obligations to be acceptable the Secretary of State requires that they are only sought where they meet all of the tests set out above. In addition the Council considers that

developers should not be expected to remedy existing deficiencies, only those relating to their development. Planning obligations can be used for a number of different purposes such as:

- i. prescribing the nature of the development to achieve planning objectives; (examples of this type of obligation would be for the provision of affordable housing);
- ii. mitigating the impact of a development; (examples of this type of obligation would be for inadequate access, highway infrastructure, public transport, or community infrastructure such as school classrooms); or
- iii. compensating for the loss or damage caused by a development; (examples of this type of obligation may relate to the replacement of a biodiversity habitat, open space, loss of an employment site or right of way).

Supplementary Planning Documents (SPDs) providing guidance for planning obligations relating to 'Affordable Housing', 'Open Space', and 'Developer Contributions Towards Meeting Education Needs' are in preparation. Other matters which may require a specific SPD on planning obligations will be developed as necessary in accordance with the Calderdale Local Development Scheme.

10.8 In order to provide a policy framework for these matters, the following Policy will apply:-

POLICY GCF 1

INFRASTRUCTURE AND OTHER NEEDS ARISING FROM DEVELOPMENT

ALL EDUCATION, HIGHWAYS, SEWERAGE, DRAINAGE, FLOOD PREVENTION, LANDSCAPING, OPEN SPACE, NATURE CONSERVATION, PUBLIC TRANSPORT OR OTHER IDENTIFIED NEEDS GENERATED DIRECTLY BY ANY DEVELOPMENT WITHIN A LOCAL AREA SHOULD BE PROVIDED IN A TIMELY MANNER BY THE DEVELOPER EITHER ON OR OFF SITE. CONDITIONS WILL BE IMPOSED, WHERE NECESSARY, TO THE GRANT OF PLANNING PERMISSION TO ENSURE THE PROVISION OF ADEQUATE FACILITIES TO AN APPROPRIATE TIMESCALE. ALTERNATIVELY A PLANNING OBLIGATION MAY BE ENTERED INTO TO SECURE NECESSARY FACILITIES THROUGH EITHER DIRECT PROVISION AND/OR BY A

FINANCIAL CONTRIBUTION TO BE MADE FOR THE TIMELY PROVISION OF FACILITIES NEARBY.

10.9 The statutory undertakers providing water, sewerage, gas, electricity or other services and facilities can have requirements for improved standards and services placed upon them by European and national legislation. It is important that, in the public interest, these undertakers are allowed to upgrade their facilities, but such development should not be at the expense of the local community or the environment. As a result mitigation of any adverse effects will be necessary to ensure the environmental or community effects are acceptable.

POLICY GCF 2

DEVELOPMENT ENABLING STATUTORY UNDERTAKERS

DEVELOPMENT WHICH WILL ENABLE STATUTORY UNDERTAKERS TO MEET THEIR STATUTORY OBLIGATIONS AND TO COMPLY WITH THE RELEVANT ENVIRONMENTAL STANDARDS ENACTED IN GOVERNMENT AND EUROPEAN UNION LEGISLATION WILL BE PERMITTED PROVIDED THAT MITIGATION MEASURES ARE PUT IN PLACE TO ALLEVIATE SIGNIFICANT ADVERSE IMPACTS FROM THE DEVELOPMENT, THE DESIGN OF THE DEVELOPMENT RESPECTS THE CHARACTER OF THE AREA AND THE DEVELOPMENT IS CONSISTENT WITH ALL OTHER RELEVANT UDP POLICIES .

The Strategic Framework for Community Facilities Planning

10.10 A broad variety of organisations including the public and private sectors and voluntary groups provide a wide range of community facilities that serve the needs of Calderdale's residents. These facilities add to the quality of life of Calderdale's residents and can assist in fostering economic prosperity and urban revitalisation by increasing community involvement. It is an aspiration that improvements in the provision and quality of these facilities are continually made and that facilities should be provided in locations accessible to the largest possible number of people wishing to use them. It is necessary to provide an

overall strategic framework within which the consideration of these facilities will be made. Therefore the following strategic objectives apply:-

POLICY GCF 3

STRATEGIC FRAMEWORK FOR COMMUNITY FACILITIES

THE PROVISION AND IMPROVEMENT OF A WIDE RANGE OF SOCIAL, COMMUNITY, EDUCATION, SPORTS, ARTS, HEALTH AND OTHER FACILITIES TO MEET THE NEEDS OF ALL CALDERDALE'S RESIDENTS WILL BE SUPPORTED. SUCH FACILITIES SHALL:-

- I. BE IN LOCATIONS WELL RELATED TO THE COMMUNITY AND USERS THEY ARE INTENDED TO SERVE;**
- II. BE ACCESSIBLE BY GOOD QUALITY PUBLIC TRANSPORT, PRIVATE TRANSPORT, WALKING AND CYCLING; AND**
- III. CREATE NO UNACCEPTABLE ENVIRONMENTAL, AMENITY, TRAFFIC, SAFETY OR OTHER PROBLEMS.**

Education

Improving Attainment in Schools and Standards of Education

10.11 The Council's first corporate priority is to improve attainment in schools and standards of education. This priority is in line with the Government's agenda and is the main focus of the Department for Education and Skills (DfES). In relation to the Council's own priorities and pressures from Central Government, the Council must be in a position to respond to change. The following changes have important implications for the use of land:-

- *Demographic Changes*

The evolving structure of the population of Calderdale will create the need to address changes in the provision of school places. Throughout the District there will be a need to modify, create or remove elements of school premises. There will be instances during the period of the Plan where new schools or replacement schools will be built and others where whole schools will be closed. There is pressure from Central Government and the Audit Commission to remove surplus school places. The DfES state that

10% is an acceptable level for the Authority overall, however, each authority must submit plans to the DfES to show how they will reduce surplus capacity in individual schools with surplus places in excess of 25. The Secretary of State for Education and Skills, the School Organisation Committee and the Learning and Skills Council will be the bodies approving proposals to significantly change provision on school sites.

- *Legislation/Government Initiatives*

Legislative changes and Central Government initiatives will result in change to the way education is delivered across Calderdale. Changes such as the Government plans to increase the number of specialist colleges or the creation of the Learning and Skills Council will have an impact on the delivery of the education service including the Youth Service and Adult and Community Learning Service during the period of the Plan. The introduction of the Disability Discrimination Act (1995) and the Special Education Needs and Disability Act (2001) will have a significant impact on developments at education premises. Other initiatives impacting on delivery of the education service will also come forward during the Plan period.

- *Education Development Plan*

The DfES requires the Council to produce an Education Development Plan (EDP) in which it must reassess its policies for the provision of education on a three year rolling programme. The purpose of the EDP is to show how the Council will raise standards. The next plan is 2002-2007. Any elements of the plan that may change the delivery of the curriculum in schools may trigger a requirement to modify school premises or grounds.

- *Schools Asset Management Plan*

The DfES requires the Council to produce an Asset Management Plan (AMP) to provide them with comprehensive, accurate and consistent data on the condition, suitability and sufficiency of all maintained school premises. Capital funding is allocated on the basis of the AMP data to invest in school premises to improve the quality of the building stock.

- *School Organisation Plan*

The DfES requires the Council to produce a School Organisation Plan (SOP) covering a five-year period. The SOP, which is revised on an annual basis, provides information relating to the supply of school

places in the District. The Plan is used by the School Organisation Committee to help them make decisions in relation to school organisation matters.

10.12 All these considerations have widespread effects upon the use of schools sites and facilities. In response to the changing demands on the education service the Council must seek to ensure that future needs of education are properly co-ordinated with the land and building requirements. ~~These aims are set out in the following Part One Policy:-~~

~~POLICY GCF 4~~

~~MATCHING SCHOOL FACILITIES TO EDUCATIONAL NEEDS~~

~~IN ORDER TO ENSURE THAT THE RANGE AND QUALITY OF SCHOOL SITES, BUILDINGS AND FACILITIES MATCH THE NEEDS OF EDUCATION IN CALDERDALE, THE COUNCIL WILL CONTINUE TO PREPARE AND (SUBJECT TO THE AVAILABILITY OF RESOURCES) IMPLEMENT DEVELOPMENT PROGRAMMES. IN MEETING THIS OBJECTIVE, THE COUNCIL WILL:-~~

- ~~I. ACHIEVE THE IMPROVEMENT OF SCHOOL PREMISES IN NEED OF ALTERATION, REPAIR OR MAINTENANCE TO MEET THE CHANGING REQUIREMENTS OF CURRICULUM DELIVERY AND COMMUNITY USE;~~
- ~~II. CREATE NEW OR EXTENDED SCHOOLS IN AREAS OF NEED; AND~~
- ~~III. CLOSE EXISTING SCHOOLS WHERE THE EXISTING PROVISION IS NO LONGER NECESSARY OR MOST APPROPRIATE.~~

10.13 As part of its long term planning for education, the Council prepares a number of plans that have implications for the use of school's land and buildings. To assist in developing these plans on a consistent basis across the District the following ~~Policy will apply:-~~

~~POLICY GCF 5~~

~~CRITERIA FOR PREPARING EDUCATION INFRASTRUCTURE PROGRAMMES~~

~~PROGRAMMES FOR THE PROVISION OF NEW, REFURBISHED OR EXTENDED EDUCATIONAL BUILDINGS AND FACILITIES, IN LINE WITH THE COUNCIL'S ASSET MANAGEMENT PLAN AND THE SCHOOLS' ASSET MANAGEMENT PLAN, WILL BE PREPARED AND BE SUBJECT TO THE FOLLOWING CRITERIA:-~~

- ~~I. THE DESIGN AND LOCATION OF THE PROPOSED WORKS ENHANCES COMMUNITY USE OF THE EDUCATIONAL PREMISES;~~
- ~~II. THE PROPOSALS INCORPORATE ADEQUATE SPACE TO MEET THE EDUCATIONAL NEEDS OF THE CURRICULUM OFFERED;~~
- ~~III. THE PROPOSALS, WHERE APPROPRIATE, INCORPORATE ADEQUATE CAR PARKING, SERVICING ARRANGEMENTS AND APPROPRIATE FACILITIES TO ACCOMMODATE PUBLIC TRANSPORT;~~
- ~~IV. THE PROPOSALS INCORPORATE INCLUSIVE DESIGN ELEMENTS TO ENSURE REASONABLE ACCESS FOR THE DISABLED;~~
- ~~V. THE PROPOSALS WOULD NOT CAUSE AN UNACCEPTABLE LOSS OF AMENITY TO THE OCCUPIERS OF PROPERTY AROUND THE SITE;~~
- ~~VI. THE PROPOSALS WOULD, WHERE REASONABLE, BE DESIGNED IN LINE WITH THE DFES BUILDING BULLETINS;~~
- ~~VII. THE PROPOSALS WOULD CREATE NO UNACCEPTABLE ENVIRONMENTAL, AMENITY, TRAFFIC, SAFETY OR OTHER PROBLEMS; AND~~
- ~~VIII. WOULD BE CONSISTENT WITH OTHER RELEVANT UDP POLICIES.~~

Schools and Housing

10.14 Significant new housing developments or demographic changes may create additional, localised demand for new or extended school facilities. In this respect the Council will seek to identify and safeguard suitable sites and ensure that future population and

land use changes are properly co-ordinated with their educational requirements. Major new housing development will be generally acceptable where there is an adequate supply of appropriate school places as far as practicable. POLICY GCF 1 gives the Council the ability to negotiate with developers for contributions towards education facilities (and other necessary infrastructure), ~~to ensure that the requirements of Policy CF 1 are met.~~ A separate Supplementary Planning Document is also in preparation. ~~As a result:~~

~~Policy CF 1~~

~~Co-ordination of Schools and Housing~~

~~As far as is reasonable within the changing provision of the education service and programmes of capital projects involving school premises and grounds in relation to creation, refurbishment, remodelling and/or replacement, the Council will seek to ensure that school facilities and housing developments are properly co-ordinated. New housing will only be acceptable in areas where the provision of school places, either existing or with enhancement, can meet increased demand resulting from the housing development subject to the requirements of other relevant UDP Policies.~~

New Schools and Other Proposals

10.15 The changes identified above in paragraph 10.11, are creating new demands, pressures and opportunities on the premises and sites used in the delivery of the education service. Much of Calderdale's building stock was erected in Victorian times. These buildings along with the 1950's buildings, in some instances, are in need of capital investment to remodel, refurbish or replace them in order to improve the condition of the fabric of the building and to provide suitable spaces within the school building to enhance the teaching and learning environment. There are additional requirements to ensure there are adequate and suitable outdoor facilities to meet the needs of the service providers. Importantly, there will be a requirement that all buildings meet the Disability Discrimination Act (1995) and the Special Education Needs and Disability Act (2001). There are cases where small schools serve an area, but individually, the sites and premises do not adequately meet modern requirements. In the interests of improving attainment in schools and

standards of education, removing surplus places and providing value for money, rationalisation onto a fewer number of sites with enhanced or increased facilities may represent the best way forward. Conversely, some schools have reached or are beyond their capacity. Other factors influencing sites and buildings include the development of specialist colleges and the formation of the Learning and Skills Council, which will impact upon the planning and organisation of post-16 provision. All maintained schools have the responsibility for repair and maintenance of school premises.

10.16 The development of policy for the provision of education in Calderdale will result in the need for some schools to be extended on existing sites or in certain cases for completely new sites to be provided. The Council's School Organisation Plan, Asset Management Plan and Class Size Plan set out the strategies for the provision and replacement of educational facilities throughout the District. These plans form the basic strategy but are to be taken alongside the Council's other policies and priorities.

10.17 In line with guidance provided by the DfES new or extended school premises and grounds should be of an adequate size and configuration, wherever possible, to provide the recommended floor space, open space, car parking, access and service provision. The sites, through their development, should enhance an area and should be in conformity with other UDP policies.

10.18 The Council will seek to replace temporary accommodation with permanent buildings. Due to changing demographics the Council will seek to provide additional temporary classrooms on some school sites.

10.19 The Council identified a Community Comprehensive Improvement Area at Wellesley Park, which is now the approved site for one of the five Private Finance Initiative (PFI) schools in the Calderdale Schools PFI Project. The following projects, which are all now completed and operational are therefore identified. The proposal for Moorside J, I & N School is currently seeking funding :-

Policy CF 2

New Schools and Other School Related Proposals

The following five education related development projects are committed as part of the Calderdale Schools PFI Project or are supported by the Council and DfES, and are identified on the Proposals Map:-

1. Wellesley Park for a new build school with the potential remodelling / demolition of existing buildings and enhanced sports and other curriculum/community facilities for The Halifax High School. Planning permission has now been granted for this project and work is expected to commence November 2003.
2. Savile Park Primary School (Halifax) will be relocated to the Haugh Shaw site. The replacement school building for Savile Park will require the demolition of the Haugh Shaw buildings and the construction of new school buildings and external areas to provide enhanced provision for curriculum, sports and community use. Planning permission has now been granted for this project and work is expected to commence in October 2003.
3. South Halifax High School (Exley) will be remodelled, refurbished or rebuilt on the existing site with enhanced sports and other curriculum/community facilities. Planning permission has now been granted for this project and work is expected to commence in January 2004.
4. Ryburn Valley High School will be rebuilt on the existing school site with enhanced sports and other curriculum/community facilities. The existing school premises will be demolished and reinstated as external school provision. Planning permission has now been granted for this project and work is expected to commence in August 2003.
5. Sowerby Bridge High School will be refurbished, remodelled and provided with new build sports and other curriculum/community facilities.

~~Planning permission has now been granted for this project and work is expected to commence in August 2003.~~

~~In addition the following proposal will be brought forward using targeted capital funding from the DfES:-~~

- ~~Moorside Junior, Infant and Nursery Schools.~~

Longer Term Education Facilities Proposals

10.20 The Council is continuing to support a substantial programme of works in schools. Increased amounts of substantial sums of capital investment continues to be made available by the DfES to allow local authorities to plan long-term capital investment schemes for schools.

10.21 The production of the Statement of Priorities (StOP) is a dynamic document that provides an explanation about capital expenditure for schools in Calderdale and sets out the planning framework for capital investment to identify the funding of mid and long term major projects. The current StOP identifies projects that will be focused to deliver whole school improvements over the next three years.

10.22 The 2006/07 Capital Programme

- **Hipperholme & Lightcliffe High School.** Phase II. The work has now commenced and will lead to a significant modernisation for the school, comprising new library, CDT rooms, changing room facilities and improved reception and administration area. This work will also improve access for pupils with disabilities.
- **Siddal Primary School.** The work involved a total refurbishment of the 1960's existing building, together with a new build children's centre attached to the existing building. The work has resulted in wholesale classroom improvements, circulation and outdoor play. The new school was occupied on 6 June 2006. The old Victorian school formerly occupied by junior pupils has now been sold.
- **New Road Primary School.** This scheme was completed at the end of March 2006. The school has undergone complete internal refurbishment work and includes a children's centre that has been partly funded through the early year's provision.

- **Rastrick High School.** The capital allocation for this scheme has provided the school with a new extension which houses enhanced sixth form facilities, together with extensive refurbishment to existing classroom provision. The scheme included Access Initiative funding to provide adaptations to improve access for pupils with disabilities. The whole work was completed in April 2006.
- **Todmorden High School.** It has been recognised by the Authority that this secondary school is at the top of the list for complete replacement. Essential work is needed in order to keep the school running until major capital funding can be obtained. Phase II of the capital programme to provide additional science laboratories was completed in May 2006.

10.23 The capital programme for 2006/7 has concentrated resources on single school improvements. These comprise the following:-

- **Carr Green Primary School.** This project involves complete roof renewal, removal of asbestos ceilings, refurbishment of electrical wiring and light fittings and new fire alarm system. The work is complex and is currently being specified. Commencement will be dependent upon the defined feasibility study. Prior to the work commencing plans for a school decant will need to be effected.
- **Scout Road Primary School.** This project is geared to whole school modernisation and will involve the removal of two temporary classrooms and replacement with new build. This is likely to be a difficult project because of the nature and location of the school (on the side of a hill). Improvements include total modernisation of the existing facilities including the integration of the former caretaker's house to be developed as a new administration block and entrance area.
- **Cliffe Hill Community Primary School.** This school has been identified as having structural defects which necessitates replacing the whole school. However, the planned proposals involve decant into modular accommodation in the first instance. This is currently being planned. Running parallel with this work will be a feasibility study to detail new primary school build proposals (subject to obtaining necessary capital). Once pupils have been relocated the old school will be demolished. In essence this is a three phase proposal.

- **Bradshaw Primary School (Infant Building).** This project has resulted from the identification of a serious roofing problem: the school has been flooded on several occasions in the last year. The work comprises complete replacement of the roof and includes improved insulation, removing of light fittings and new suspended ceilings.
- **Luddendenfoot J & I School.** Initially funding for the renewal of the school roof had been set aside for 2005/6. However, in the development of this planned work it became clear that this was not the most effective solution for the teaching environment of the school. Therefore, included in the work will be modernisation of teaching environment, circulation and administration facilities.
- **Calder High School.** DfES capital funding under the umbrella of the 14 to 19 agenda has led to proposals that involve refurbishing performing arts facilities including the school theatre.

10.24 Potential Schemes 2007/2009

Although these following schemes are identified in the StOP for capital investment, they will be subject to an annual review, in order to respond to changes in circumstances, e.g. where emergencies occur and unforeseen structural problems:-

- Carr Green J, I & N School – Phase II;
- Luddendenfoot J & I School – Modernisation Phase II;
- Scout Road Primary School – Modernisation Phase II;
- Cliffe Hill Community Primary School – Health and Safety Work Phase II;
- The North Halifax Grammar School – 14-19 Agenda (Modernisation);
- Heptonstall J & I School – Modernisation;
- Ripponden J & I School – New Pupils Places Scheme;
- West Vale Primary School – Modernisation;
- St Mary's CE (VC) J & I School – Modernisation;
- Salterhebble J & I School – Modernisation;
- Triangle CE (VC) Primary School – Modernisation;
- Brighouse High School – 14-19 Agenda (Modernisation);
- Bowling Green J & I – New Pupil Places Scheme;
- West Vale Primary School – Modernisation Phase II;

Community Use of School Facilities

10.25 Schools and other educational premises represent a valuable resource in terms of land and buildings. The Council supports the wider use of school facilities for community purposes. In considering the existing use of schools and proposals to expand or relocate schools, the Council will take account of existing or potential use for local community facilities. ~~Therefore the following Policy will apply:-~~

~~**Policy CF 3**~~

~~**Use of Schools for Community Purposes**~~

~~**Opportunities to open up existing schools and their playing fields to wider community use will be encouraged, supported and developed where such use results in no unacceptable amenity, environmental, amenity, safety or traffic problems. Where planning permission is required for new uses these should comply with the requirements of all relevant UDP policies.**~~

Surplus Education Land and Buildings

10.26 ~~Policy CF 3 refers to the open space around schools, both as a means of assisting in the provision of the national curriculum and also as a resource for wider community use.~~ The Council will not consider the release of such open space for alternative uses where there is a demonstrable need for the facilities. The Council will not, however, exclude the alternative use of open space if it is deemed appropriate or beneficial. However, such consideration will need to be in the context of a District wide assessment of formal and informal recreational and leisure needs as advised by PPG17 'Planning for Open Space', 'Sport and Recreation' (2002). Where the land is proven to be surplus it will be released from education use. However, the potential for wider community use of the facilities should be considered before final disposal. Any decision will be made in line with the Council's Asset Management Plan, the Schools Asset Management Plan, the School Organisation Plan and in the light of the formal assessment of recreational and leisure needs. Similarly, any whole school sites, including buildings which have become surplus to requirements, will be brought forward for alternative appropriate use once those uses have been assessed. The Council will ensure that the released site is not required for other alternative Council uses

prior to disposal and will seek in the first instance to assess whether alternative community use of the buildings or site would be appropriate before disposal. Any new use for the site will need to be consistent with UDP Policies. Local authorities and/or schools' governing bodies need to seek the consent of the Secretary of State for Education and Skills to dispose of, or change the use of, land used or formerly used by schools. The DfES take this action to ensure that existing school playing fields are protected to provide for future needs of schools and their communities (Section 77 School Standards and Framework Act (1998)). ~~Therefore:-~~

~~**Policy CF 4**~~

~~**Release of Surplus Educational Land and Buildings**~~

~~**Where Council owned educational land and buildings are no longer required in line with the Schools Asset Management Plan, they will be referred to the Secretary of State for Education and Skills for disposal consent and further to the Council's Asset Management Plan Team. Alternative uses will be considered which seek to retain the school playing fields in public or community use to meet identified needs within the community, before their final loss is accepted. New uses for the surplus sites will be considered in the context of all relevant policies within the UDP.**~~

Village Shops, Post Offices, Public Houses and Hotels

10.27 These provide necessary local facilities, within both rural and urban areas, which can give the basis for social interaction and a focus for the community. The loss of a shop, post office, public house or hotel, through its closure or through its change of use, can lead to problems of declining social interaction, feelings of isolation and a breakdown in the community. However, these uses are commercial enterprises and cannot operate as a loss making concern without subsidy. If an owner or operator wants to close their facility they may do so immediately without reference to either the local planning authority or the licensing magistrates (except in the case of post offices where notice must be

given). Only when a developer, be it the owner or other party, wishes to change the use of the building does the planning system become involved.

10.28 In some settlements the community may wish to seek to operate a village store or public house that is under threat of closure as a co-operative or other community owned enterprise. This would ensure that the facility is secured for community use and continue to provide a useful service within the village. Community or co-operative management of a hotel may not be a feasible prospect. However, the Council would wish to consider whether there is scope for alternative management or operation of these larger facilities, which benefit the local community as well. The Council is keen to ensure that all alternative methods of management have been explored and ruled out before a grant of permission is given.

10.29 The consideration of the planning application can look at the viability of the facility as a material planning consideration, and therefore, it is essential that a suitable framework is developed for the consideration of planning applications involving the loss of these facilities. The following Policy will therefore apply:-

Policy CF 5

Development Involving the Loss of Village Shops, Post Offices, Public Houses or Hotels

Planning applications for development (including change of use), which involve the loss of a village shop, post office, public house or hotel, will be expected to demonstrate that:-

- i. **there is no need for the facility in the local area;**
- ii. **that it is no longer a viable operating business;**
- iii. **all reasonable efforts have been made to retain the facility by investigating the possibility of setting up a community owned and managed enterprise; and**
- iv. **there is no reasonable prospect of the business becoming viable in the future.**

Permission will be granted where the balance of these considerations clearly shows that the facility is surplus to requirements or uneconomic, subject to the requirements of all other relevant UDP policies.

Cemeteries

10.30 There are currently seven larger Council owned cemeteries in Calderdale, in Halifax, Brighouse, Clifton, Rastrick, Elland, Sowerby Bridge and Luddenden and small cemeteries at Norland and Stainland, as well as a large number of burial grounds associated with particular churches. These cemeteries continue to be in demand, but with the exception of the cemeteries at Stoney Royd in Halifax and at Luddenden, there is sufficient spare capacity to last beyond the plan period (2016). There are also a number of inactive or closed cemeteries within the District, an example being at Lister Lane in Halifax.

10.31 It is likely that the public will continue to expect graves in a Council owned cemetery in Halifax to be available in the future. As a result, the Council, in such circumstances, will need to find additional land for its cemetery use, either as an extension of the Stoney Royd Cemetery, or elsewhere. However, it is feasible that additional space may be realised within the existing Stoney Royd cemetery boundary in order to meet any additional demand within the plan period. There may be demand for the provision of cemeteries and burial grounds by the private sector. As such Policy CF 6 allows for the provision of these providing that they are appropriately sited and are consistent with other UDP policies.

10.32 The use of land for cemeteries also has wider implications, for instance, public health. They are also significant as long-term, undisturbed havens for wildlife. The design, management and maintenance of cemeteries in active use and also those which are inactive or closed should reflect these wide-ranging concerns and be sympathetic towards the retention of features of ecological interest, for instance, leaving or creating diverse natural borders with trees and shrubs and avoiding excessive tidying and pruning of undergrowth. Therefore, the following Policy will apply:-

Policy CF 6

Cemeteries

Existing and proposed cemeteries and burial grounds (including proposed extensions) should be sited, designed, managed and maintained in a manner which protects public health, is consistent with ecological principles and is sympathetic towards the creation and retention of features of historic,

landscape and ecological importance. The proposals should also be consistent with other relevant UDP policies.

Social Services and Health Infrastructure

10.33 The Council is committed to achieving the best quality of life that can be attained for all. To accomplish this objective, it has to be able to react to the needs and aspirations of all groups and individuals and to react to the changing structure and character of the population. The Council has prepared a Community Care Plan, which states that “users of our services are first and foremost. They have the same values, rights and responsibilities as anybody else. Services should be aimed at giving them as ordinary a life as possible by giving them support, guidance, and information to promote their independence”. Those who require these forms of support are children, those with physical and sensory disabilities, those with learning difficulties and those with mental health problems. The UDP can assist in meeting the priorities of service providers by ensuring an adequate supply of land and criteria by which applications for planning permission will be assessed.

10.34 There is a determined effort to provide domestic scale accommodation within communities in order that residents might live as ordinary a life as possible, rather than relying on larger scale collective accommodation as in the past. However, appropriate accommodation and facilities will be required for those receiving care and their carers. The following Policy will therefore apply:-

Policy CF 7

Collective Needs Accommodation and Residential/Nursing Homes

Proposals for collective accommodation for special needs groups or for formal Residential or Nursing Homes, will be permitted where they meet the following criteria:-

- i. the development is located, where appropriate, within an existing urban or housing area where there are facilities easily accessible to residents, including provision of shops, post offices, other social infrastructure, and good quality public transport;

- ii. the development does not contribute to an overconcentration of these facilities in order to ensure that the residential character of the area is not compromised;
- iii. the development provides design features (including health and safety requirements) and use of materials appropriate to the proposed location, together with landscaping, outside amenity areas, screening for privacy, car parking and servicing;
- iv. the development provides appropriate safe access and accommodation for emergency vehicles;
- v. the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, where these are material considerations;
- vi. the development creates no unacceptable environmental, amenity, safety, traffic or other problems; and
- vii. the development complies with the provisions of all other relevant UDP policies.

10.35 Day care facilities for children are increasingly necessary to enable parents to return to work. It is important to ensure that the nursery or children’s care centres do not cause noise or traffic problems. The following Policy will apply:-

Policy CF 8

Day Care Facilities for Children

Proposals for day care facilities for children (including childminders, private day care nurseries and playgroups) will be permitted where they meet the following criteria:-

- i. development is well located with respect to the community it is intended to serve and is accessible by good quality public transport and other modes of transport including cycling and walking;
- ii. proposals incorporate adequate internal and adjacent external facilities for child’s play, rest and activities;

- iii. the proposals are adequate to accommodate the number of children and staff proposed;
- iv. the proposals incorporate adequate safe facilities for the dropping off and picking up of children (these may be on-street or off-street, but should ensure that road safety and congestion problems are not created);
- v. the amenity of neighbouring properties is safeguarded, particularly where these are residential, business or office in nature;
- vi. the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, where these are material considerations;
- vii. the development creates no unacceptable environmental, amenity, safety, traffic or other problems; and
- viii. the development complies with the provisions of all other relevant UDP policies.

10.36 Doctors' surgeries, health centres and dentists' practices need to be located as near as possible to their catchment population. Conversions to, or new-build surgeries should be locally accessible by a range of means of transport and supportive of the principles of sustainable development. Larger facilities will need to provide Travel Plans in accordance with the requirements of Policy T 1. Therefore:-

Policy CF 9

Medical, Dental or Health Facilities

Proposals for medical, dental or health facilities will be permitted where they comply with the following criteria:-

- i. the development is well located with respect to the community it is intended to serve;
- ii. it is accessible by good quality public transport and other modes of transport including cycling and walking;
- iii. it provides satisfactory access for the disabled;
- iv. it preserves or enhances Conservation Areas and does not adversely affect

Listed Buildings or their settings, where these are material considerations;

- v. it does not create any environmental, amenity, traffic, safety or other problems; and
- vi. the development complies with the provisions of all other relevant UDP policies.

(It may be necessary to submit a Travel Plan alongside larger developments or those that could have significant traffic and travel generating effects. See Policy T 1).

10.37 The new Calderdale Royal Hospital will continue to be the focus for primary health care within the District and is likely to continue to develop over the next few years. Whilst there are no specific proposals for this site, it is identified on the Proposals Map for information purposes. The sites of the former Halifax Royal Infirmary and Northowram Hospital have been developed for housing and ancillary open space during the plan period, and the Proposals Map reflects this position.

HM Prison Service

10.38 HM Prison Service is experiencing serious overcrowding problems. As a result there is an ongoing exercise being undertaken to identify areas of future need for additional prison accommodation throughout England and Wales. West Yorkshire has been identified as one area of strategic importance for additional prison places. Whilst there are no specific proposals being put forward by HM Prison Service for a new prison in Calderdale, it is important that the UDP sets out how the Council would determine any planning application. DETR Circular 03/98 'Planning for Future Prison Development' sets out how the Government view this issue of national importance. The Circular gives priority to brownfield sites, and insists that the original presumption against inappropriate development within Green Belts should be applied to prisons as well. Paragraphs 9 to 12 in the Circular set out a number of ideal characteristics that any site should seek to display. These are:-

- area of 16 hectares with a regular shape;
- be reasonably level;
- be not overlooked;
- be capable of accommodating 2, 3 or 4 storey buildings;
- should normally be a brownfield site, although greenfield may be acceptable in some circumstances;

- should not be within the Green Belt unless special considerations indicate otherwise;
- should be in a sustainable location, assisting objectives of reducing the need to travel, not too far from the centre of population and have good accessibility by public transport;
- have good access to the motorway or arterial trunk road network; and
- have readily available mains gas, electricity, water and sewerage services without unreasonably high cost.

By virtue of their size, new prisons are likely to fall within the requirements of the Town & Country Planning (Environmental Impact Assessment)(England and Wales) Regulations (1999).

The Council would expect any proposed prison facility to generally comply with its design policies and all other relevant UDP policies, and not to cause any unacceptable environmental, amenity, safety, highway or other problems.

Major Leisure Uses and Urban Entertainment Facilities

10.39 Leisure activities such as bingo halls, discotheques, dance studios, snooker halls, amusement arcades/centres, sports centres, fitness studios and public houses are important features adding to the variety and culture of the District. Some of these can be very significant in terms of the intensity of their use or the importance of the facility for the viability and vitality of town centres. It is important to ensure that they are properly located and do not give rise to problems associated with noise, traffic generation and disturbance. Many of these facilities should be regarded as key town centre type uses and should therefore be located within or close to a town centre where accessibility is greatest and where they can contribute to the vitality and viability of the centre. The policy framework contained within PPS6 'Planning for Town Centres', indicates that these uses should be subject to the sequential approach ~~outlined in POLICY GS 2 and Policy S 1.~~ PPS6 also sets out that the test of "need" for the development is essential for the consideration of leisure facilities in the same way as it is for retailing. In addition, developments that seek to serve a particular catchment area should be located within a centre that serves that same area. The purpose of the Policy is to ensure that the activities only take place in the most appropriate locations. Therefore:-

Policy CF 10

Major Leisure/Entertainment Uses

Proposals for major leisure/entertainment uses will be supported provided that the following requirements are met:-

- where appropriate the need for the development is demonstrated;
- the location of the development is appropriate in terms of the sequential approach ~~(see POLICY GS 2 and Policy S 1);~~
- it is accessible by good quality public transport or other alternative modes such as cycling or walking;
- there is no unacceptable loss of amenity, particularly if the proposed use is adjacent to or close to dwellings, schools, churches, hotels or hospitals etc;
- the proposals make provision for the control of noise from the premises;
- adequate parking and vehicle turning is provided where appropriate;
- the detailed requirements of the proposed use, including hours and days of operation reflect the character of the area in which the use is proposed to be located;
- the scale of development is appropriate to the role of the centre and the size of the catchment that the development seeks to serve;
- it preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, where these are material considerations;
- it does not create any unacceptable environmental, amenity, traffic, safety or other problems and
- the development complies with the provisions of all other relevant UDP policies.

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Replacement Calderdale UDP : Adopted 25 August 2006



11 Natural Environment and the Countryside

Introduction

11.1 The countryside of the District is one of Calderdale's most important resources. Over 80% of the area is rural in character, with high open moorland to the west of the District and attractive wooded valleys surrounding and leading into the urban areas. The quality of the environment is an important factor affecting the quality of life of local people as well as influencing the perceptions of visitors, including those who may be thinking of investing in the area. A key role of the UDP will therefore be to contribute towards making the District a greener, healthier and more pleasant place in which to live and work, to assist overall sustainability and regeneration objectives.

11.2 Calderdale possesses a landscape of great beauty, which is enjoyed by local people and visitors. The area also supports a rich variety of wildlife and associated habitats and forms an important part of the Southern Pennines. The whole variety of living things, including the habitats that support them, is known as biodiversity. The landscape and biodiversity of the District are under pressure from a variety of sources, but in particular from:-

- commercial and industrial development;
- housing development;
- growth in vehicular traffic;
- growth of leisure and recreation, especially in the countryside;
- the changing nature of the agricultural economy and rural diversification; and
- the need to develop renewable energy technology for power generation.

11.3 Protection of the natural environment and countryside are key objectives at both national and regional levels. The Government's Rural White Paper 'Our Countryside: the Future' (2001) contains proposals relating to:-

- conserving and enhancing our countryside;
- restoring and maintaining wildlife diversity and the natural environment;
- constraining the built-up area and directing development towards the existing built-up areas; and
- increasing enjoyment of the countryside.

11.4 These themes are further developed in Regional Spatial Strategy for Yorkshire and the Humber (2004) (RSS) which seeks to:-

- protect and enhance the region's biodiversity
- protect and enhance the region's historic and cultural resources
- protect and enhance the quality, diversity and distinctiveness of the region's landscape;
- increase tree cover; and
- encourage sustainable and integrated agriculture.

11.5 The UDP embraces these national and regional policies and priorities by setting out local policies, particularly within this Section, but also within Sections 4 and 7 on Employment, the Economy, Tourism and Regeneration and Open Space, Sport and Recreation Facilities, respectively. The aim is to achieve a balance between conservation and development, to ensure that economic growth is not at the expense of today's and tomorrow's environment.

11.6 A key control over development pressure and the conservation of the natural environment is the Green Belt. This restrains development across approximately 63% of the District and assists in the process of urban renaissance. Other policies seek to conserve and enhance the environmental diversity of the District. The Plan's policies can protect the countryside from unsympathetic development and seek to ensure that the best of the District's environment is retained. However, it is also important that every opportunity is taken to enhance the countryside. An attractive and accessible countryside can be an important element in attracting investment, securing regeneration and increasing community well-being.

11.7 The upland moor areas of Calderdale form part of the South Pennine Moors Special Protection Area (SPA) and Special Area of Conservation (SAC), areas of European significance. This area is under increasing threat and as a result, a Heritage Strategy for the Southern Pennines (2001) has been prepared by the Standing Conference of South Pennine Authorities (SCOSPA). The Strategy provides a vision for the future management and enhancement of the area and seeks ways to secure the conservation of the area's heritage and ensure that future generations can enjoy it. The UDP seeks to complement the objectives of this strategy.

The Green Belt

11.8 The parts of Calderdale which lie outside the urban areas, are responsible for providing much of the character of the District. In March 1989 the Secretary of State for the Environment approved the Calderdale Green Belt Subject Local Plan, which provided precise boundaries for the Green Belt area. Not all of Calderdale's countryside was designated as Green Belt. The western part of the District was not seen to fulfil the criteria for including land within the Green Belt and other mechanisms for control exist. The functions of the Green Belt, as defined in PPG2 'Green Belts' (1995) are:-

- i. to check the unrestricted sprawl of large built-up areas;
- ii. to prevent neighbouring towns from merging into one another;
- iii. to assist in safeguarding the countryside from encroachment;
- iv. to preserve the setting and special character of historic towns; and
- v. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

11.9 The RSS also states that the general extent of the Green Belt should not be changed for the foreseeable future. However, it recognises that through the development plan review process, localised changes to the Green Belt may be necessary to meet identifiable local needs. Minor changes to the Green Belt have been brought forward through the UDP process. Some of these changes have been made in response to an inadequate supply of employment land within the urban area and to ensure a sufficient choice of developable locations for employment growth. Where changes were appropriate, sites cause no material harm to the aims of Green Belt policy. Therefore, the following Part One Policy applies:-

POLICY GNE 1

CONTAINMENT OF THE URBAN AREA

A GREEN BELT WILL BE MAINTAINED AROUND THE MAIN BUILT-UP AREAS. THE PLAN WILL SEEK TO RESTRAIN DEVELOPMENT OUTSIDE THE URBAN AREAS THROUGH THE GENERAL EXTENT OF THE GREEN BELT.

11.10 The main pressure for Green Belt release comes from volume house builders who, in particular, are seeking additional, larger sites at the edge of the larger towns. Such releases would generally be on greenfield sites, and would take the emphasis away from the re-use of brownfield sites at a time when Government planning policy is stressing the need for increased brownfield development. Regional housing targets for Calderdale are being met, both in terms of the numbers being completed and the proportion on brownfield sites. Allowing development within the Green Belt when there is every indication that the brownfield development process still has room to continue, acts against the efforts of the Council and its partners to regenerate Calderdale's towns and so assist the achievement of renaissance. However the extent of the Green Belt and its detailed boundaries will be the subject of review in the forthcoming, new Local Development Framework (LDF) for the District prepared under the new Planning Act (2004).

11.11 It is recognised that there is an inadequate supply of employment land within the urban area at the present time. It has therefore, been necessary to make minor alterations to the Green Belt boundary to ensure a sufficient choice of developable locations for employment growth. These are identified in the Employment, the Economy, Tourism and Regeneration Section at Paragraph 4.22 and in Policy E3. Some minor amendments to the Green Belt have also been made to remove inconsistencies and follow reasonable boundaries on the ground.

11.12 Within the Green Belt, there is a presumption against inappropriate development. The following policies set down the basic principles to control development strictly within the guidelines set by PPG2, in order to ensure that the objectives of the Green Belt are met. Although some limited development will be acceptable within the Green Belt, it is important that this is not detrimental to visual amenity and the achievement of the purposes of the Green Belt. Care will therefore need to be given to the siting and design of appropriate development. Planning applications for inappropriate development will not be permitted within the Green Belt, unless the applicant is able to show there are very special circumstances to justify an exception. The definition as to what constitutes "very special circumstances" is very much set by case law, the courts and the particular circumstances of individual cases. It is for applicants to show why planning permission should be granted, and most cases where the Council is minded to grant consent will be referred to the Government as departures, who may make decisions themselves.

11.13 Outdoor sport and outdoor recreation are appropriate uses within the Green Belt. In order to accommodate such uses, a certain degree of built accommodation may also be necessary in addition to the laying out of pitches or courses. For example, changing rooms, small stables or unobtrusive spectator accommodation may be acceptable. However, major football stadia are not acceptable within the Green Belt due to the size of the structures involved. Annex E of PPG2 deals with this in detail. ~~Development proposals in the Green Belt will therefore be considered against the following Policy:-~~

~~Policy NE 1~~

~~Development within the Green Belt~~

~~Within the Green Belt defined on the Proposals Map, there is a general presumption against inappropriate development, except in very special circumstances. Planning permission will not be granted for development, other than for:-~~

- ~~A. the construction of new buildings for purposes of:
 - ~~i. agriculture and forestry; and~~
 - ~~ii. essential facilities for outdoor sport and outdoor recreation, cemeteries and other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it,~~~~
- ~~B. mineral extraction and essential facilities ancillary to extraction provided that high environmental standards are maintained and the site is well restored; and~~
- ~~C. engineering and other operations, and the making of any material change in the use of the land may not be inappropriate providing they maintain the openness and do not conflict with the purposes of including land in the Green Belt.~~

~~Development which is not inappropriate should not detract from the visual amenity of the Green Belt by reason of siting, materials or design.~~

Extensions and Alterations to Buildings in the Green Belt

11.14 Certain buildings within the Green Belt are unsuitable for modern day employment or domestic requirements or other activities. Extension and alteration is a means of adapting buildings to meet current needs. In appropriate circumstances, PPG2 allows the prospect of the extension or alteration of existing dwellings in the Green Belt, ~~and this is reflected in Policy NE2.~~ Provided these are of an appropriate design and scale, they may be acceptable. However, proposals will be strictly controlled to ensure that they do not detract from the openness and character of the Green Belt and the original dwelling remains the dominant element. They should, therefore, be of an appropriate scale in relation to the existing dwelling, designed to harmonise with it and be limited to what is necessary to provide a reasonable amount of domestic accommodation. Particular attention will be paid to proposals for extensions to dwellings that have already been extended. There are in addition, a number of buildings in the Green Belt which are not in residential use, but where, nevertheless, extensions or alterations may be sought at some time in the future. In appropriate circumstances, the impact of such development, for instance on the openness of the Green Belt, may be no more harmful than an extension or alteration to a dwelling. "Very special circumstances" will have to be demonstrated by the developer to justify such developments, ~~and additionally, the criteria in Policy NE2 will equally apply. As a result the following Policies will apply:-~~

~~Policy NE 2~~

~~Extensions and Alterations to Dwellings in the Green Belt~~

~~Proposals for the limited extension and/or alteration of existing residential buildings within the Green Belt (including the provision of attached or free standing garages within the curtilage of existing dwellings) will be permitted provided they:-~~

- ~~i. do not adversely affect the character, visual amenity and openness of the Green Belt;~~

- ii. ~~do not result in disproportionate additions over and above the size of the original building; and~~
- iii. ~~would not harm other interests of acknowledged importance such as the setting of Listed Buildings, the character or appearance of Conservation Areas or valuable wildlife habitats and species.~~

Policy NE 3

Extension and Alteration to Other Buildings in the Green Belt

Except where provision is made in other UDP policies relating to the Green Belt, proposals for limited extension and/or alteration to buildings other than dwellings will be refused unless very special circumstances to justify inappropriate development are demonstrated. Where very special circumstances are demonstrated the following criteria will also be taken into consideration:-

- i. the development should not adversely affect the character, visual amenity and openness of the Green Belt; neither
- ii. result in disproportionate additions over and above the size of the original building; nor
- iii. harm other interests of acknowledged importance including the setting of Listed Buildings, the character or appearance of the Conservation Areas and valuable wildlife habitats and species.

Re-Use of Buildings in the Green Belt

11.15 There are often opportunities for re-using existing rural buildings within the Green Belt for new residential, commercial, industrial or recreational uses. This can reduce demand for new buildings in the countryside, assist farm diversification and the rural economy and may retain buildings which contribute to the appearance or heritage of the countryside. In particular, schemes that involve the conversion or alteration of buildings for employment uses will, in line with advice in PPG3, PPS7 and PPG13 be wherever possible supported in the

interests of economic diversification of the rural economy, in preference to those for residential use. Opportunities to restore Listed Buildings and bring them back into beneficial use will be particularly supported. Further policy advice regarding Listed Buildings can be found in paragraphs 8.50 to 8.58. However, it is necessary to ensure that such conversions do not have an adverse impact on the appearance or amenity of the countryside and they can be adequately serviced. It will not be appropriate to permit the re-creation of buildings, which are not substantially complete, or the permanent use of temporary buildings. Accordingly, the following Policy will apply:-

Policy NE 4

Conversion or Change of Use of Buildings in the Green Belt

Proposals for the conversion or change of use of buildings in the Green Belt will be permitted provided they meet the following criteria:-

- i. the form, bulk and general design of the existing buildings are in keeping with their surroundings or can be improved in their appearance to remove any adverse impact on the landscape;
- ii. the buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction;
- iii. the conversion does not have a materially greater impact than the present use on the openness of Green Belt, and the purposes of including land in it or on the character of the countryside in general;
- iv. the conversion does not cause traffic, amenity or servicing problems and does not give rise to pollution which outweighs the advantages of the conversion and which cannot be overcome by attaching conditions to the permission;
- v. adequate water supplies and means of drainage exist; and
- vi. they would not harm other interests of acknowledged importance such as the setting of Listed Buildings, the character or appearance of

Conservation Areas or valuable wildlife species and habitats.

Preference will be given to schemes which result in the property being used for job creation.

11.16 If a proposal for the re-use of a building in the Green Belt does not meet the criteria in Policy NE4, or there are other specific and convincing planning reasons for refusal, the proposal will not be rejected without considering whether, by imposing reasonable conditions, any objections could be overcome.

11.17 Strict control will be exercised over the subsequent extension of re-used buildings and over any associated uses of land which might have a harmful effect on the character of the countryside or conflict with the openness of the Green Belt and the purposes of including land in it.

Replacement Dwellings in the Green Belt

11.18 PPG2 allows for the replacement of dwellings within the Green Belt, providing the new dwelling is not materially larger than the dwelling it replaces. However, permission will only be granted where the original dwelling is of a permanent and substantial construction. Where a new dwelling is acceptable, it should not have a greater impact on the openness of the Green Belt than the dwelling being replaced (for instance, in terms of the height of the building or its site coverage) or affect other purposes of the Green Belt. It will therefore be necessary to consider the siting of the replacement building and its effect on the local landscape. Existing dwellings in the Green Belt, because of their age and location may not exhibit high levels of sustainability. Modern design concepts and practice should generally enable any replacement dwelling to incorporate elements making it more sustainable than its predecessor, not least in terms of resource and energy use Policy EP 25. Development will therefore be considered against the following Policy:-

Policy NE 5

Replacement Dwellings in the Green Belt

Planning permission for the replacement of existing dwellings within the Green Belt will not be permitted unless:-

- i. the replacement dwelling should have no greater impact upon the openness of the Green Belt than the existing dwelling;
- ii. the proposal would maintain or enhance the character, amenity and appearance of the area;
- iii. the existing dwelling is capable of use in its present state and has not become so derelict that it could only be brought back into use with complete or substantial reconstruction; and
- iv. the replacement dwelling is more sustainable than the existing dwelling in terms of resource and energy use.

11.19 The replacement of a residential Listed Building will be subject to Policy BE 17, which only allows the demolition of a Listed Building in exceptional circumstances.

Gardens and Garden Extensions in the Green Belt

11.20 In the Green Belt, there are a number of older dwellings lacking garden areas. In principle, the Council believes that householders should have a garden area, for instance, to allow children to play in safety, for the drying of washing and for gardening or sitting out. Equally, the Council is committed to following the advice set out in PPG2 in respect to Green Belts. There will be a general presumption against new gardens for houses in the Green Belt except in very special circumstances where a dwelling currently does not have a garden area or its garden area is so small as to be of little practical value.

11.21 The individual merits of a case will be judged against a number of criteria. The proposed gardens will have to be of small scale only sufficient to meet the limited needs set out in paragraph 11.20 above, and not of sufficient size to potentially accommodate a new dwelling. They should be adjacent, adjoining, next to or near to the dwellings, in most cases immediately in front of, behind or at its side, or immediately across a highway from it. Larger gardens prominently extending into the open countryside will not therefore be acceptable. Developments should preserve the openness and protect the visual amenity of the Green Belt.

11.22 In all cases, where a new garden is judged to be consistent with the criteria in Policy NE6, appropriate boundary treatment will be required, for

instance, natural stone walling or hedging. In addition, planning conditions and/or planning obligations will be used to remove permitted development rights from the land incorporated into the residential curtilage.

11.23 The Council considers that proposals to extend existing house gardens for new or older dwellings in circumstances other than those referred to in paragraphs 11.20 and 11.21 above will be regarded as inappropriate development in the Green Belt and will not be supported. Development will be considered against the following Policy:-

Policy NE 6

New Gardens in the Green Belt

There will be a general presumption against new gardens for houses in the Green Belt except in very special circumstances where a real need can be demonstrated, they are small scale, are adjacent to the dwelling(s) they serve and the development meets all the following criteria:-

- i. **it would not have an adverse impact on the openness of the Green Belt;**
- ii. **it would not harm the visual amenity and character of the landscape;**
- iii. **it would not harm other interests of acknowledged importance such as the setting of Listed Buildings, the character or appearance of Conservation Areas, valuable wildlife habitats or be contrary to other UDP policies;**
- iv. **it would not involve a significant loss of agricultural land or have an adverse effect on the viability of an agricultural holding;**
- v. **it would not create an irregular edge to the curtilage of the property; and**
- vi. **it would not lead to the loss or unacceptable diversion of a public right of way.**

Where development is acceptable, boundary treatment should be sympathetic to the character of the locality. Where appropriate, planning conditions and/or planning obligations, restricting permitted development rights on the land incorporated into the residential curtilage, will be attached to any planning permission.

Development in Settlements in the Green Belt

11.24 Within the Green Belt there are often small gaps within existing settlements or groups of buildings where a limited amount of new building (infilling) could take place without affecting the objectives of the Green Belt or extending development into the open countryside. Special care will be required in considering these sites, since some will be intrinsically important to the character of a settlement or provide valuable open space. Furthermore, the extension of buildings within existing settlements is less likely to harm the open character of the Green Belt and will therefore be more acceptable than in the open countryside. Therefore, within the infill settlements listed below, the policies relating to extensions within the Green Belt will not apply. Applications for extensions will however be considered against Policy BE 1 and Policy BE 2.

11.25 PPG2 identifies a number of ways to deal with new development in existing settlements within the Green Belt. In accordance with this advice, a survey of the development potential of existing villages in the Green Belt in Calderdale has been undertaken. The following villages are considered to have potential for accommodating a limited amount of development and are defined on the Proposals Map:-

Table 11.1 Villages Within Designated Village Envelopes

- Bradshaw; (3 separate village envelopes)
- Brearley;
- Charlestown; (2 separate village envelopes)
- Elland, Lower Edge;
- Elland, Upper Edge;
- Greetland, Wall Nook;
- Jagger Green;
- Lumbrook;
- Midgley;
- Mill Bank;
- Mount Tabor;
- Norwood Green;
- Old Town; (2 separate village envelopes);
- Pecket Well;
- Ripponden, Old Lane;
- Slack;
- Sowood;
- Soyland Town;
- Triangle;
- Wainstalls; (2 separate village envelopes)

11.26 Whilst these villages will remain washed over by Green Belt, boundaries have been defined around each one, indicating where development may be acceptable. Within these boundaries, applications for limited infill development or extensions to buildings will be considered against the following Policy:-

Policy NE 7

Development Within The Named Village Envelopes in the Green Belt

Within the defined settlement limits of villages in the Green Belt identified on the Proposals Map, proposals for infill development or the extension of existing buildings will be permitted provided that :-

- i. in the case of residential development, it is located on previously developed land;**
- ii. the development would be located within the built-up area of the settlement;**
- iii. the infill development relates to a small gap in a group of buildings or otherwise continuously built-up frontage;**
- iv. the development would not adversely affect the character of the settlement and its surroundings;**
- v. the development would preserve or enhance the character of a Conservation Area and not adversely affect Listed Buildings or their settings;**
- vi. the development would not result in the loss of an important open space;**
- vii. the development would not detract from the visual amenity of the Green Belt;**
- viii. the development would not harm other interests of acknowledged importance; and**
- ix. the development would be consistent with other relevant UDP policies.**

11.27 For the purpose of the Policy, an 'infill' site is defined as a small gap in a group of buildings or otherwise continuously built up frontage, bounded by buildings on at least two sides. Villages within the Green Belt, which do not have a defined boundary, will remain washed over by Green Belt notation and subject to the development control policies for Green Belt.

The Area Around Todmorden

11.28 In the countryside towards the west of the District, in the area around Todmorden, the pressures for development reduce significantly due to the physical nature of the land, its suitability for development and specific nature conservation designations. This area of rural land does not perform a Green Belt function and has therefore, been excluded from Green Belt designation. At the present time, a change to this situation is not considered to be justified or necessary.

11.29 Government guidance on development in rural areas is set out in PPS7 'Sustainable Development in Rural Areas' (2004). This aims:-

- to raise the quality of life and the environment in rural areas,
- to promote more sustainable patterns of development,
- to promote the development of the English regions by improving their economic performance and
- to promote sustainable, diverse and adaptable agricultural sectors.

11.30 This area has special characteristics and is of particular value for agriculture, wildlife, nature conservation and recreation. This area of open countryside is shown as the 'Area Around Todmorden' on the Proposals Map. Within this area there are villages and settlements where it may be appropriate that development will take place subject to the provisions of Policy NE9. Two settlements, Blackshaw Head and Harvelin Park are shown on the Proposals Map as having designated village envelopes, but Policy NE9 also relates to all settlements within the 'Area around Todmorden', where the criteria set out in Policy NE9 are met.

11.31 Whilst there is limited development pressure within many parts of this western area, it is appropriate that policies should seek to prohibit some forms of built development to prevent the spread of existing settlements. PPS7 contains advice on appropriate uses, extensions, conversions and garden extensions within the open countryside and applicants should have regard to this. Proposals for development will also be assessed against POLICY GNE 2 ~~and POLICY GEP 2~~ bearing in mind the need to protect the countryside for its own sake and for the renewable and natural resources it contains. Account will also be taken of any special designations and the need to protect the amenity of the countryside. In all cases,

development will be expected to comply with the following Policies, together with any other relevant UDP policies.

Policy NE 8

Appropriate Development for the Area Around Todmorden

Within the Area Around Todmorden defined on the Proposals Map, development will not be permitted except for:-

- i. uses necessary for agriculture, forestry or equestrian activity or other social and economic uses which have a functional need to locate in the countryside;
- ii. the re-use and adaptation of existing buildings;
- iii. the extension or alteration of existing buildings (including the provision of attached or freestanding domestic garages within the curtilages of existing dwellings) providing that it does not result in a disproportionate addition over and above the size of the original building; and
- iv. sport and recreation uses appropriate to a rural area which do not conflict with other land uses.

Development which is appropriate should not detract from the visual amenity of the open countryside.

Policy NE 9

Development Within Settlements in the Area Around Todmorden

Within settlements which lie within the Area Around Todmorden, proposals for infill development or the extension of existing buildings will be permitted provided that:-

- i. in the case of residential development, it is located on previously developed land;
- ii. the development would be located within the built up area of the settlement;

- iii. the infill development relates to a small gap in a group of buildings or otherwise continuously built up frontage;
- iv. the development would not adversely affect the character of the settlement and its surroundings;
- v. the development would preserve or enhance the character of a Conservation Area and not adversely affect Listed Buildings or their settings;
- vi. the development would not result in the loss of an important open space;
- vii. the development would not detract from the visual amenity of the Area Around Todmorden;
- viii. the development would not harm other interests of acknowledged importance; and
- ix. all other relevant UDP policies are met.

Policy NE 10

Garden Extensions Within the Area Around Todmorden

There will be a general presumption against new gardens for houses in the Area Around Todmorden, except in very special circumstances where a real need can be demonstrated, they are small scale, adjacent to the dwellings they serve and the development meets the following criteria:-

- i. it would not harm the visual amenity and character of the landscape;
- ii. it would not harm other interests of acknowledged importance such as the setting of Listed Buildings, the character or appearance of Conservation Areas, valuable wildlife habitats or be contrary to other UDP policies;
- iii. it would not result in a significant loss of agricultural land or have an adverse effect on the viability of an agricultural holding;
- iv. it would not create an irregular edge to the curtilage of the property and
- v. it would not lead to the loss or unacceptable diversion of a public right of way.

Where development is acceptable, boundary treatment should be sympathetic to the character of the locality. Planning conditions and/or planning obligations restricting permitted development rights on the land incorporated into the residential curtilage may be attached to any planning permission.

Protected Land

11.32 Within some parts of the District land is identified which does not fall into any of the categories (such as Green Belt, Primary Housing, Primary Employment, Open Space, Town Centre or a specific allocation for development) applied to other land within the Plan. The Replacement UDP provides sufficient land to meet the housing requirements based upon current circumstances. However, the Plan's Monitor and Manage system of phased housing releases means that options must be available in the future for the possibility of new allocations for housing being brought forward if they are required. Some land is identified in the Replacement UDP which could be considered in the future for its potential to contribute to development needs. This Protected Land will be kept free from development which would prejudice its future consideration as follows:-

Policy NE 11

Protected Land

Protected Land is identified on the Proposals Map. Development that would prejudice the consideration of the future of this land in the context of Development Plan review will not be permitted.

Special Landscape Area

11.33 Policies NE1 to NE10 seek to protect the quality of the environment and agricultural land in the Green Belt and the Area Around Todmorden by controlling land uses. In much of Calderdale the countryside is of a very high visual quality; a combination of impressive landscape, buildings of architectural and historical significance and areas of ecological importance. Furthermore, in many places, this landscape is visible and accessible from urban areas.

11.34 Both culturally and environmentally the landscape to the west of the District also forms an

important part of the Southern Pennines, linking the Peak District and Yorkshire Dales National Parks. The most important landscapes of the District need to be safeguarded and have therefore been designated as a Special Landscape Area (SLA) in the UDP and as such, are subject to Policy NE12 and are defined on the Proposals Map. The majority of the SLA coincides with the Heritage Area as defined by SCOSPA and is protected by the Heritage Strategy for the Southern Pennines. This provides the strategic framework to guide and manage development within the area. The Heritage Strategy indicates that the area is particularly sensitive to the effects of changing agricultural practice and declining agricultural viability. Reduced investment in the maintenance of buildings and boundaries and woodland management brings about deterioration in the visual quality of key elements. Furthermore, inappropriately designed building conversions, the creation of garden areas and the introduction of horse stabling, grazing and exercising can all exacerbate these problems. The Heritage Strategy promotes the Landscape Character Assessment and the Countryside Design Summary produced by SCOSPA in 1998, as examples of best practice. These documents provide the basis for protecting and managing the Southern Pennine landscape and the natural, cultural and built features within it. The Special Landscape Area designation whilst providing protection for all identified important landscapes, will support the principles within these documents to govern the location of new development in a way that respects and is sympathetic to the visual quality of the landscape.

Policy NE 12

Development Within the Special Landscape Area

Within the Special Landscape Area, development which would adversely affect landscape quality will not be permitted. Special attention should be paid to conserving and enhancing the visual quality and minimising the environmental impact of development in the area through detailed consideration of the siting, materials and design of the new development.

11.35 In certain cases it may be necessary to remove permitted development rights in order that unsympathetic additions to buildings are prevented. The incremental effect of such insensitive development would be obtrusive in this type of area.

Therefore, the Council will give consideration to Directions under Article 4 of the Town and Country Planning (General Permitted Development) Order (1995) (as amended) to restrict the permitted development of certain types of buildings in Special Landscape Areas.

Nature Conservation

11.36 Calderdale contains a diversity of flora and fauna, along with their habitats, which contributes to the biodiversity of the area and is worthy of conservation and protection. There are selected areas where the need for conservation is particularly important, including the heather moorland and other upland habitats. The most important areas are protected by international or national law, such as the South Pennine Moors, whilst other sites, are of local importance due to their wildlife or geological attributes.

11.37 Calderdale has an important geological resource, more fully described in Section 13 (Minerals). This has an important influence on topography, landscape and biodiversity. It also represents a valuable educational resource.

11.38 PPS9 'Biodiversity and Geological Conservation' (2005) provides guidance on the identification and protection of areas of nature conservation value from potentially damaging development, while PPS7 'Sustainable Development in Rural Areas' emphasises the importance of protecting the diversity of the rural landscape and wildlife habitats. The protection and enhancement of the biodiversity of the wider countryside is fundamental to sustainability, improving the quality of life of residents and helping to attract visitors to the area. The UDP is a major component in achieving this together with the Ecological Plan for Calderdale, the South Pennine Moors Integrated Management Strategy and Conservation Action Programme, the Countryside Design Summary and the Heritage Strategy for the Southern Pennines.

11.39 Biodiversity can be defined as the richness and variety of plants, insects, birds, mammals and all living things in the world and is a key component and indicator of sustainable development. In 1992, the United Kingdom made a commitment to the conservation of biodiversity by signing the Biodiversity Convention. The Calderdale Biodiversity Action Plan (BAP) was produced in 2003. This represents Calderdale's contribution to the delivery of the UK BAP. The BAP replaces the Ecological Plan for Calderdale and forms the cornerstone for future

decision making for biodiversity in Calderdale. Priority Species and Habitats are identified, together with the actions needed to ensure their survival. In addition, the Calderdale BAP, besides contributing to the UK BAP, will also protect and enhance local biodiversity in the form of species and habitats of local significance. These species and habitats may be rare or threatened at a local or national level and are in urgent need of conservation action. The Calderdale BAP will assist the planning process by providing justification for the protection and enhancement of biodiversity not covered by statutory sites.

11.40 Natural England (formerly English Nature and the Countryside Agency) is the principal agency responsible for advising central and local government on nature and geological conservation. The Council is required to consult Natural England on any development proposal that could affect a designated site. In considering applications for development, the more significant the site, the more stringent the controls will be. The Council will seek to protect the natural, historic and cultural environment through the following Part One Policy:-

POLICY GNE 2

PROTECTION OF THE ENVIRONMENT

DEVELOPMENT SHOULD PROTECT, CONSERVE AND ENHANCE THE CHARACTER, QUALITY AND DIVERSITY OF THE NATURAL, HISTORIC AND CULTURAL ENVIRONMENT (WHETHER IN URBAN OR OUTLYING AREAS) WITHIN THE DISTRICT IN ORDER TO IMPROVE THE QUALITY OF LIFE FOR ALL AND TO MAINTAIN THE NATURAL HERITAGE OF THE DISTRICT FOR USE BY FUTURE GENERATIONS AND FOR ITS OWN SAKE.

Sites of International Importance

11.41 The South Pennine Moors are designated as Special Protection Area (SPA) and a Special Area of Conservation (SAC). Both designations protect this internationally important habitat. The establishment of a European network of important high quality conservation sites that would make a significant contribution to conserving habitat types and species is required by Article 3 of the European Communities Habitats Directive which came into force in April 1979. Such sites are designated as Special Areas of Conservation (SAC). The European Communities

Directive on the conservation of wild birds (known as the Birds Directive) also came into effect in April 1979, under which sites are strictly protected and are classified for rare and vulnerable birds and for regularly occurring migratory birds. Such sites are known as Special Protection Areas (SPAs) and are designated in accordance with Article 4 of the Birds Directive. These are now both included as Natura 2000 sites under the 1992 Directive 'Managing Natura 2000 Sites'. Such sites are managed to conserve and enhance their nature conservation value, taking into account factors such as access, recreation and land use. Such sites not only require special protection but also positive management to ensure that they are managed to conserve and enhance their nature conservation value, taking into account factors such as access, recreation and land use.

11.42 OPDM Circular 06/2005 - "Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System" provides the framework for the implementation of the European Legislation in the national context. The Council will apply the provisions of this circular to any development proposals falling within the SPA or SAC. The designated area is identified on the Proposals Map. In accordance with the objectives of the designation, proposals for development will be subject to the most rigorous examination to ensure the site is protected from damage and destruction, and where appropriate, cases will be referred to Natural England. PPS9 states in paragraph 6 that as these sites enjoy statutory protection specific policies in respect of such sites should not be included within development plans and therefore the Replacement Unitary Development Plan does not propose to include specific policies.

Sites of National Importance

11.43 Sites of national importance managed for nature conservation objectives by approved bodies may be designated as National Nature Reserves (NNR). At present there are no NNRs in the District.

11.44 Sites of Special Scientific Interest (SSSIs) are of national significance, identified by English Nature, and are subject to statutory protection. There are five SSSIs within Calderdale which are shown on the Proposals Map. These are:-

- South Pennine Moors
- Withens Clough
- Crimsworth Dean
- Broadhead Clough
- Elland By-Pass Cutting

11.45 Some of these sites are particularly important because of their habitats, whilst others are designated on account of their geological value. Such sites not only require special protection but also positive management to ensure that they are managed to conserve or enhance their nature conservation value, taking into account factors such as access, recreation and land use. Government guidance indicates that development proposals in or adjacent to SSSIs must be subject to special scrutiny. Some developments may have little or no effect on the value of a site provided conditions can be attached to prevent damaging effects. Natural England provides a list of those damaging activities for which prior consent is required. In addition, development and other proposals should contribute towards the achievement of the objectives of the Calderdale BAP. SSSIs are protected through the following Policy:-

Policy NE 13

Protection of Sites of National Importance

Development within or in the vicinity of a Site of Special Scientific Interest or National Nature Reserve which is likely to have an adverse effect on it, directly or indirectly, will not be permitted unless the reasons for development clearly outweigh the nature conservation value of the site and the national policy to safeguard the national network of such sites. Where necessary, Environmental Impact Assessments (EIAs) will be required to accompany planning applications. Where development is permitted the authority will make use of conditions or planning obligations to:-

- minimise disturbance;**
- protect and enhance the site's nature conservation value; and**
- where damage is unavoidable, provide new or replacement habitats so that the total ecological resource remains at or above its current ecological value.**

Sites of Regional or Local Importance

11.46 There are 40 sites of significant local nature conservation interest in Calderdale. These are designated as Sites of Ecological or Geological Interest (SEGIs) and are shown on the Proposals Map.

11.47 The ecological sites are identified on the basis of surveys carried out by West Yorkshire Ecology who provide advice at the West Yorkshire and local level on nature conservation, biodiversity and other ecological matters. Currently, 19 sites are notified for their ecological value, although these are in the process of being reviewed and sites may be added to, or removed from, the list during the Plan period. The sites are recognised as being of countywide significance.

11.48 There were 21 sites identified for their geological value by August 2006. These are also known as Regionally Important Geological or Geomorphological Sites (RIGS). The programme of recording sites of geological significance is carried out by the West Yorkshire RIGS Group. Sites may be added to, or removed from, the list during the Plan period.

11.49 The following Sites of Ecological or Geological Interest (SEGIs) are shown on the Proposals Map:-

ECOLOGICAL SITES

- Colden Clough, Hebden Bridge
- Turner Wood, Rishworth
- Sun Wood, Shelf
- Ogden Reservoir, Woodland and Cloughs, Halifax
- North Dean Wood and Norland Moor, Greetland
- Rochdale Canal
- Calder and Hebble Canal
- Hardcastle Craggs, Hebden Bridge
- Elland Park Wood, Elland
- Wade Wood, Luddenden
- Clifton Interchange, Brighouse
- Ramsden Clough, Walsden
- Strangstry Wood, Rastrick
- Wood Hey, Hebden Bridge
- Scarbottom Mill Dam, Greetland
- Washer Lane, Halifax
- Cromwell Bottom, Elland
- Gorpley Clough, Todmorden
- Red Lane Dike Grasslands, Scammonden

GEOLOGICAL SITES

- Lumb Hole Falls
- Beacon Hill and Godley Cutting, Halifax
- Heptonstall Quarry (Hell Hole), Heptonstall
- Derby Clough Quarry
- Great Bride Stones
- Greetland Quarry

- Great Scar (Ogden Water)
- Gorpley Clough, Todmorden
- Paul and Coal Clough
- Cliviger Gorge
- Wood Head Quarries, Hipperholme
- Strangstry Wood, Rastrick
- Dixon Scar, Sowerby Bridge
- Fall Spring Wood, Stainland
- Scar Wood, Halifax
- Cludders Rock, Widdop
- Colden Clough, Blackshaw Head
- Foster Clough Delves, Hebden Bridge
- Langfield Common and Stoodley Pike
- Round Hill, Rastrick
- Elland Bypass Cutting, Elland

11.50 Local sites of nature conservation and geological interest are important not only for the protection of natural assets but also as a valuable local education resource. Therefore, sites of this nature need to be protected from adverse development which may harm their qualities.

11.51 It is important that the public is made aware of the value of nature conservation and becomes involved in its appreciation, protection and the enhancement of sites. One way of achieving this is to encourage and support the establishment of Local Nature Reserves, especially in urban areas (under Section 21 of the National Parks and Access to the Countryside Act (1949) (as amended)). The first Local Nature Reserves in Calderdale have now been designated at:-

- a. Ogden Water, Halifax
- b. Cromwell Bottom, Brighouse
- c. Milner Royd, Sowerby Bridge
- d. Jerusalem Farm, Halifax
- e. Scarr and Long Woods, Halifax
- f. Gorpley Clough, Todmorden
- g. Shibden Park and Cunnery Wood, Halifax
- h. Beechwood Park, Illingworth, Halifax

11.52 These are shown on the Proposals Map. The Council is actively supporting these designations especially in and around urban areas where the involvement and education of the local community in environmental matters can be achieved. In addition, any development or other proposals in them, wherever possible and appropriate, should contribute towards the achievement of the objectives of the Calderdale Biodiversity Action Plan. The following Policy will therefore apply:-

Policy NE 14

Protection of Locally Important Sites

Development that is likely to have an adverse effect on a Site of Ecological or Geological Interest, Local Nature Reserve or Priority Habitat will not be permitted unless it can be clearly demonstrated that there are reasons for the proposals that outweigh the need to safeguard the nature conservation value of the site. Where necessary, Environmental Impact Assessments will be required to be submitted with development or other proposals. Where development is permitted the Council will make use of conditions or planning obligations to:

- i. minimise disturbance;**
- ii. protect and enhance the site's nature conservation value; and**
- iii. where damage is unavoidable, where appropriate require the developer to provide new or replacement habitats so that the total ecological resource remains at or above its current ecological value.**

11.53 Plants and animals become most sensitive to local extinction when their habitat is fragmented and reduced in size. The concept of the Wildlife Corridor is accepted as a realistic approach to nature conservation, in urban as well as rural areas, where it assists the integration of otherwise isolated areas of wildlife interest. The Corridors provide link habitats through which temporarily displaced species can migrate to other, less threatened sites. They are often linear features such as railways, rivers, canals and roadside verges forming, wherever possible, unbroken links between open countryside and elements of urban open space. These boundaries have generally been reintroduced into the Replacement UDP, with some changes to remove parts that ran through strongly defined existing urban areas. The Corridors link many important wildlife sites but are shown on the Proposals Map in a purely diagrammatic form. The outer hatched edges and arrow-heads are deliberately designed to reinforce the view that a policy principle is being reflected in the Plan, and not a hard and fast designation reflecting features on the ground. Some Corridors may appear to end in locations which are not shown as important wildlife

sites because at this point the Corridor broadens out into the countryside generally, the whole of which is of nature conservation importance.

11.54 UDP policy is to control unsympathetic development and ensure that development projects incorporate landscaping designed on ecological principles in these Corridors. If possible and appropriate, where development in the Corridors is permitted, use will be made of conditions or planning obligations that contribute towards the attainment of the objectives of the Calderdale BAP. In some cases, Corridors extend outside Calderdale into neighbouring local authority areas. Therefore, the Council will seek the co-operation of adjoining local authorities to ensure the interests of nature conservation are secured. Development within a Wildlife Corridor will be considered against the following Policy:-

Policy NE 15

Development in Wildlife Corridors

Development will not be permitted in a Wildlife Corridor if it would:-

- 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.**

Where necessary, Environmental Impact Assessments will be required to be submitted with development or other proposals.

Where development is permitted the Council will make use of conditions or planning obligations to:

- 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.**

11.55 Many important wildlife species occur outside designated sites and even minor developments may have an impact. Several species, including badgers, bats, breeding birds and water voles, are rare or threatened nationally and receive protection under the Wildlife and Countryside Act (1981) (as amended), the Conservation (Natural Habitats &c.) Regulations (1994), the Countryside and Rights of Way Act (2000) and other legislation. Natural England can provide expert advice on Protected Species. Others may be rare or threatened at a local or national level and will be identified in the Calderdale BAP as Priority Species. Conditions or planning obligations attached to planning permissions, should, if possible and appropriate, contribute towards the objectives of the Calderdale BAP.

11.56 Development will not normally be permitted if it would harm the habitat requirements of legally protected, rare or threatened wildlife species and the species themselves unless provision is made to protect those species and their habitats.

Policy NE 16

Protection of Protected Species

Development will not be permitted if it would harm the habitat requirements of legally protected, rare or threatened wildlife species and the species themselves unless provision is made to protect those species and their habitats.

Where necessary, Environmental Impact Assessments will be required to be submitted with development or other proposals.

In considering proposals that would have an adverse effect on a species of acknowledged importance, account will be taken of:-

- i. the level of protection offered to that species; and
- ii. the sensitivity of the species and habitat on which it depends to any potential adverse effects caused by the proposals.

Where development is permitted the Council will make use of conditions or planning obligations to:-

- 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.

11.57 Over the last few decades, nationally and locally, the richness and variety of wildlife species and their habitats has diminished. Many key wildlife sites are fragmented and isolated within areas of low biodiversity. It is important that decline of wildlife is reversed and steps taken to redress deficiencies. If conditions or planning obligations are attached to planning permissions, these should, where possible, have regard to the objectives of the Calderdale BAP. Accordingly, the following Policy will apply:-

Policy NE 17

Biodiversity Enhancement

Development will be required where appropriate to enhance biodiversity. Conditions or planning obligations will be attached to:-

- i. protect, maintain and enhance biodiversity;
- ii. protect, restore and manage features of ecological importance and important species and their habitats; and
- iii. create new wildlife habitats, especially where they will link Wildlife Corridors or isolated habitats or create buffer zones.

11.58 Water areas are of special interest in Calderdale, both as important wildlife habitats and as amenity and recreation features. Areas of open water may be flowing (rivers, streams and canals) or standing (reservoirs, lakes, ponds and mill dams). Ponds and mill dams are becoming an increasingly scarce feature of the District. They offer tremendous potential as a wildlife and community resource. Wetlands occur wherever the water table is sufficiently high to support specialised marsh communities, for instance reeds, sedges or mosses. The demands placed on these water areas from the needs for water

supply, nature conservation, amenity and recreation, lead to conflicts which the UDP needs to address. The following Policy will apply :-

Policy NE 18

Ecological Protection of Water Areas

Development on or adjacent to areas of flowing or standing water will only be permitted if it would not harm the ecological value of the area. Where development is permitted the developer will be expected to incorporate:-

- i. environmentally sensitive engineering methods;**
- ii. appropriate wetland features and landscaping;**
- iii. appropriate management schemes for the planning and use of water areas; and**
- iv. measures to ensure that the development will not adversely affect the water areas.**

11.59 Policy EP 15 and Policy OS 9 also deal with the protection of water amenity areas and should be read in conjunction with the above Policy.

11.60 The identification of sites of ecological importance and the application of policies designed to protect the sites and their environs from unsympathetic development must be matched by efforts to manage the sites to achieve control and enhancement on a corporate basis. The South Pennine Moors Integrated Management Strategy and Conservation Action Programme and site management plans are designed to achieve this approach. The Council both individually and in partnership with other authorities will draw up and implement management plans for nature conservation areas and sites, as resources permit.

Agricultural Practices and the Landscape

11.61 A large part of the District is in agricultural use. This has a great influence on both the appearance and ecological character of Calderdale. A great deal of the agricultural area is upland and involves the grazing of sheep. Changes in farming techniques have resulted in overgrazing with subsequent damage to natural habitats and woodlands. Sometimes conversion to intensive

agricultural purposes can damage habitats of high nature conservation value such as unimproved grassland, heathland and wetland. However, the Council has no planning control over most agricultural practices. In order to protect habitats and landscapes that are vulnerable, such as blanket bog, heather moorland and woodland, the main avenue open is to pursue the voluntary approach and seek the co-operation of the farming community in these matters. When absolutely necessary this approach will be supported by management and formal agreements. The Environmental Impact Assessment (EIA) (uncultivated land and semi-natural areas) (England) Regulations (2001) provide a procedure for considering the potential environmental effects of land use change. These Regulations are administered by the Department for Environment, Food and Rural Affairs (DEFRA) and not Calderdale Council, and require applicants to seek the approval of DEFRA to carry out certain projects which do not constitute development under the Planning Acts. Full details of the Regulations and their application are obtainable from DEFRA. Within the agricultural industry, a greater emphasis is being placed on diversification. Policies encouraging rural diversification can be found in Section 4 (Employment) in paragraphs 4.61 to 4.65. Proposals for diversification will be assessed in line with the policies for the protection of nature conservation value. Schemes have been set up by DEFRA and the Countryside Agency to encourage farming processes that are sensitive to wildlife, landscape and public access. The Council will work with the farming community to encourage sustainable practices.

Trees and Woodland

11.62 Trees and woodlands are important elements of a sustainable environment and play a key part in maintaining and improving the quality of life for the inhabitants of the District. Trees are important for their visual amenity value and enhance the urban and rural landscape. As well as their aesthetic beauty, trees:-

- are an important wildlife habitat, particularly ancient trees;
- provide opportunities for leisure and recreation;
- help to ameliorate pollution and reduce noise;
- screen unsightly development;
- generate oxygen and store carbon dioxide;
- help to stabilise soil and prevent erosion;
- provide renewable raw materials;
- help to reduce the risks of storm water flooding; and
- help to decontaminate derelict land.

11.63 The Council is committed to protecting existing tree and woodland cover and increasing its coverage where appropriate.

11.64 The Council considers that the planting of new native species of trees and woodland should be encouraged and used as a means of improving the landscape in all parts of Calderdale apart from moorland and heathland, an approach supported by the RSS. There are many opportunities for planting within both urban and rural areas such as in parks, in highway verges, in school grounds, on derelict land, by extending existing wooded areas and planting around the perimeter of new developments. Appropriate management of the existing woodlands is also an important factor and is encouraged by the Council.

The Planting of Trees and New Woodland

11.65 Whilst the Council cannot control new woodland planting since the planning legislation does not provide for control over this type of land use, the creation of new woodlands is an important and very visible form of land-use that must be recognised in the development plan. The Council will undertake its own planting and management schemes and provide support and advice to other, often voluntary, bodies wishing to undertake planting schemes. It also has an important role to play in wider strategies for woodland planting. One such strategy is the White Rose Forest Strategy which was launched on 1 August 2000 and sets out the contribution that trees and woodland can make to urban and rural renewal in the whole of West Yorkshire. The vision of the White Rose Forest Strategy is 'to create a genuinely sustainable well-wooded landscape, which will benefit the people, economy, and wildlife of West Yorkshire'. The strategy is being implemented on a partnership basis, with local authorities, major voluntary organisations, government agencies and large employers taking the lead but with the remit that everyone can become involved. The Strategy will encourage the planting of trees and new woodland on a broad range of land types, together with the management of existing woodland and other associated habitats for better public access and for increased biodiversity. This will not be one large area of forest, but will be a mosaic of differently sized woodlands, hedgerows and individual trees, all contributing to an increasingly green environment. The Council supports the White Rose Forest Strategy and will contribute to its implementation in all parts of the District.

Appropriate Locations for Tree and Woodland Planting

11.66 Whilst in many urban and brownfield locations new native tree and woodland planting should be encouraged, there are numerous 'environmentally sensitive locations' where such planting would be inappropriate and where the nature conservation value of the area must be safeguarded. 'Environmentally sensitive locations' include: Scheduled Ancient Monuments; Class II and Class III Archaeological Sites Registered in the County Sites and Monuments record; the Special Area of Conservation; the Special Protection Area and In-by-land around it; SSSIs; SLAs; Priority Habitats and Species identified in the Calderdale BAP; and SEGIs, the majority of which are shown on the Proposals Map. Additionally, the moorland areas of the District encompass distinct characteristics and sensitive ecosystems. Inappropriate tree planting could cause considerable damage to environmentally sensitive locations and moorland and therefore new tree and woodland planting should be avoided in such areas. The District's moorland fringe encompasses a diverse mixture of characteristics and as such in certain areas could be suitable for tree and woodland planting as supported in the SCOSPA Heritage Strategy for the South Pennines. Each particular area should be treated individually, with priority being given to ensuring that the ecology of the area is not harmed and views of the skyline are respected. In some cases, the moorland fringe should remain open to maintain existing habitats and views. In others there may be a clear case for increasing woodland cover. Native species of trees are considered to be the most appropriate on the moorland fringe.

Appropriate Species of Trees

11.67 In most cases, the Council considers that species native to Calderdale should be used. However, support will also be given to the inclusion of native British Isles species, non-native or exotic species in urban areas in order to expand the diversity of the urban landscape. Additionally, the introduction of conifer trees into rural areas needs careful consideration. They are acceptable in selected locations where they can be introduced into mixed planting schemes but their introduction needs to be considered on a site by site basis. It may be necessary in some areas to introduce conifers into new planting schemes in order to help to establish broad-leaved species on difficult or exposed sites. However, large areas of conifer trees on their own are not normally considered appropriate. Tree planting

schemes should be in accordance with details laid out in the British Standards Institution: 'Guide for Trees in Relation to Construction' (BS 5837:2005) which are current at the time either a planning application is made or the planting scheme is implemented.

Energy Crops

11.68 The use of new planting as fuel for renewable energy is an increasingly important aspect of sustainable development. Willow energy coppice on a large scale is unlikely in Calderdale due to the topography and generally low quality agricultural land. However, on a smaller scale, willow coppice could be grown and as such support will be given to such proposals providing that the ecology of the area is not harmed.

Ancient Woodland

11.69 Ancient Woodland is commonly defined as sites that have had continuous woodland cover since at least AD 1600 to the present day, although some sites may have been replanted at some point in the past. They are a finite resource of great biodiversity value. There is a trend towards the decline and fragmentation of Ancient Woodland, and they are becoming increasingly under pressure from development. This is considered to be unsustainable. For this reason the Council considers that it is essential to provide absolute protection for Ancient Woodland sites in the District and development proposals which would harm or lead to the loss of Ancient Woodland will be resisted.

Policy NE 19

Protection of Ancient Woodland

Development proposals which will result in the loss of or damage to Ancient Woodland sites and their associated flora and fauna will not be permitted.

Tree Preservation Orders

11.70 Tree Preservation Orders (TPOs) are a means of giving statutory protection to specific trees, groups of trees and woodlands of amenity value so as to prohibit removal, pruning or damage occurring to them without the prior consent of the Local Planning Authority. Consequently, they can be actively used to sustain the landscape character of

the district and influence the layout of new development. In particular, they will be used to ensure retention of the mature treescape where development occurs in order to maintain the visual amenity of the area.

11.71 During the Plan period it is likely that new Orders will be necessary to extend protection to trees and woodland which have amenity value and are at risk. TPOs cover some of the District's most valuable and significant trees, therefore their removal will be resisted.

11.72 The Council does, however recognise that there is a need for some flexibility. Group TPOs can incorporate trees of varying individual quality. Trees can deteriorate and reach a stage where they detract from group value. There may be a limited number of occasions where greater benefits can be derived from replacement planting than from keeping the existing tree(s).

Policy NE 20

Tree Preservation Orders

The Council will make Tree Preservation Orders to protect individual trees, groups of trees or woodlands that make an important contribution to local amenity or local landscape character and which are under threat. A development proposal that would result in the removal or damage, or would threaten the future survival of one or more trees covered by an Order will not be permitted unless either:-

- i. the removal of one or more tree would be in the interests of good arboricultural practice; or
- ii. the developer has demonstrated that the benefits of the development including any replacement planting will outweigh the harm caused by the removal of the tree or trees.

Trees on or Adjacent to Development Sites

Retention of Trees

11.73 Developers will be expected to give priority to the retention of trees and hedgerows on development sites, and existing landscaping should

also be kept and protected where possible. It is therefore important that where individual or groups of trees are of landscape or amenity value, they are retained and that developments are designed to fit around existing trees. Distances between proposed excavations for development and existing trees should be at least equivalent to the minimum distances laid out in the British Standards Institution 'Guide for Trees in Relation to Construction' (BS 5837:2005) which are current at the time an application is made.

11.74 The trees identified as desirable for retention should be protected and suitably fenced off prior to the commencement of construction work in accordance with the guidance 'Minimum Distances for Protective Fencing Around Trees' laid out in the British Standards Institution: 'Guide for Trees in Relation to Construction' (BS 5837:2005).

Submission of a tree survey

11.75 In appropriate circumstances where trees are located on development sites, and in all cases where the removal of trees or hedgerows is proposed, the Council will require planning applications to include a tree survey in order to enable a full assessment of the arboricultural implications to be made. The matters to be covered in the survey are set out in Annex B.

11.76 Failure to submit a tree survey is likely to delay determination of an application and may result in the application being refused.

Replacement planting

11.77 When planning permission is granted, conditions or a legal agreement will be attached in appropriate cases which require replacement planting which complements and enhances existing landscaping in order to compensate for any trees lost as a result of the development. Normally, for every tree removed from a development site a minimum of one replacement tree will be required to be planted elsewhere on the site. There will be circumstances where the ratio of replacement planting will be greater than on a one for one basis. Where a development site cannot accommodate additional planting, replacement trees will be expected to be planted on an appropriate off-site location. Distances between excavations and new planting should comply with the advice in the British Standards Institution 'Guide for Trees in Relation to Construction' (BS 5837:2005). Species planted should be appropriate to the locality in accordance with the advice contained in 'Tree Preservation Orders: A Guide to the Law and Good

Practice' (2000). Development schemes will also be expected to ensure the retention and continued health of existing trees on site.

Shade Cast

11.78 Trees can overshadow and cast shade on adjacent dwellings and other types of buildings, which can severely affect amenity and in particular that of residents. Shade cast can often threaten the retention of trees due to residents and other occupiers requesting the felling of offending trees. As such, when considering the layout of developments, the Council will seek to prevent an unacceptable degree of overshadowing of development by trees that are to be retained either on or off site.

11.79 Development proposals will be assessed against the criteria listed in Annex B. Where the likely level of shade cast is considered to be unacceptable a proposal will be refused in order to preserve any tree(s) of amenity value. Details relating to tree height and shade cast are contained in Annex B.

Policy NE 21

Trees and Development Sites

Where trees are located on or adjacent to development sites, development proposals will be permitted provided that:-

- i. a tree survey is submitted in appropriate circumstances and in all cases where the removal of trees or hedgerows is proposed;**
- ii. trees are retained which are identified as worthy of retention;**
- iii. retained trees are protected during construction work by planning condition or planning obligation;**
- iv. replacement tree planting, if required, is undertaken and controlled by planning condition or planning obligation;**
- v. an appropriate layout of development is achieved which prevents the development being subjected to an unacceptable degree of shade cast by trees which are to be retained; and**
- vi. distances between proposed excavations for development and existing trees, and between foundations and new planting, are sufficient to**

ensure the continued health of the trees.

Hedgerows

11.80 Hedgerows and hedgerow trees are of ecological and biodiversity value and are important and uncommon wildlife habitats, particularly those that are old or have a mixture of species. Some hedgerows are of significant historic interest, both in themselves and because they mark boundaries which may be centuries old. The Council seeks to maintain existing hedgerows and promote the planting of new ones. The Government has afforded hedgerows protection through the Hedgerow Regulations (1997), which aim to protect important hedgerows by ensuring that the landowner or tenant concerned notifies the Council if they intend to remove a hedgerow. The Council can refuse permission for the removal if they consider the hedgerow to be important. The Regulations set out the criteria that local planning authorities must use to determine whether a hedgerow is important. The proposed notification system is not intended to apply to garden hedges or hedgerows that are less than 30 years old. The Council supports management regimes which avoid disturbance of hedgerows during the growing or nesting seasons. Notwithstanding the fact that farming practices in Calderdale have historically favoured dry-stone walling rather than hedgerows, the latter habitats should nevertheless be protected where they exist. Accordingly the following policy applies:-

Policy NE 22

Protection of Hedgerows

The Council will support and implement measures to achieve the protection, conservation and enhancement of hedgerows and the adoption of sensitive management practices based on sound ecological principles by all landowners.

A development proposal that would result in the removal, or would threaten the future survival, of a hedgerow will only be permitted where the developer has demonstrated that the benefits of the development including any replacement planting or the creation of an alternative wildlife habitat will outweigh the harm caused by the removal of the hedgerow.

Natural Stone and Drystone Walls

11.81 Dry stone walls are the main form of boundaries in upland areas. They are a characteristic feature of the Pennine landscape and represent examples of craftsmanship. Many are now threatened by neglect or removal and the majority of developments in the uplands do not seek to use this traditional form of boundary treatment. Mortared natural stone walls are a common form of boundary treatment in urban areas, blending in with the traditional built form and materials of Calderdale and sometimes being of historical interest. Walls often provide habitats for wildlife and plants. They provide shelter for animals and often house unusual or rare plants and lichens. The Council wishes to protect both forms of boundary wall as an important element in the character of the district and will encourage their retention, repair and use in development. Accordingly, the following policy applies:-

Policy NE 23

Protection of Stone Walls

The construction and retention of all natural stone walls (including natural dry stone walls in areas of countryside and mortared stone walls in urban areas) in the local traditional style will be encouraged. In particular a development proposal that would result in the removal, or would threaten the future survival, of a natural stone wall will only be permitted where the developer has demonstrated that the benefits of the development will outweigh the harm caused by the removal of the wall and an appropriate replacement stone wall is provided in a suitable location in the local traditional style.



12 Environmental Protection

Introduction

12.1 Environmental protection is a wide-ranging topic covering issues of both global and local significance. Environmental issues feature high on the public agenda and expectations of a cleaner, greener environment and a better quality of life are increasing. The need to mitigate the effects we are having on local and global environments is an essential element in achieving sustainable growth. This section complements the the sustainable development objectives defined in Section 3 of the UDP, by:-

- ensuring new development does not significantly add to pollution levels;
- reducing current pollution levels where possible;
- ensuring new development does not add to the problems of flood risk;
- encouraging the generation of electricity from renewable sources and contributing to UK and regional targets in relation to renewable energy and climate change; and
- encouraging the efficient use of energy.

~~The following Part One Policy applies:-~~

~~POLICY CEP 1~~

~~PROTECTION OF ENVIRONMENTAL QUALITY~~

~~DEVELOPMENT SHOULD CONTRIBUTE TO THE MANAGEMENT OF POLLUTION, HAZARDS AND FLOOD RISK THROUGH RELEVANT CONTROL MEASURES AND RISK MINIMISATION.~~

Further issues are also covered in the Minerals and Waste Management Sections.

Pollution Control

12.2 Pollution causes adverse health risks and damages amenity and the environment. It can also prejudice neighbouring land use, resulting in long-term contamination and hinder urban regeneration. Control of pollution is complex, involving several agencies, council powers and national regulation. The duty for pollution control rests with the Council's Environmental Health Service, with the Environment Agency providing a regulatory and advisory role in

the system. PPS23 'Planning and Pollution Control' (2004) and PPG24 'Planning and Noise' (1994) seek to protect the environment and community from pollution from new developments. Planning has a role to play by ensuring that development does not have an adverse impact on the environment through:

- the development plan which influences the location of development
- development control decisions which can either minimise, through the use of planning conditions, the impact of a development causing or susceptible to pollution or ultimately through refusal of planning permission, where conflict cannot be resolved or mitigated.

Air Pollution

12.3 The Local Authority Statement of Environment (SoE) for Calderdale (May 2004) identifies transport and industry as the main sources of air pollution within Calderdale. Therefore, action needs to be focused on these major uses if air quality is to improve.

12.4 The Council has undertaken a review and assessment of air quality, in accordance with the Environment Act (1995), to ascertain whether air quality objectives will be achieved in future years. Where air quality objectives cannot be achieved, the Council is required to declare Air Quality Management Areas (AQMA's) and formulate an Action Plan outlining how improvements to air quality will be made. By 2006, three AQMAs have been declared in the District. Where an AQMA is declared, development will be controlled to ensure the air quality is not made worse and the objectives of the associated Action Plan are upheld.

12.5 Development, of a commercial, industrial or traffic generating nature should not result in an unacceptable level of air pollution to the detriment of other land uses and public health. Developers will therefore be expected to take proper account of air quality issues in drawing up development proposals in accordance with the following Policies: -

Policy EP 1

Protection of Air Quality

Development which might cause air pollution (including that from modes of transport) will only be permitted if:-

- i. it would not harm the health and safety of users of the site and surrounding area; and
- ii. it would not harm the quality and enjoyment of the environment.

Where permission is granted, appropriate conditions and/or planning obligations will be attached to ensure that the air quality is maintained.

~~Policy EP 2~~

~~Development within an Air Quality Management Area~~

~~Within a declared Air Quality Management Area, development will be permitted provided it can be demonstrated that the pollution levels, if any, would be consistent with the objectives and/or targets of an Action Plan and would not lead to unacceptable pollution levels.~~

12.6 Where a development is likely to have a significant effect on the environment through the creation of air pollution, the applicant will be expected to undertake an Environmental Assessment (EA) in accordance with the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999. Developers should contact the Council as early as possible to request a screening opinion in order to determine whether an EA is necessary.

12.7 The effect of vehicle emissions is an area in need of improvement that cannot be controlled directly through planning legislation. The sustainable development objectives of the UDP aim to ensure emissions are decreased through the appropriate location of development, a reduction in the need for vehicle journeys and the encouragement of public transport or other means to reduce the need to travel by car (see paragraphs 3.11 and 3.12 and POLICY GP 2, ~~POLICY GP 3~~ and ~~POLICY GT 4~~). The West Yorkshire Local Transport Plan also provides potential to improve local air quality. One of the primary objectives of the Local Transport Plan is to improve environmental quality and reduce the impacts of transport pollution.

Noise Pollution

12.8 The Council has powers to control statutory defined noise pollution. In addition, planning powers can be used to contain this form of pollution. This will be done in two ways:

- Firstly, by controlling the introduction of new noise sources, such as certain employment uses, close to existing noise sensitive land uses.
- Secondly, by controlling the introduction of noise sensitive development, such as housing, schools and hospitals, close to the existing sources of noise.

12.9 The impact of noise levels can be reduced through the design of development and the integration of effective barriers and landscaping measures. The onus lies with the developer to ensure that development proposals do not cause unacceptable noise problems. ~~The following Policies will apply:~~

~~Policy EP 3~~

~~Noise Generating Development~~

~~Development that generates noise (including that from modes of transport) will not be permitted if it would lead to unacceptable levels of noise to existing or proposed noise sensitive land uses nearby. Developers will be required to include landforms or landscaping and noise control measures to reduce or remove noise emission.~~

~~Policy EP 4~~

~~Protection from Existing Noise~~

~~The siting of new noise sensitive development, such as housing, schools and hospitals will not be permitted if the occupants would be subject to significant noise disturbance from existing development. Where appropriate, developers will be required to include landforms or landscaping and glazing designed to reduce received noise.~~

Light Pollution

12.10 There is now formal recognition of the problems caused by excessive or insensitive external lighting schemes, as artificial light nuisance can now be classed as a statutory nuisance. Most lighting, which gives cause for concern, relates to new development. Planning can influence and control many forms of lighting on new developments to prevent adverse pollution into the night sky, disturbance to other adjacent land uses, wildlife and the surrounding area.

12.11 Exterior lighting brings many benefits in the form of road safety, crime prevention, outdoor working and sports activities and the enhancement of the environment. However, the use of excessive, poorly designed and badly aimed external lighting can result in glare, which can hamper vision and create a hazard rather than increasing safety. Similarly, floodlighting of outdoor sports pitches can be intrusive in residential locations or the open countryside due to the light spillage. Control is required to ensure that lighting is essential to the operation, is appropriate to the task and does not impact on the amenity of the surrounding area.

12.12 Within the countryside, urban type lighting installations will not be supported unless special circumstances exist, for instance a prison, since these can cause intrusive and unnecessary pollution and harm the character of the countryside. Light pollution can also have significant adverse ecological effects, particularly for nocturnal animals and insects. To some extent this can be minimised by shading and also by the use of different types of lighting. Lighting within existing built-up areas will normally be permitted, though the Council will seek to minimise the impact of glare and light spillage.

12.13 Depending on the scale and sensitivity of a proposed lighting scheme, applicants will be expected to provide the following information with any planning application:-

- i. an appraisal of the need for lighting;
- ii. an assessment of the potential impacts; and
- iii. a lighting design scheme, including horizontal and vertical illuminance measurements.

Applicants are therefore advised to enter into early discussions with the Council to establish the requirements for a particular scheme. On major lighting schemes, such as outdoor sports facilities,

developers will be expected to appoint a professional engineer/advisor. Proposals will be considered against the following Policy:-

Policy EP 5

Control of External Lighting

Unless there are exceptional circumstances, urban-type lighting in non-urban, countryside areas will not be supported. In urban areas, development involving the provision of external lighting, including the illumination of existing buildings will only be permitted where:-

- i. **the lighting scheme is designed to limit the lighting levels to those required for the specific working purpose of the scheme and for security; and**
- ii. **the design minimises glare and spillage of light from the site, especially into the night sky, areas of important nature conservation, residential areas and onto the highway.**

Dangerous Substance Establishments and Other Incompatible Land Uses

12.14 Modern commercial development can involve the storage, use or manufacture of substances which are potentially hazardous by reason of fire, explosion or gaseous emission etc, not only to people working in the premises, but also to those in the area around the site. Other land uses, whilst not potentially hazardous, can cause a loss of amenity, for instance by reason of smell. The proper planning of an area requires, in appropriate cases, separation or other mitigation measures to enable development to take place, whilst in some cases, development should not be supported.

Dangerous Substance Establishments

12.15 In the case of dangerous substance establishments, certain sites and pipelines are designated by the Health and Safety Executive (HSE) as 'Dangerous Substance Establishments' by virtue of the quantities of hazardous substances present. The siting of such establishments is subject to planning controls, for example, under the Planning (Control of Major Accident Hazards) Regulations (1999), with the objective, in the longer term, to maintain appropriate distances between

establishments, residential areas and other areas of public use and areas of particular natural sensitivity or interest. In accordance with DETR Circular 04/2000, the Council will consult the HSE, as appropriate, about the siting of any proposed dangerous substance establishment (including pipelines).

12.16 Calderdale has a number of dangerous substance establishments, including pipelines. Whilst they are subject to stringent controls under existing health and safety legislation, it is prudent to control the kinds of development permitted in the vicinity of these installations. For this reason, the Council has been advised by the HSE of consultation distances for each of these installations. The Council will consult the HSE about risks to the proposed development from the dangerous substance establishment in accordance with DETR Circular 04/2000. The dangerous substance establishments, (including the pipelines, currently all Transco pipelines moving gas) are listed in Policy EP6. They are also shown on the UDP Proposals Map. In addition, in cases where a dangerous substance establishment is located outside Calderdale's boundaries, but whose consultation zone occupies part of the local authority area, then the necessary consultations with the HSE will take place. The numbers and distribution of these establishments may change. The HSE will inform the Council about such changes, and any new establishments will be subject to the same policy as the existing ones. The following Policies will therefore apply:-

Policy EP 6

Dangerous Substance Establishments

The following dangerous substance establishments are shown on the Proposals Map:-

- i. Buildings:-
 - a. Surfachem Limited, The Ainleys, Huddersfield Road, Elland
 - b. British Gas PLC, Mulcture Hall Road, Halifax
 - c. McIntyre UK LTD. Holywell Green, near Halifax
 - d. Calor Gas Limited, Dewsbury Road, Elland
- ii High pressure gas pipelines:-

- e. Cat Lane/Luddendenfoot (Transco Index No. 1924)
- f. Hebden Bridge/Mulcture Hall Road. (Transco Index No. 1925)
- g. Ripponden Inlet Feed (Transco Index No. 1926)
- h. Mulcture Hall/Whitehall Road (Transco Index No. 1931)
- i. Hartshead Moor/Dewsbury (Transco Index No. 1940)
- j. Canal Road/Hartshead Moor (Transco Index No. 1942)
- k. East Bierley/Hopton Top (Transco Index No. 1933).

The Health and Safety Executive will inform the Council of any changes to this list, and new establishments will be subject to the same planning policy.

The Council will consult the Health and Safety Executive on appropriate development proposals within the consultation zones. Where development proposals within the consultation zones could, in the view of the Health and Safety Executive, result in an unacceptable risk to public health and safety or have a harmful effect on areas of particular natural sensitivity or interest (including areas of ecological value), then they will not be permitted by the Council. Where development is judged to be acceptable, conditions and/or planning obligations may be attached to maintain an appropriate buffer between the conflicting land-uses or to control the possible impact of the development.

Policy EP 7

New or Extended Dangerous Substance Establishments

The Council will consult the Health and Safety Executive on development proposals for new, or extensions to existing dangerous substance establishments and will oppose development or apply appropriate conditions and/or planning obligations, where, on the advice of the Health and Safety Executive, there is considered to be an unacceptable risk to public health and safety.

12.17 Certain types of hazardous development require applicants to carry out an Environmental Assessment (EA) in every case. In other cases, the requirement to carry out an EA will depend on whether the development is likely to have a significant impact on the environment or a risk to public health and safety. Applicants are advised to consult the Council at an early stage to obtain a screening opinion to ascertain the necessity for such an assessment.

Other Incompatible Land Uses

12.18 The juxtaposition of certain non-hazardous land-uses can nevertheless lead to a loss of amenity, by reason of smell, noise or flies. These incompatible uses should, where appropriate, be kept apart. For example, housing or a school should be kept at an appropriate distance from a wastewater treatment plant. In cases such as these, the following Policy will apply:-

Policy EP 8

Other Incompatible Uses

Where development proposals could lead to the juxtaposition of incompatible land-uses, they will be only permitted if they do not lead to an unacceptable loss of amenity caused by odour, noise or other problems. Where development is permitted, appropriate planning conditions and/or obligations will be added as necessary to provide landscaping, screening, bunding, physical separation distances or other mitigation measures.

Contaminated Land

12.19 The Council is required to prepare a contaminated land strategy document Under Part IIA of the Environmental Protection Act (1990), and, along with other parties, deal with contaminated land. The Calderdale Contaminated Land Strategy (2001) has been prepared. This outlines a method by which contaminated land in Calderdale will be identified. The Council will seek to secure improvement and reclamation of the areas identified.

12.20 The development of 'previously developed land' is an important element of the Plan to achieve regeneration and sustainable development objectives. Where it is known or strongly suspected that land is

contaminated, developers will be expected to carry out a site assessment and submit a report of the findings in order to establish the nature and extent of contamination, prior to or as a condition of the grant of planning permission. Where problems exist, permission will only be granted where it can be shown the contaminant will not cause a threat to health, safety or the environment following remedial measures. Any contamination that causes a threat will need to be dealt with before the development takes place, in accordance with a scheme to be agreed with the Council. The following Policy will apply:-

Policy EP 9

Development of Contaminated Sites

An applicant proposing development on a site where there is contamination or there is good reason to believe that contamination may exist, will be required to carry out a site contamination survey and prepare and supply to the Council, a report outlining the results of the survey and identifying any remediation measures that are required.

Development will not be permitted unless practical and effective site measures can be carried out without placing the development and its users and adjoining land at risk.

Permission for development will be conditioned to ensure the approved remediation measures are completed prior to the commencement of any development.

12.21 On sites where there is only a possibility that contamination might exist, or contamination is known to be minor, planning permission may be granted. In these cases, conditions will be attached to ensure that development does not take place until a site investigation has been carried out and measures are in place to remove the contamination problems. The following Policy will therefore apply:-

Policy EP 10

Development of Sites with Potential Contamination

Development will be permitted on sites where there is minor contamination or a slight

possibility of contamination. Any planning permission will be conditional to ensure that:-

- i. the applicant carries out a site contamination survey and prepares and supplies to the Council, a report outlining the results of the survey and identifying any remediation measures that are required; and**
- ii. approved remediation measures are completed prior to the commencement of any development.**

- must not be relied upon as a source of detailed information about specific areas, or as a substitute for site investigations or ground survey;
- areas not recorded in the survey may be subject to movement in the future.
- users must satisfy themselves, by seeking appropriate professional advice or carrying out ground surveys and site investigations, if necessary, that ground conditions are suitable for any particular land-use or development.

It should be noted that the designations on the Proposals Map shows both modern (active or potentially active unstable land) and historical landslides where no evidence of current or potential movement is visible or known. Information provided by the BGS is available in Planning Services to help identify the classification of instability and will be provided on request.

Unstable Land

12.22 There are areas of land, which may be of concern to developers, owners or occupiers of sites because of their unstable or potentially unstable nature. PPG 14 'Development on Unstable Land' (1990, Annex 1 1996 and Annex 2 2002) gives guidance on the development of such land.

12.23 Instability can occur as a result of past geological history including the geological structure and characteristics of the area, and/or the subsequent actions of man on the land, for instance from quarrying, mining, tipping or engineering operations. In Calderdale, much movement occurred in the geological past, for instance in the Ice Age, but there has been little more recent movement on these sites. In respect of the solid geology of Calderdale, this is made up of Lower Coal Measures Strata, overlain by glacial and other superficial deposits. This succession of gritstones, sandstones, shales and clays can itself lead to movement or slippage, and there is evidence of such activity, for instance around Todmorden. PPG14 requires local planning authorities in their development plans to make information on potentially unstable land available to the public. This is particularly important so that landowners, occupiers and developers can become aware of the issue and can, as a result respond to any actual or perceived risk at the appropriate time.

12.24 The British Geological Survey (BGS) carried out a survey of landslips and areas of potential instability for the Council in 1998 and the identified areas are shown on the Proposals Map. The BGS put together the information using a combination of geological maps, aerial photographs, site inspections and historical and current soft information. The BGS point out that the database of information: -

12.25 Showing the broad areas of past and potential instability in Calderdale will raise awareness of the need for landowners and developers to fully investigate the situation on sites and buildings in bringing forward development proposals. Other property owners, e.g. householders, might be concerned at the publication of this material in the belief that it could, for instance, reduce property values or increase insurance premiums, where there is no evidence of current or recent instability. As previously stated, the survey information makes the distinction between active areas of instability and areas of historical movement where there is no evidence of current activity. Where there is no evidence of movement, property owners should not feel any due concern, but it is nevertheless appropriate to have the information publicly available and give, for instance, prospective purchasers the opportunity to carry out any necessary checks that they think fit.

12.26 It should be noted that the information shown on the Proposals Map is a reproduction of information at a given time. The BGS are constantly updating and reviewing their classifications. It is not possible for the Proposals Map to be kept up to date with this ever changing information. The BGS supply the Council with updated information, and this should also be referred to in considering issues of land stability. It may be that some sites shown on the Proposals Map are no longer recognised by the BGS as having land stability problems, whilst others may now be so classified. Whilst it is considered appropriate for the Proposals Map to incorporate the evidence available at the time it was prepared relating to unstable land,

it is also the case that where new information comes forward relating to land stability then the most recent information should be taken to prevail.

12.27 The following Policy will therefore apply:-

Policy EP 11

Development on Potentially Unstable Land

Areas of potentially unstable land are defined on the Proposals Map.

An applicant proposing development within an area of potentially unstable land or a site bounded by potentially unstable land will be required to prepare a stability report, assessing the nature and scale of any stability problems and identifying any measures required to overcome the problems, and submit the findings to the Council for consideration. Development will not be permitted unless there are acceptable proposals for remedying any identified problems.

Permission for acceptable development will be conditioned to ensure the approved remediation measures are completed prior to the commencement of any development.

NOTE: The Proposals Map designations are subject to review and change as a result of more recent survey information coming forward from the British Geological Survey (BGS). Where there is a discrepancy between the published Proposals Map and the latest information arising from the BGS, the more recent information will prevail.

Litter and Graffiti

12.28 A great deal of work is carried out in the District to secure the improvement of the environment. Unfortunately, the impact of these improvements is often reduced through the actions of a minority, who continue to drop litter, fly tip and add graffiti to buildings and structures. Research has shown that if litter is not cleared away graffiti can become a problem, minor damage would then be followed by criminal damage, anti-social behaviour, theft, burglary, street robberies and even worse. The Council is committed to eradicating these problems. The control of litter and fly tipping rests with Environmental Health,

under the Environmental Protection Act (1990). However, indirectly, planning controls can also play an important role in reducing the impact of litter. Where appropriate, development will be conditioned to include measures to collect and store litter prior to disposal or recycling and take account of design solutions that avoid litter accumulation. Specific controls over the environmental problems of hot food takeaways, such as litter, can be found in Section 6, Policy S 15.

The Water Environment

River Pollution, Water Supply and Sewage Treatment

12.29 Water is a renewable resource, essential for public health and the environment. The quality of water is vitally important for drinking, general domestic needs, wildlife, leisure, industrial and agricultural purposes. Development of land can have an adverse effect on the water environment and therefore, it is necessary to exercise controls to maintain current levels of quality and wherever possible make improvements. The Council will support the Environment Agency in seeking to improve river quality throughout Calderdale through the following Policy:-

Policy EP 12

Protection of Water Resources

Development will not be permitted if:-

- i. it would adversely affect the quality of water resources by means of pollution; or
- ii. it would delay or prevent schemes to improve river quality; or
- iii. it would adversely affect habitats and species dependent on the aquatic environment.

Where development is permitted, the authority will where appropriate make use of conditions and/or planning obligations to ensure the maintenance of water quality.

12.30 In order to deal successfully with river pollution, problems have to be eradicated or adequately controlled along the whole system between the main river, through the sewage treatment works (including sewage disposal) to the original

source of any water pollution. There is, therefore, a need to establish appropriate land-use policy to control pollution. Yorkshire Water is responsible for the supply of water and the treatment of sewage and effluent at works, and the Environment Agency controls pollution and licence discharges into the rivers.

12.31 Both the Environment Agency and Yorkshire Water will be consulted on all development proposals which are likely to have an effect on ground and surface water, sewerage infrastructure and sewage works and their recommendations will be fully considered before decisions are made. It is essential that no development is implemented or occupied until adequate and appropriate systems for pollution prevention or control are installed and operative. In general, development should only be accepted if it can be served by public sewers. Private sewage facilities serving larger developments may be acceptable in special circumstances, but are not generally supported. New development will be expected to incorporate separate foul and surface water drainage systems. Wherever possible, surface water should be discharged to a suitable watercourse, soakaway or by Sustainable Drainage Systems (SUDS). These measures will prevent the overloading of foul and combined sewerage systems and wastewater treatment facilities (see paragraphs 12.49 to 12.50).

12.32 Non-mains sewerage and associated sewage disposal is a growing concern in the remoter parts of Calderdale. The inappropriate use of non-mains sewerage systems, particularly incorporating septic tanks and cesspools, can give rise to the pollution of land, watercourses and drinking water supplies. Cesspools cannot be regarded as a sustainable form of foul sewage disposal because they need to be emptied frequently and therefore, generate considerable transport movements. As a result, cesspools will not be permitted as a solution to foul drainage disposal. In respect of other drainage solutions, applicants will be required to demonstrate that non-mains drainage proposals will not cause an adverse impact on the environment, amenity and public health. Under the requirements of DETR Circular 03/99 'Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development', applicants will be expected to submit satisfactory information by way of a drainage assessment including percolation tests where necessary. Early discussions with the Council are therefore recommended to ascertain information requirements. In addition to planning permission, applicants will need to obtain a discharge consent

from the Environment Agency for any discharge of sewage effluent to controlled waters ('controlled waters' includes rivers, streams, reservoirs, groundwaters and most lakes and ponds). Consent may also be required for a discharge to a soakaway or self-contained pond. Planning obligations should also include an expected maximum Biological Oxygen Demand at the outflow point in line with current EU directives. The following Policy will therefore apply:-

Policy EP 13

Development Involving Non-Mains Drainage

Development proposals, which lie beyond the limits of the public sewerage system, will not be permitted unless the applicant can demonstrate, through the submission of a Drainage Assessment, that there will be no adverse effect on the environment, amenity and public health. Cesspools will not be regarded as an acceptable solution for non-mains drainage.

Where development is permitted, the Council will, where appropriate, make use of conditions or planning obligations to ensure the land and buildings are not brought into use before pollution controls are fully operational.

12.33 Yorkshire Water is responsible for the provision of water to most properties in Calderdale. In the majority of cases the provision of a supply from the mains to the towns and other larger settlements within the District presents no major problems. The water supply comes from a combination of surface water and ground water sources and it is therefore important that both these sources are protected.

12.34 The rivers are heavily exploited for the drinking water supply of the area and there are 39 reservoirs in the River Calder system licensed to provide water for public supply. Ground water from aquifers presents a particular problem since it takes decades for pollution to move through the system and effective clean-up is difficult and costly. Calderdale overlies a 'minor' aquifer where ground water is abstracted mainly for industrial purposes and to provide the baseflow for rivers. However, some parts of Calderdale lie beyond the limits of the mains supply where water supplies are often from springs, boreholes, other underground supplies or from surface water run-off. These supplies are controlled

under the Private Water Supplies Regulations 1991. Such supplies are subject to variability both in terms of quantity and quality and in some cases they are sub-standard. The control of development in these areas is an important element in protecting the quality of groundwater resources. Proposals affecting groundwater will be assessed in accordance with the Environment Agency's 'Policies and Practice for the Protection of Groundwater' (1998) and the following Policy:-

Policy EP 14

Protection of Groundwater

Ground and surface water will be protected. Development will not be permitted if the drainage from it poses an unacceptable risk to the quality or use of surface or ground water resources.

Applicants will need to demonstrate that adequate foul and surface water drainage infrastructure is available to serve the proposed development and that ground and surface water is not adversely affected.

Canals and Rivers

12.35 The main river valleys of the District (Calder, Hebble and Ryburn) link all the towns of Calderdale together, and through them pass the main roads, railways and canals. The quality of the environment in some parts of these corridors is in need of improvement. Canals and rivers have recreational and amenity value and provide significant potential for increasing the attractiveness of Calderdale as a place to visit, live and work. It is therefore important that a good environment is achieved in these corridors.

12.36 Waterways can provide a catalyst for the regeneration of the area because of their potential to provide an attractive setting for development and increase tourist opportunities. The 32 mile Rochdale Canal was fully restored for navigation through Calderdale to the centre of Manchester and opened in Summer 2002. It forms part of the national waterway system with the Calder and Hebble Navigation. This has created an attractive corridor for walkers, boaters and fishermen and stimulated new investment in canalside property. In addition, new opportunities for nature conservation have also been realised. The Council will seek to encourage and

secure the improvement of all waterway corridors, including the Calder and Hebble Canal and River Calder. Whilst the enhancement of the River Calder is more problematic due to its steep banks, frequent fluctuations in levels and the amount of debris it collects, opportunities for enhancement will be progressed. The Council is a partner, along with Yorkshire Water, the Environment Agency, Friends of the Earth, Friends of Nature, Treesponsibility, the Green Business Network and others in the Calder Future initiative, which specifically seeks to improve the River Calder and its tributaries and their bank sides, and will continue to support this Project. In June 2003, Calder Future published its first Strategy for the river corridor, including an Action Plan. This will be monitored and reviewed by the partnership.

12.37 The relationship between the waterways, traditional waterside buildings and the urban and rural landscape needs to be maintained. This relationship can be destroyed by unsympathetic development. Similarly, because waterways have an important role to play in the provision of wildlife habitats, development adjacent to them should be sympathetic to the needs of nature conservation. A Supplementary Planning Document is being prepared for 'Waterside Development'.

12.38 The provision of increased access to the waterside can create important new recreation opportunities, as well as providing links to the existing footpath and cycleway network. This may be achievable when new development or extensions to existing uses are proposed adjacent to a waterway. Canal towpaths tend to be level and wide and are well suited for use by those who are less mobile, such as the elderly and disabled. The improvement of these paths and access to them is therefore important to provide facilities for all. The Council will impose conditions or enter into planning obligations, where necessary, on planning approvals to secure improvement and the creation of recreational and navigational facilities. Subject to the availability of resources, the Council will also seek to maintain and enhance existing waterside towpaths and footpaths as continuous routes. Therefore, the following Policy will apply:-

Policy EP 15

Development Alongside Waterways

Development proposals alongside canals and rivers should maintain or, where practical, make a positive contribution to

their recreational, tourist or environmental value by:-

- i. **retaining and/or improving public access, including access by disabled people, to and alongside the waterside, with, where feasible, new rights of way, with cantilevers where appropriate;**
- ii. **opening up the waterside where possible, and subject to conservation and other UDP considerations, by the orientation of frontages towards the waterside;**
- iii. **retaining and/or improving the potential for navigational use;**
- iv. **conserving the ecological and heritage value of the waterway and its surroundings;**
- v. **conserving the character and setting of the waterway; and**
- vi. **incorporating appropriate quality landscaping.**

12.39 The Rochdale Canal and Calder and Hebble Navigation are identified as Sites of Ecological or Geological Importance (SEGI's) and as such are also subject to Policy NE 14.

12.40 The Environment Agency places great emphasis on the achievement of appropriate riverside development, and sets out 'Local Contributions', which identify actions the Agency is going to take locally to meet its vision. These 'Local Contributions' are focussed on the priorities of the whole 'Ridings' area, and not individual catchments. The Agency can provide more information on this approach.

Washlands and Floodlands

Planning has a positive role to play in ensuring that flood risk is properly taken into account in the consideration of proposals for development and that adequate measures are taken to reduce the risk of flooding. Government guidance in the form of PPG25 'Development and Flood Risk' (2001) and the Draft PPS25 'Development and Flood Risk' (2005) provides the framework for the control of flood risk areas. In accordance with this approach, the Council will seek to:-

- guide development away from areas at risk of flooding through the application of a sequential test for development;

- ensure new development does not lead to additional flood risks; and
- retain and where practicable restore natural flood plain areas.

12.41 The Environment Agency takes the lead role in providing advice on flooding issues in relation to applications for development. The Agency identifies a two-tier hierarchy of sites with a high risk of flooding within Calderdale.

Washlands

These areas are shown on the Proposals Map. They provide essential storage for flood water and are the flood risk areas requiring the highest level of protection. If a river is deprived of its washland, for example by development which raises the height of land or creates a barrier to floodwater, this can lead to more serious flooding elsewhere. Whilst these areas may be suitable for some recreation, sport, amenity and conservation uses, built development will be wholly exceptional and will not be generally permitted. A washland also operates as a functional floodplain.

Functional Floodplain

These are areas, of land, in addition to washlands, which are unobstructed or active areas where water regularly flows in time of flood. The broad extent of these areas, based on the most recent 2005 Strategic Flood Risk Assessment maps, can be found at Appendix 8 and these should be used as a guide for developers. Within the undeveloped areas of the 1 in 100 year indicative floodplain, development for residential, commercial or industrial use will not normally be permitted, unless a particular location is essential, such as for navigation or water-based uses. In the case of residential uses, these will be restricted to job-related accommodation. Where areas are already developed within the 1 in 100 year indicative floodplain, some limited development may be acceptable. However, in the vast majority of instances the applicant will need to provide a Flood Risk Assessment at the time of application, to assess the acceptability of development.

The washlands and indicative floodplains identified by the Environment Agency are subject to continual change and monitoring and at any time could be more or less extensive than those shown on the Proposals Map. Up to date maps can be viewed in the Council Offices or on the Environment Agency's website

(www.environment-agency.gov.uk). For more detailed and up to date information, developers are advised to contact the Environment Agency.

12.42 PPG25 advocates a sequential approach to deciding which areas are most suitable for development. The development strategy will be to locate new housing, commercial and industrial uses primarily on sites with little or no flood risk or low to medium flood risk, where this is possible. However, due to the topography of Calderdale, the areas of previously developed, flat land around the main watercourses provide a scarce supply of developable and accessible land, especially suited to industrial uses. Where development cannot be accommodated on low to medium risk sites, the Council will consider sites located within the developed parts of the 1 in 100 year indicative floodplain to meet the development requirements of the Council. Developers will need to provide a Flood Risk Assessment that will take account of the risks of flooding, the standards of existing flood defences, the impact of climate change and the potential to improve flood defences. In some cases, mixed-use developments may enable sites to be developed by locating open space etc in the areas of high flood risk. Where conversions are proposed, it may be necessary to place the housing element on the upper floors, with public areas on the ground floors.

12.43 The Council will use the following preferred sequence of locations in allocating and permitting sites for development:-

- i. **Areas with little or no risk of flooding** . All types of development will be considered within these locations. A Flood Risk Assessment as stipulated in Policy EP19 will be required including the incorporation of Sustainable Drainage Systems.
- ii. **Areas with a low to medium risk of flooding, classified as land within the 1 in 1000 year floodplain** . Whilst these areas will be suitable for most types of development, a Flood Risk Assessment will be required for prospective development plan preparation, and with all appropriate planning applications (for instance, excluding minor residential and commercial extensions). Where a problem is identified, development may need to be of flood resistant construction and incorporate adequate evacuation procedures. These would be controlled through conditions attached to planning approvals. Advice must be sought from the Environment Agency on this issue.

- iii. **Areas with a high risk of flooding within existing developed parts of the 1 in 100 indicative floodplain**. These areas may be suitable for limited development, provided a minimum standard of flood defence can be maintained for the lifetime of the development. Flood Risk Assessments will be required to assess the risk of flooding. The appropriateness of development and the necessary forms of mitigation/flood defence requirements and access/egress must be considered.
- iv. **Areas with a high risk of flooding within undeveloped parts of the 1 in 100 indicative floodplain** . These will only be suitable for development if a particular location is essential, for example, to service water-based or navigation uses. Residential uses within these areas will be restricted to job-related accommodation. A robust Flood Risk Assessment will be required to assess the risk of flooding.
- v. **Areas with a high risk of flooding in designated Washlands**. Built development will be wholly exceptional. Some recreational, sport, amenity and conservation type uses may be acceptable along with essential transport infrastructure subject to a thorough Flood Risk Assessment.

Developers looking for sites for housing or other development will be expected to have regard to this sequence. The Council, in consultation with the Environment Agency, may request the submission of a Flood Risk Assessment by the applicant. Applicants should consult the Council prior to submitting their planning application, to ascertain whether there is any likelihood of flooding of their development or land elsewhere. If it is necessary to carry out a Flood Risk Assessment to fully consider the impact of the development, the onus will be on the developer to carry this out and provide the necessary information with a planning application submission. Guidance on the content of flood risk assessments is contained in Appendix F of PPG25.

12.44 Current uncertainties over possible climate change make the need to safeguard floodplain areas particularly important. Recent years have seen an increase in the number of serious floods in Calderdale, as swollen tributary streams have flowed into the main river system. Designated washland areas will therefore, be protected from development to ensure storage capacity is not reduced and flows

are not increased or impeded. The Council will support opportunities to restore the floodplain, where it has been historically developed and damaged, to increase its water storage capacity. The following Policy applies:-

Policy EP 16

Protection of Washland and Functional Floodplain

Within the designated washlands shown on the Proposals Map and other areas of functional floodplain, new development and extensions of existing uses will not be permitted.

Exceptionally, some recreation, sport, amenity and essential infrastructure uses which are considered appropriate will be permitted provided:-

- i. there would be no harm to the function of the washland or floodplain;**
- ii. the use would not be at serious risk from flooding itself; and**
- iii. adequate flood mitigation and flood warning measures are in place.**

Within the 1 in 100 year indicative floodplain, the following Policy will apply:-

Policy EP 17

Protection of Indicative Floodplain

In areas of flood risk identified as indicative floodplain by the Environment Agency, development will not be permitted unless:-

- i. the site lies within an area which is already substantially developed;**
- ii. it would not increase the risks of flooding both on site and further upstream and downstream;**
- iii. it would not be at risk of flooding itself, particularly in respect of its impact on the occupiers of the site;**
- iv. it would not impede access to a watercourse for maintenance;**

- v. it would provide adequate flood mitigation and flood warning measures; and**
- vi. provisions are made for adequate access/egress in times of flood.**

12.45 Where a development is considered acceptable subject to the carrying out of flood defence or flood alleviation works, the developer will be required to fund these fully and contribute to future maintenance, unless these are already programmed in accordance with Part One POLICY GCF 1. This would be done through a condition or planning obligation attached to a planning approval, vesting the defences with the operating authority. A dedicated commuted sum to cover the cost of maintenance for a period of 30 years will be required. If defence improvements are of wider benefit, the contribution should be proportional to the benefits to the developer. Negotiation of this figure will be up to the Local Planning Authority. This issue is covered in more detail in paragraphs 10.2 to 10.9.

12.46 There are many informal flood defences along the rivers in Calderdale, which have not been designed as defence structures and which are substandard. The areas behind these defences are at greater risk from flooding than some other areas in the indicative floodplain and will be subject to the following Policy:-

Policy EP 18

Development Behind Flood Defences

Development behind flood defences will not be permitted on land liable to flooding unless the standard of defence is appropriate and sufficient to safeguard the development. Where development is permitted in areas with an inadequate standard of protection, appropriate increased protection will be required prior to the commencement of development.

Drainage and Flood Prevention

12.47 Large parts of Calderdale form part of the Pennine hills on which high rainfall or melting snow can cause flooding. This is a natural process, but humankind's interference with the flow of rivers and streams and our general and often damaging impact on the total environment can have a significant impact

on flooding. The careful control and management of drainage systems and watercourses throughout the river catchment can assist in minimising the severity of flooding, pollution and enhance biodiversity in accordance with Part One POLICY GNE 2. Solutions such as tree planting (see paragraphs 11.62 -11.80), reversal of moorland drainage schemes and the alleviation of ground compaction all have a role to play in the overall flood prevention strategy as do measures set out in the Plan to reduce the impact of global warming, for instance by seeking to keep levels of car ownership at their current rates or, if this does not prove possible, to reduce its rate of growth and hence achieve cutbacks in the release of climate changing pollutants to the atmosphere. Nevertheless, policy is still needed to control actual flooding. It should be stressed that Policy EP19 will only be applied to a limited number of developments, where following consultation with the Environment Agency, it is considered that the proposal could potentially have a damaging impact on efforts to reduce the occurrence of flooding in the district. Development outside floodplains will be subject to the following policy:-

Policy EP 19

Development Outside Floodplains

A limited number of developments outside the 1 in 1000 year indicative floodplain will require a Flood Risk Assessment incorporating Sustainable Drainage Systems. As a minimum the assessment will consider flood risk from:-

- i. groundwater flooding;**
- ii. local flooding due to overland flow;**
- iii. run-off exceeding the drainage network capacity; and**
- iv. flooding from existing minor water courses.**

12.48 Development reduces the ability of water to percolate into the land by replacing greenfield land with hard-surfacing. Traditional drainage systems are designed to carry water away as quickly as possible. This alters the natural flow patterns and can lead to problems elsewhere such as flooding downstream, pollution and damage to water and waterside habitats. Problems can also result if the watercourse is obstructed by development. Development may be acceptable providing a watercourse is improved further downstream. Where this is necessary, the

works will need to be completed prior to the commencement of the development and be funded by the applicant. This will be secured through the application of a 'Grampian' type condition. Development will therefore be considered against the following Policies:-

Policy EP 20

Protection from Flood Risk

Development will not be permitted if it would increase the risk of flooding due to surface water run-off or obstruction, unless agreements are in place which allow the carrying out and completion of necessary works before the development is brought into use.

Policy EP 21

Developments Involving Watercourse Improvements

Where downstream works or improvements to a watercourse are required in order to cater for development, approval will not be given unless agreements are in place which allow for the carrying out and completion of the works before the development is commenced.

12.49 Sustainable Drainage Systems (SUDS) provide engineering solutions that mimic natural drainage processes rather than using traditional piped methods. Such systems can minimise the additional flood risk that new development can cause by controlling surface water as near to source as possible. This can make a significant contribution to more sustainable patterns of development. Therefore, the Council will seek to ensure that new developments incorporate SUDS where this is practicable.

12.50 There is a wide range of SUDS including devices such as reed beds, infiltration trenches, detention basins, swales, porous pavements, retention ponds and filter strips. Developers should use SUDS in preference to the traditional systems. Therefore, developers are advised to consult the Environment Agency, Highway Authorities and the water undertakers for information on sustainable techniques and to establish the most appropriate

technique available to them at an early stage in the planning process. Development will be subject to the following Policy:-

Policy EP 22

Sustainable Drainage Systems

Where possible and appropriate, development proposals shall incorporate Sustainable Drainage Systems. Where this is not appropriate and possible, an acceptable alternative must be incorporated.

12.51 Culverting of open watercourses represents a major threat to the flood defences and the ecology of an area. The Council will seek to prevent the culverting of open watercourses where possible and appropriate, to avoid increasing the risks of flooding and protect wildlife habitats and natural amenity. Such a view is reflected in the policies of the Environment Agency. The Council will, in addition, support the re-opening of existing culverts to assist flood defence and environmental purposes. The following policy will therefore apply:-

Policy EP 23

Culverting of Watercourses

Culverting of watercourses within or related to development sites will not be permitted, unless it is essential for access across the watercourse.

In appropriate locations, development proposals should incorporate the re-opening of culverts.

Overhead Power Lines

12.52 Calderdale is crossed by an extensive network of overhead electricity power lines, some of which, by reason of their scale and prominence, constitute alien features in the landscape, especially in the open uplands. Overhead lines can be detrimental to visual and also to residential amenity, and can, in certain circumstances, generate noise.

12.53 National Grid Transco transmits electricity around England and Wales at high voltages. Electricity transmission is at 400Kv and 275Kv and

is carried on large steel pylons, or in exceptional circumstances, by underground cable. The local electricity distribution company, Yorkshire Electricity, distributes electricity to most consumers. This local network of electricity lines of 132Kv and lower is carried by steel pylons, on timber poles, or is laid underground.

12.54 Council powers to control the development of the electricity transmission and distribution network are limited, as electricity undertakings have permitted development rights under the Town and Country Planning (General Permitted Development) Order 1995 (as amended). The Government determines proposals for the construction of these electricity lines, but the Council is given the opportunity to comment. If the Council objects to an electricity line, the Secretary of State must hold a public inquiry. Applicants such as National Grid Transco are required to submit an extensive analysis of the impact of their proposal on the environment. In selecting electricity transmission routes National Grid seeks to reduce the number of people affected and the degree to which they are affected. The nature and topography of the landscape and any statutory protection afforded to an area are also taken into account.

12.55 The Council will seek to influence the location and number of overhead electricity lines feeding into and through the district and thus, avoid further impact on the landscape, the environment, the character of the area and on residential amenity. Proposals in employment/industrial areas do not generally raise concerns. Applications will not be supported in certain sensitive locations, where such development is considered inappropriate. This is likely to be the case in designated areas of nature conservation value and where development is likely to affect sites and features of historic interest, or residential areas. Discussion will be sought at an early stage between Yorkshire Electricity, National Grid and the Council to assess the options for alternative routes and the possibility of siting cables underground to ensure the visual and environmental effects of new electricity lines are minimised. It is recognised however, that the undergrounding of high voltage lines will only take place in exceptional circumstances and that the most appropriate approach would be to minimise the visual impact in the routing of an overhead line. National Grid Transco has also recently published 'Design Guidelines for Development Near High Voltage Overhead Lines', which provides useful advice in this area. Development will need to be consistent with other policies of the UDP and will be subject to the following policy:-

Policy EP 24

Control of Overhead Electricity Lines

Where the Council is consulted on an application for a new overhead electricity line, it will seek to ensure through its consultation response that any unacceptable impact on the landscape, residential amenity or the environment is avoided and that the following areas should be avoided wherever possible:-

- i. the Special Protection Area and Special Area of Conservation;
- ii. Sites of Special Scientific Interest or other important nature conservation sites;
- iii. Conservation Areas and sites, buildings or parks/gardens of historic or architectural interest including Listed Buildings and Scheduled Ancient Monuments;
- iv. existing residential areas; and
- v. open moorland.

12.56 The Council will seek to ensure that, where appropriate and necessary, power lines are sited underground for amenity reasons. However, this may not always be the most appropriate means of siting cables since, 'undergrounding' can have major environmental implications. Underground cables make a big impact on the landscape during construction and can damage sensitive habitats, archaeological sites and existing land uses. Furthermore, in the case of high voltage lines (of or greater than 132Kv), there are also technical, practical and cost disadvantages of this method. An assessment of these issues will need to be made in the consideration of any application.

12.57 The Council will have regard to the amenity of potential occupiers in determining planning applications for developments close to electricity lines. In addition, statutory safety clearances, which are defined to ensure the safe operation of the overhead line from contact with objects, must be maintained by any development taking place near to overhead lines. These are published in the Electricity Supply Regulations 1988. In considering applications for development in close proximity to overhead power lines the Council will give great weight to the advice and guidance issued by the National Radiological Protection Board (NRPB) on the possible health risks.

A review by the NRPB 'Electromagnetic Fields and the Risk of Cancer' (2001) indicates that there is no good evidence to link the radiation produced by electricity lines with health risk. Research into this, by the Government and its advisors, is continuing.

Energy Efficiency

12.58 Buildings account for almost half of the UK's delivered energy consumption and associated emissions of carbon dioxide, the main greenhouse gas capable of causing climate change. Buildings and site layouts, which are designed to achieve maximum energy conservation, can therefore contribute significantly to sustainable development by reducing greenhouse gas emissions and utilising natural resources.

12.59 Energy conservation in buildings is largely promoted through Building Regulations legislation. However, Planning has an important complementary role in determining the layout and design of development schemes.

12.60 Energy conservation measures, and in particular the use of solar energy, can often fundamentally alter the appearance of a building. The contemporary designs that can result will be supported, providing that they are of a high quality and do not detract from the character and appearance of an area, as highlighted in paragraphs 12.82 to 12.90. The concept of sustainable design and any accompanying new building technologies is set to flourish in the future. As such, it is important that these buildings are integrated and readily accepted into the townscape and landscape of Calderdale.

12.61 Where possible, developers should seek to construct energy efficient buildings, by utilising some or all of the principles and techniques set out below (for further information on the subject and clarification of terms used refer to the Renewable Energy section, POLICY ~~GEP-4~~, Policy EP 26, Policy EP 31 and Policy EP 32 and the Chartered Institution of Building Services Engineers, Energy Efficiency Guide F, 'Energy Efficiency in Buildings', (2004)):-

- i. incorporate (or make provision for the future use of) active solar technologies e.g. photovoltaic solar panels;
- ii. make the maximum use of solar gain by orientating buildings to face within 30 degrees of due south;
- iii. incorporate large south facing windows to maximise solar gain and keep to a minimum the number and size of north facing windows;

- iv. ensure the enhanced insulation of all buildings, particularly those that are not orientated to the south;
- v. design internal layouts to include the positioning of rooms requiring higher temperatures (e.g. living rooms) to the south side in order to maximise passive solar heating;
- vi. use storage areas, corridors, or rooms with lower demands for heating or lighting to act as buffer zones to the colder northern aspect of the building;
- vii. use timber window and door frames in preference to uPVC;
- viii. design elements of the building to take advantage of earth insulation;
- ix. position external doors in sheltered locations and provide them with conservatories or porches to conserve heat;
- x. incorporate pitched roofs into a development as these require less maintenance than flat roofs;
- xi. provide south facing pitched roofs angled at between 15 to 40 degrees as these provide the ideal gradient for solar panels;
- xii. incorporate steep pitched roofs facing prevailing winds as these can help to break up wind flow;
- xiii. use recycled and locally sourced and manufactured materials;
- xiv. use materials which are energy efficient to produce such as timber;
- xv. provide for the recycling of rainwater and grey water (i.e. non-sewage water) on site; and/or
- xvi. locate taller buildings on the northern parts of development sites.

12.62 Whilst giving full consideration to the incorporation of these design principles in developments, full note should also be taken of the following Policy:-

Policy EP 25

Energy Efficient Development

New development should be energy efficient. Where possible and appropriate, development proposals must incorporate energy efficiency and conservation techniques and technology in terms of design, orientation, layout and materials, provided that in addition they must be consistent with other UDP policies.

12.63 The use of energy is an integral and important part of the social and economic fabric of Calderdale. The majority of energy production relies on non-renewable natural resources (fossil fuels), such as coal, oil and gas. The extraction of these resources causes harm to the environment, and more importantly their use in power generation is known to be a major contributor to global warming. The burning of fossil fuels to generate electricity releases high levels of carbon dioxide, the most significant of the 'greenhouse gases', into the atmosphere. This contributes to long-term climate change. ~~The Council will seek to assist the reversal of global warming and the wise use of non-renewable resources through the application of the following Part One Policy:-~~

~~POLICY CEP 2~~

~~MANAGEMENT AND CONSERVATION OF NATURAL RESOURCES~~

~~DEVELOPMENT PROPOSALS SHOULD INCORPORATE THE SUSTAINABLE AND EFFICIENT USE OF THE DISTRICT'S NATURAL RESOURCES AND MAXIMISE THE USE OF POTENTIAL RENEWABLE ENERGY RESOURCES.~~

12.64 The inefficient use of energy is also a significant cause of pollution. It is therefore, important that the use of all forms of energy are carefully managed to ensure that maximum efficiency is obtained in the interests of environmental protection. A range of methods can be employed to conserve energy and promote its efficient use. These include:- adapting existing buildings to accommodate and use modern energy efficient and conserving technologies; designing efficient new buildings and development layouts, using communal rather than individual facilities; and ensuring developments are served by public transport. Policies on energy efficient modes of transport are dealt with in the Transport Section.

12.65 The use of Combined Heat and Power (CHP) systems is a major part of the Government's approach to energy efficiency and conservation. This technology is suitable for buildings requiring a simultaneous need for hot water and electricity, such as swimming pools, hotels, leisure centres and mixed developments. CHP can reduce emissions into the atmosphere by reducing the total fuel consumed in on-site boilers. However, the boilers tend to create more noise than traditional boilers and can, therefore, create local environmental concerns. In most cases, these

problems can be overcome by good design and correct operation. The issue of noise is covered in paragraphs 12.8 to 12.9 ~~and Policy EP 3 and Policy EP 4.~~

12.66 At present, there is only one scheme in Calderdale using this form of technology - Todmorden Sports Centre. The Council will support applications for and investigate the feasibility of further CHP schemes within the future. The following Policy will apply:-

Policy EP 26

Encouraging the Use of Combined Heat and Power Systems

Developments incorporating Combined Heat and Power Systems or other energy efficient systems of operation or building designs will be permitted providing there would be no harm to the amenity of users of the site or the surrounding area.

Renewable Energy in New Developments

12.67 To help meet the national and regional renewable energy targets, major proposals for employment, retailing and residential development will be required to incorporate appropriate renewable energy heating or power systems. The expectation will be that at least 10% of the predicted annual energy requirements of a particular development should be met by means of independent renewable energy generation up until the end of 2010. This will increase to 15% from the end of 2010 until the end of 2015 and increase again to 20% from the end of 2015 until the end of 2020. This reflects the Government's targets established in the Government White paper (paragraph 4.11) and also included in paragraph 2.2 of the Companion Guide to PPS22. These targets are also expressed in the Regional Spatial Strategy for Yorkshire and the Humber to 2016 in Policies S6 and R12. The relevant target is that current at the time a development is approved. Therefore for example, in 2011 a new scheme coming forward will have to provide for 15% of its energy requirement and any new scheme coming forward in 2016 will have to provide for 20%. A progressive increase in the target will not only allow developers to become accustomed to the principle over time, but also allow the policy to develop in accordance with national and regional policy.

12.68 Renewable resources encompass a broad range of technologies and it is extremely unlikely that none will be practical in relation to a particular scheme. However, in cases where a developer has concerns about the feasibility of incorporating on-site renewable energy generation the Council will require a statement to substantiate the position. This should concentrate on the technical reasons as to why it is not practicable to incorporate on-site renewable energy generation. This should be submitted at the design stage when the technical assistance from the Council can be employed to address any difficulties. Technical grounds may include, for example, circumstances where overshadowing limits the scope of some solar renewable energy sources or where siting is too poor to take advantage of renewable energy provided from wind turbines. Such situations are considered to be the exception rather than the rule.

12.69 There are a number of technologies which developers could install to meet these targets, including: solar thermal heat panels, solar photovoltaic panels, biomass fuelled community heating and combined heat and power (CHP) plants, community energy plants, wood fuel boilers, air, ground and water sourced heat pumps, small-scale wind, small-scale hydro and fuel cells. Details of the various technologies are available now and how they are applied in Calderdale will be available as a Supplementary Planning Document. There is support and assistance available to developers from within Calderdale Council e.g. Housing Energy Team and the Sustainable Development Unit, and grant schemes and tax incentives available to assist developers meet the targets e.g. Major Photo-voltaic Demonstration Programme and the Enhanced Capital Allowance scheme. For the purposes of Policy EP27, major developments are defined as 1,000 square metres (gross) or more of employment or retail floorspace or at least 25 dwellings.

Policy EP 27

Renewable Energy in New Developments

Major employment, retail and residential developments (either new build, conversion or renovation) will be required to incorporate on-site renewable energy generation to provide at least 10% of predicted energy requirements up until 2010, 15% up until 2015 and 20% up until 2020.

Development of Renewable Energy

12.70 Renewable energy is the term used to cover those energy sources that occur or re-occur naturally in the environment, such as from the sun, wind or water. They are essentially clean, produce no or lower 'greenhouse gas' emissions and they can make an important contribution to meeting the requirements of future 'greenhouse gas' reduction commitments.

12.71 Government policy on renewable energy is set out in the Energy White Paper, 'Our energy future – creating a low carbon economy' (2003). This establishes a national target of achieving 10% of electricity needs from renewable energy by 2010, increasing to 20% by 2020.

12.72 The planning system is charged with promoting and encouraging, rather than restricting, the development of renewable energy resources in order that the Government's renewable energy target is met. PPS22 'Renewable Energy' (2004) provides the national planning framework for promoting and considering proposals for renewable energy uses and encourages Local Authorities to consider the opportunity for developing renewable energy projects in connection with new developments.

12.73 The Government Office for Yorkshire and the Humber has outlined the regional targets in the Regional Spatial Strategy for Yorkshire and the Humber to 2016 (2004). The RSS acknowledges that the current pattern of energy use is unsustainable and that Local Authorities should 'Include policies and proposals in development plans to achieve a regional generation target of at least 9.4% of electricity consumption from renewable resources by 2010 and 22.5% by 2020' (The Regional Spatial Strategy for Yorkshire and the Humber to 2016, Policy S6e).

12.74 The main renewable energy sources can be summarised as:-

- Solar
- Biomass
- Hydro
- Wind
- Landfill gas
- Municipal and industrial waste
- Heat exchange/transfer from rivers or the ground

12.75 The 'Lancashire and Yorkshire Renewable Energy Planning Study' (ETSU, 1997) identified solar power as the biggest renewable energy source in West Yorkshire, followed by waste, biomass, wind and small-scale hydro projects. A 'Renewable Energy Assessment and Targets Study for Yorkshire and the Humber' (2001) stated that, "renewable energy sources contributed less than 1.5% of the region's total production of electricity." The study went on to suggest sub-regional targets for the period up to 2010, with West Yorkshire's allocation being 74Mw over and above its existing output. This target is set out in the RSS for Yorkshire and the Humber to 2016, Policy R12. A mechanism is to be set up to divide this target between the five local planning authorities in the sub-region, but this has not yet been put in place.

12.76 At the local level, the Council and its partners are committed to the reduction of 'greenhouse gases' through the exploitation of renewable energy and the promotion of energy conservation and has included these in Calderdale's Local agenda 21 Strategy - '21 for 21'. The need to increase renewable energy production in Calderdale is also set out in Section 5 of Calderdale Forward's (the local strategic partnership) Futures Plan published in 2003.

12.77 Most of the renewable energy technologies have potential use in Calderdale. Their potential in planning terms, would depend upon the scale of the project and whether it meets the environmental considerations of Policy EP 25. The main planning pressure continues to be energy generation from onshore wind reflecting the topographical characteristics of the area and its wind resource. However, there is a need to encourage all potential renewable energy sources including wind, providing they are appropriately scaled. Micro-generation and the cumulative impact of many small generators will form a crucial part in meeting the Energy White paper targets. Generating energy at the point of use is the most sustainable form of generation; it also improves security of supply and reduces inherent energy losses in the transmission and distribution system.

12.78 There are a number of renewable energy schemes already in existence in Calderdale. These

vary from individual household solar panels and domestic wind turbines to landfill gas extraction at Park Pit Landfill Site, Elland and commercial wind turbines on Ovenden Moor. These technologies currently represent some of the most promising sources of renewable energy in the area. However, it is recognised that the production of electricity from landfill gas is limited within Calderdale due to the lack of landfill sites in the area. The use of alternative means of waste disposal and the application of landfill tax are also likely to preclude the further development of this form of technology. Potential also exists for power generation from waste incineration and digestion. This is dealt with more fully in 14 on Waste Management.

12.79 PPS22 emphasises the importance of balancing the need for the generation of energy from renewable sources with the impact of the proposed development on the local environment. Whilst the Council will support applications for developments that generate energy from renewable sources, there is also a need to ensure that developments are appropriate and suitable to their location. It is recognised that many renewable energy proposals, such as for wind and water power, will require locations close to the source of power. Suitable sites will often be in remote upland areas and in the Green Belt, and may also raise important landscape, ecological, archaeological, heritage or amenity issues.

12.80 All renewable energy proposals will be considered in terms of their impact on nearby land uses and activities and their contribution to meeting renewable energy targets in accordance with the following Policy:-

Policy EP 28

Development of Renewable Energy Sources

Proposals for the generation of energy from renewable resources will be permitted provided:-

- i. **the environmental benefits of the scheme in meeting local, regional and national energy needs and reducing global pollution outweigh any adverse impact;**
- ii. **the development would not cause significant harm to the visual quality or character of the landscape, to the local environment or to the recreational/tourist use of the area;**

- iii. **the development would not significantly harm designated sites of nature conservation value or sites of archaeological or historic importance; and**
- iv. **the development would preserve or enhance any Conservation Areas and not adversely affect Listed Buildings or their settings.**

12.81 For projects of a significant scale, applicants will be expected to undertake an Environmental Impact Assessment (EIA) under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended) to evaluate the effect of the proposal. Developers should contact the Council as early as possible to obtain a screening opinion to determine whether an EIA is necessary.

12.82 The operation of renewable energy developments could be adversely affected by subsequent development. For instance, wind speeds could be reduced as a result of the erection of tall buildings or water speeds impeded by upstream developments. The Council will therefore, control further development in the immediate vicinity of renewable energy installations through the implementation of the following Policy:-

Policy EP 29

Developments Close to Renewable Energy Installations

Proposals for development in the vicinity of a renewable energy scheme will not be permitted if it would have a detrimental effect on the operation of the electricity generation plant.

Wind Power Developments

12.83 Wind power involves harnessing the wind to drive turbines. Developments can take the form of single turbines for individual properties or more substantial schemes, often called wind farms. The South Pennine Moors is an upland area, providing relatively high wind speeds and the potential to develop energy from the wind. Many parts of the upland moors are of national and international importance for the habitats and species found there, and are a major recreational resource for the wild,

unspoilt landscapes that they contain. Whilst wind farms can be justified in order to provide for renewable energy production, they may have an unacceptable impact on areas of high landscape or nature conservation value by virtue of their nature, the size, number and massing of turbines or location. The approach is therefore to achieve a balance between increasing renewable energy in the district and beyond, and avoiding unacceptable damage to the environment and its key assets. A particular concern is the potential for a proliferation of wind projects and their cumulative impact in Calderdale and the surrounding local authority areas.

12.84 Specific controls are necessary for the generation of power from the wind. The Standing Conference of South Pennine Authorities (SCoSPA) 'Memorandum of Understanding' establishes principles for wind power developments in and around the South Pennines and this provides the context for the policies in the Plan. Additionally, local planning authorities on the Yorkshire /Lancashire border meet on a regular basis to share information and views on renewable energy (including that from wind) issues and proposals in their areas, whilst consultations on submitted planning and energy applications for projects take place between them.

12.85 It will therefore be necessary to assess the suitability of applications in relation to the following subject areas:-

- Landscape, including the integrity of the Pennine landscape as a whole;
- Nature Conservation;
- Archaeology, Conservation Areas and Listed Buildings;
- Recreation and Tourism (including walking);
- Amenity, including noise, visual impact and blade flicker;
- The impact of associated infrastructure, such as access, drainage and water supply.

As a general rule, it will be preferable for wind turbines to be located away from the more environmentally sensitive areas of the District. In order to protect the quality and character of the landscape, applicants will be expected to seek locations that make the best use of the topography and physical features to reduce the impact of turbines. The following Policy will apply:-

Policy EP 30

Wind Power Developments

Proposals for the development or redevelopment of wind farms or individual wind turbines will be permitted provided that:-

- i. the development does not cause significant harm to the visual quality or character of the landscape, to the local environment or to the recreational/tourist use of the area;**
- ii. the development would not significantly harm designated sites of nature conservation value or sites of archaeological or historic importance;**
- iii. the development would preserve or enhance any Conservation Areas and not adversely affect Listed Buildings or their settings;**
- iv. the development does not detrimentally affect the amenity of local residents;**
- v. the siting, number and massing, design, materials and colour of the turbines and ancillary structures minimise their visual impact;**
- vi. access for construction traffic would not give rise to highway danger or permanent damage to the environment;**
- vii. the developer undertakes the removal of structures and full restoration of the site, to the satisfaction of the Council, should the whole, or part of the site become inoperative for power generation purposes; and**
- viii. the development would not significantly harm surface water, drainage, groundwater or water supply.**

12.86 Applicants will be required to provide sufficient information on the likely environmental impacts of the proposal for all wind turbine developments. However, in many cases, particularly with medium and large-scale wind farms, a full scale EIA will be required. In addition, in response to Circular 1/2003 (DfT/ODPM) on the safeguarding of aerodromes and other installations, planning applications and related proposals for wind turbine development within predefined consultation zones

will be the subject of consultations with appropriate bodies. This procedure is fully set out in paragraph 9.75 to 9.79 and Policy T 27 in the Transport section.

Solar Power

12.87 Solar energy technologies are mature and well established but despite large-scale uptake of solar technologies throughout Europe, Japan and the US, uptake in the UK has been relatively slow. There are two active solar technologies; solar thermal and solar photovoltaics (PV), and a passive technique obtained through design:

- Solar Thermal Panels - The solar hot water system converts solar radiation into hot water through a heat transfer system. A well-designed system will provide over 50% of a building's annual hot water requirements. This technology is also used for swimming pools.
- Solar Photovoltaic Panels - A solar PV panel will convert solar radiation into electricity, powering ordinary electrical equipment. Installations are usually connected to the National Grid though can be stand alone off grid systems
- Passive Solar Design - This involves designing buildings to make optimal use of the energy from the sun, by having open aspects on south facing building plans. This obtains free direct heat and natural daylight, minimising dependence on fossil fuels.

12.88 An increasing number of properties are installing solar thermal and PV systems in Calderdale. This is partly due to residents becoming more aware of the potential benefits of installing these systems, but mainly because of the increasing support available to Calderdale residents. A number of grant schemes are now available, further reducing the installation costs, these are; the DTI's Clear Skies Programme (householders, community and public bodies), the DTI's Major Photovoltaic Demonstration Programme (all end users) and the Carbon Trust's Enhanced Capital Allowance Scheme (businesses). There are also technology support programmes operating in West Yorkshire, established to assist residents, organisations and businesses through the installation process. These are; Simply Solar for solar thermal enquiries and the Sunrise Project for solar PV enquiries. Information on all of these initiatives is available from Calderdale's Housing Energy Team or the Sustainable Development Unit..

12.89 Whilst the Council will support proposals for the installation of solar thermal and solar PV panels, consideration will be given to amenity concerns. Special care will be taken over the positioning of solar and photovoltaic panels on or within the curtilage of a Listed Building or within a Conservation Area to ensure that the development would not have an adverse effect on the character, appearance or setting of the building or area. Panels proposed on Grade I or II* Listed Buildings are less likely to be acceptable. It may be acceptable in appropriate circumstances for these to be incorporated into a listed building development provided that it is in keeping with the character of the area and/or the building itself. In circumstances where panels may not be placed on buildings they may be able to be placed within the grounds of a property providing it has no significant visual impact. Further details on the controls applying to Listed Buildings and Conservation Areas can be found in paragraphs 8.48 to 8.70. Proposals will be considered against the following Policy:-

Policy EP 31

Development Incorporating Solar Heating and Power Systems

Development proposals incorporating the installation of solar heating and power systems will be generally encouraged and permitted, provided that:-

- i. the proposal would not harm the amenity of the area;
- ii. the solar thermal or photovoltaic panels will not be installed on a Listed Building where there would be a detrimental effect on the special architectural or historic character of the building; and
- iii. the solar thermal or photovoltaic panels will not be installed within the curtilage of a Listed Building where there would be a detrimental effect on the setting of the building or within a Conservation Area where this would not preserve or enhance the area.

12.90 Whilst photovoltaic (PV) technology has been limited by the high cost of manufacturing the PV cells, it has been established for a number of years as an economic means of power supply in remote areas, where cabling costs are expensive or not feasible. Costs have steadily reduced and this type of technology may now be a potential renewable source

in the District to supply the local distribution network. Innovations have also been made in the appearance of PV cells. There are products on the market, which are nearly indistinguishable from roof tiles and in some instances these may provide an option for historic properties. In recognition of the part PV technology can play in delivering the Government's energy targets, Section 6 of the Technical Annex attached to the Companion Guide to PPS22 'Renewable Energy' (2004) provides guidance on PV technology and its main applications. Developers contemplating the use of PV systems are advised to consult this Annex.

12.91 Energy costs and consumption can be reduced dramatically through the use of passive solar design methods. The location, orientation and design of buildings, as well as landscaping, are a number of elements that can influence energy demand. Design issues are dealt with in paragraphs 12.57 to 12.61. The Council will seek to encourage the use of passive solar design methods where possible in development proposals through the application of Policy EP 25. However, where existing developments incorporate passive solar techniques, it will be necessary to protect these from new development or landscaping proposals that would harm their energy efficiency such that occupiers would have to supplement their heating and lighting. As a result, the following Policy will apply:-

Policy EP 32

Protection of Solar Heating, Photovoltaic Panel and Passive Solar Design Developments

Where possible and appropriate, maximum use of passive solar design techniques shall be incorporated in development projects. Where an existing development utilises passive solar design techniques, new development will not be permitted if its height or spacing would overshadow the southern elevation of a passive solar design development or an existing active solar power or photovoltaic installation and reduce solar gain.

Connection into the Local Electricity Network

12.92 Renewable energy is particularly well suited to meeting small-scale demands for heat and power.

If renewables are to make a substantial contribution to national energy demand, large-scale generation facilities are required, along with a means of distributing energy to users through the electricity network. Renewable projects tend to link into the local distribution network or straight to a local user rather than into the national grid because of their generally smaller generation capacity. This is known as 'Embedded Generation'. This can result in cost savings and efficiency and it allows electricity to be provided close to the point of consumption and demand. However, the capacity of the local electricity network to accommodate new generation is variable. In remote areas, such as those where the best wind and hydro resources are frequently found, there may be no existing electricity distribution infrastructure at all and no houses or businesses to directly feed into.

12.93 The arguments for and against overhead and underground electricity cables are outlined in paragraph 12.56. The Council will support energy generation sites close to or within areas of demand where these can be accommodated without detriment to residential amenity or areas designated for their nature conservation value. Proposals will be considered against the following Policy:-

Policy EP 33

Renewable Power Generation

New power lines between a renewable energy development and the point of connection into the local electricity network or a local user will be permitted provided there is no significant conflict with other policies of the Plan and no adverse impact on the amenity of residential areas. Consideration will be given to the environmental benefits of the scheme in meeting local energy needs and reducing global pollution .



13 Minerals

Introduction

13.1 Minerals are an important element in the national, regional and local economy. Their exploitation can make a significant contribution to economic prosperity and quality of life, but this must be done in such a way as to achieve environmental objectives as well. The Government wishes to see indigenous mineral resources developed within its broad objectives of encouraging competition, promoting economic growth, creating employment and achieving environmental protection. These principles have been translated into the Government's Mineral Planning Guidance (MPGs) and Mineral Policy Statements (MPS). Of particular relevance are MPS 2 'Controlling and Mitigating the Environmental Effects of Minerals Extraction in England', MPG3 'Coal Mining and Colliery Spoil Disposal' (1999) and MPG6 'Guidelines for Aggregates Provision in England' (1994) and the Regional Spatial Strategy for Yorkshire and the Humber (RSS) (2004). The Council, in fulfilling its role as the Mineral Planning Authority for Calderdale, applies government policies and advice by ensuring that there is a sufficient and sustainable supply of minerals to meet the needs of society, whilst at the same time protecting the environment and local communities.

The Geology of Calderdale

13.2 The solid geology of Calderdale sees Lower Carboniferous rocks outcropping at the surface, these being overlaid in areas by more recent drift material, peat on the uplands and sands and gravels in the valley bottoms, particularly in the east of the District. The Carboniferous strata are typified by an ever-changing succession of sandstones, gritstones, shales and mudstones. The sandstones and the very hard Millstone Grit have been, and will continue to be, worked for building stone and crushed aggregate. These materials contribute significantly to regional output, and will continue to be of importance in the future.

13.3 Shale, mudstones and clays from the strata have been extensively worked in the Halifax, Elland, Hipperholme, Shelf and Todmorden areas for use in the manufacture of bricks, pipes, pottery, refractory and vitrified clayware goods, although much of the activity has now ceased, as reserves have been exhausted and the demands of the market have changed. There is currently major clay and shale

working at Strangstry Wood near Elland, where reserves need to be protected in the future. Other small workings also survive.

13.4 Sand and gravel deposits in the Calder Valley are often contaminated with shale and coal and are not of the highest quality. The thicker beds are not found in Calderdale, but in the east of West Yorkshire where a large proportion is used in concrete products. There is no active sand and gravel working in Calderdale at present.

13.5 Historically, there has been some mining of coal using deep-mined and opencast methods from the Lower Coal Measures in the east of the district. A small opencast coal operation is working in Shelf at the present time. Resources of coal remain in these areas and also in the Pennine areas to the west of Todmorden. There are abundant resources of peat in the Pennine uplands but it is not considered appropriate to work this resource (see Policy M 7). There is also the remote possibility of oil and gas resources occurring in the Carboniferous strata, although these have not been investigated.

Minerals Strategy for Calderdale

13.6 Minerals are a finite resource and it is important that the winning and working of building stone, aggregates and other materials is carried out in a sustainable manner. Proposals for new or extensions to existing mineral workings will be tested against the sustainability criteria that apply throughout the Plan. In pursuing the principles of sustainable development in the consideration of minerals, the Council will seek to:-

- conserve resources as far as possible whilst ensuring an adequate supply to meet the needs of society;
- minimise production of waste and encourage efficient use of materials including the use of high quality materials and recycling of waste;
- minimise the environmental effects of quarrying operations and related activities;
- encourage sensitive working practices during mineral extraction and preserve or enhance the overall quality of the environment once extraction has ceased; and
- minimise impacts from the transport of minerals.

13.7 These aims are incorporated within the Minerals Strategy contained within the following Part One Policy:-

POLICY GM 1**MINERALS STRATEGY**

PROVISION WILL BE MADE FOR A CONTINUING SUPPLY OF MINERALS INCLUDING AGGREGATES AND RECYCLED AND SECONDARY MATERIALS IN ACCORDANCE WITH NATIONAL AND REGIONAL GUIDANCE HAVING REGARD TO THE NEED TO ENCOURAGE THE EFFICIENT USE OF AGGREGATES AND MINIMISATION OF WASTE AND TO SAFEGUARD THE ENVIRONMENT AND PROTECT LOCAL COMMUNITIES.

MEASURES WILL BE UNDERTAKEN TO ENSURE THAT MINERAL WORKING DOES NOT CREATE UNACCEPTABLE ENVIRONMENTAL, AMENITY, TRAFFIC, SAFETY AND OTHER EFFECTS ON THE LANDSCAPE, ENVIRONMENT AND LOCAL INHABITANTS AND THAT SITES ARE RESTORED TO A BENEFICIAL AFTER-USE.

Future Demand for Aggregates

13.8 The Council, in conjunction with the other West Yorkshire District Councils, is responsible for ensuring that West Yorkshire contributes to the supply of aggregates. The Yorkshire and the Humber Regional Aggregates Working Party under national guidance issued by the DCLG provide advice on aggregate supply and demand to the minerals planning authorities in West Yorkshire. The guidance on aggregate provision is set out in MPG6. The guidelines for land won aggregate provision in England contained in Annex A of MPG6 have been revised for the period 2001-2016. All other parts of MPG6 will remain in force until stated to be replaced by a later document. The regional guidelines are to be apportioned by the Regional Planning Body to the relevant mineral planning authority areas after taking into account the advice of the Regional Aggregate Working Party and the likely impacts of the implied extraction. The revised guidelines for land won production for the period 2001-2016 reflect an overall fall in the national demand for aggregates and a substantial increase in the use of alternatives to primary won aggregates utilising construction and demolition waste. The new guidelines set a figure of 73 million tonnes of sand and gravel and 220 million tonnes of crushed rock for the Yorkshire and Humber Region. The new guidelines take account of a revised

national target of 60 million tonnes per annum by 2011 for the use of alternatives to primary won aggregates. The revised target figure for the use of alternatives together with the Aggregate Levy introduced in April 2000 are important steps in reducing the demand for primary won aggregates. POLICY GM 1 and POLICY GM 2 aim to ensure that the Council continues to contribute towards the maintenance of regional supply patterns in accordance with Government guidance whilst adopting a sustainable approach to mineral working.

POLICY GM 2**AGGREGATE MINERALS**

PROPOSALS FOR AGGREGATE MINERAL EXTRACTION WILL BE ASSESSED AGAINST THE AIM OF MAINTAINING A LANDBANK OF PERMITTED RESERVES OF AGGREGATE MINERALS, AND WILL CONTINUE TO CONTRIBUTE TOWARDS MEETING CALDERDALE'S SHARE OF THE AGGREGATES DEMAND IN THE REGION ON THE ADVICE OF THE YORKSHIRE AND THE HUMBER REGIONAL AGGREGATES WORKING PARTY, IN ACCORDANCE WITH REGIONAL AND NATIONAL GUIDANCE.

Criteria for Assessing Minerals Applications

13.9 Mineral extraction can cause: noise, dust, vibration, heavy traffic with its implications for road safety and highway maintenance, changes to ground water and drainage, injury to visual amenity, and damage to the landscape and nature conservation. In addition, the subsequent use of the land could be impaired. Planning conditions can provide a means of control to ensure the protection of the environment and local amenity during the life of mineral workings and their subsequent restoration to a beneficial after-use. Alternatively, planning obligations agreed between the operator and the Council may be a more suitable means of achieving the necessary protection measures or securing a compensating environmental or public benefit. Although minerals can only be worked where they are found, extensive and prolonged concentrations of mineral working and restoration in a particular locality can cause injury to the amenity of local residents and to the environment. The assessment of new proposals which are part of a pattern of piecemeal mineral working will need to

take into account the cumulative impact resulting from other previous or simultaneous mineral working operations. To ensure a balance between exploiting mineral reserves and the need to protect the environment and communities mineral proposals will be assessed against the criteria set out below as follows:

Policy M 1

Criteria for Assessing All Mineral Working Proposals.

Proposals for new mineral workings or extensions to existing workings will be assessed with regard to the following considerations:-

- i. the effect on the local amenity in terms of visual impact, noise, dust, vibration, blasting, water pollution, hours of operation, land instability and other potential disturbance and their consequent cumulative impact;
- ii. duration of working;
- iii. the proposed final appearance and landform of the site;
- iv. the impact on landscape, the natural environment and habitat sites and species subject to statutory protection;
- v. the impact on Conservation Areas, Ancient Monuments, Listed Buildings, and other sites of archaeological, historical or heritage interest;
- vi. the effect of working and restoration (especially where waste disposal is involved) on water resources, including pollution;
- vii. the effects on the stability of surrounding land including, harm to the water environment, water resources or ground water flows including the impact of de-watering resulting from the mineral working;
- viii. the impact on the viability of agricultural holdings taking into account any loss of the best and most versatile land and the quality of the restoration likely to be achieved following mineral extraction;
- ix. the suitability of restoration and after-care proposals to return the development site to a beneficial after-use once working has ceased;

- x. the effect which traffic generated by the proposal will have on road safety, property and the amenities of the people living in the vicinity of the development or along the transportation routes likely to be used;
- xi. the availability or provision of adequate access to a suitable highway;
- xii. the potential for non-road transport opportunities, in particular the use of rail, pipeline, conveyor or canal facilities will be encouraged so as to reduce disturbance caused by road traffic wherever physical and economic factors permits;
- xiii. the quantity and quality of the mineral and the contribution made to the local and national economy;
- xiv. implications for local employment and other relevant issues;
- xv. the cumulative impact of past mineral working, other working sites, and on-going restoration; and
- xvi. all other relevant UDP policies are met.

Protecting the Environment and Local Communities

13.10 The Council will consider proposals for mineral and other ancillary workings, including whether the mineral is needed to ensure that Calderdale maintains its contribution to minerals supply, with an assessment of the social and environmental effects of any proposals upon local inhabitants, the landscape and the environment of the area. The Council will take into account the potentially damaging effects which mineral proposals may have upon local communities and the transport network, and the impact of mineral working on the environment and local communities will be assessed against the criteria set out in Policy M 1 above. In addition, the Council will ensure that any impact is minimised by releasing reserves steadily through the establishment of agreed schemes of working. In addition, the capital investment in plant and machinery within the quarry sites can be considerable, and as such it is preferable to confine workings to the extension of existing sites rather than permit new operations. It is important that the same standards and controls apply to all mineral sites in the district, whether existing, extensions or new, to ensure that areas do not become blighted by extensive workings and where reserves are known, that these are safeguarded for the future. It is established

Government policy contained in MPG7 'The Reclamation of Mineral Workings' (1996) that restoration and aftercare will be required to make mineral workings fit for beneficial after-use. Therefore surface mineral working proposals will need to include details of restoration and aftercare. The following Policies will apply:-

Policy M 2

Details Required with any Minerals Planning Application

Proposals for mineral workings will be required to provide the following details:-

- i. evidence of a viable deposit of the mineral;
- ii. detailed time-scale of all operations;
- iii. access, in principle and in detail, mode of transport, off-site traffic routeing and vehicle cleansing;
- iv. layout of operational areas including siting of buildings and ancillary facilities (including offices, car parks, plant, product storage etc);
- v. protection or diversion and reinstatement as appropriate of all public rights of way;
- vi. retention, maintenance or replacement of all boundary features;
- vii. preservation, replacement or diversion of existing site features and services including safeguarding of conservation interests;
- viii. measures to preserve, protect, mitigate and enhance nature conservation interests;
- ix. protection or realignment of watercourses and provision of any necessary after-drainage;
- x. details of plant and machinery;
- xi. hours of operation;
- xii. method and hours of blasting;
- xiii. control of noise and dust;
- xiv. detailed scheme of working, incorporating site preparation, soil stripping, soil and spoil storage and methods of screening;
- xv. provision of a detailed progressive and phased scheme of restoration that maximises opportunities for biodiversity enhancement;

- xvi. detailed scheme of landscaping;
- xvii. detailed scheme of after-care and management.

in addition, for underground extraction, a detailed scheme of working will be required which incorporates the following :-

- a. methods of removal, backfilling;
- b. means of ventilation;
- c. surface storage;
- d. measures to minimise damage from mining subsidence;
- e. disposal of waste material;
- f. treatment of minewater both during and after completion of operations; and
- g. a detailed scheme of restoration, after-care and management of surface materials appropriate to the intended after-use of the site.

Policy M 3

Extensions to Existing Workings

Extensions to existing mineral workings will be preferred to the opening of new workings, but the same amenity and environmental considerations that are applied to new sites shall also apply to extension sites.

Safeguarding Mineral Resources

13.11 The Council acknowledges the national importance of, and demand for, building stone and aggregates that have to be met from quarrying and other workings (see paragraph 13.8 above) as well as the need to safeguard precious mineral resources for the future. As at December 2001, in Calderdale there were 36 active mineral working sites (see List of Mineral Working Sites Table 13.1 below). During the latter part of the Plan period, however, the minerals extraction industry may require new working areas. Therefore, workable resources will be safeguarded against unnecessary sterilisation by other forms of development. 'Areas of Search' based on the location of the Lower Coal Measures and Millstone Grit series mineral resources have been identified on the Proposals Map for possible future mineral working. Not all proposals within 'Areas of Search' will be appropriate for mineral extraction either for economic and/or environmental reasons.

In determining whether mineral working would be appropriate, consideration will be given to the scale of the operation, its potential for impacting on adjacent uses, the nature of the mineral deposit and the physical limitations of the site. However, it is likely that within these areas there will be sites that are appropriate, and where planning permissions could be granted to meet any shortfall in supply or that could otherwise not be met from existing workings, or from bringing forward extensions to existing workings. The presence of any proven mineral resources, including energy minerals, will normally be regarded as a material consideration constraining other forms of development, but it is necessary to place a caveat against any presumption that the extraction of the safeguarded mineral will automatically be accepted. Hence the following Policy will apply:-

Policy M 4

Safeguarding Mineral Resources

Within 'Areas of Search' shown on the Proposals Map mineral resources will be safeguarded. Viable mineral resources will be protected from sterilisation by surface development. Any such proposals should make provision to ensure that the mineral is extracted so far as is environmentally and economically practicable before the surface development commences. Elsewhere, wherever proven mineral resources for surface extraction are found, their presence will be regarded as a material consideration in determining development proposals affecting those resources and their extraction. The identification of mineral resources will, in itself, not necessarily create a presumption that proposals for mineral extraction will be acceptable.

13.12 The following active mineral working sites with permitted reserves which are likely to continue to be operated during part or all of the Plan period are shown on the Proposals Map:-

Table 13.1 List of Mineral Working Sites

i) Sandstone/Gritstone Workings

- M1 Pond Quarry, Hove Edge, Lightcliffe (Dormant IDO site)
- M2 Cromwell Quarry, Southowram
- M3 Pasture House Farm, Southowram

i) Sandstone/Gritstone Workings

- M4 White Rock Quarry, Stainland
- M5 Clockface Quarry, Barkisland
- M6 Squire Hill Quarry, Southowram
- M7 Thumpas Quarry, Southowram
- M8 Beacon Lodge Quarry, Southowram
- M9 Pinnar Lane Quarry, Southowram
- M10 Sunny Bank Quarry, Southowram (Mineral working ceased, site under restoration and aftercare)
- M11 Sunny Bank Farm, Southowram
- M12 Ringby Quarries, Swalesmoor, Halifax
- M13 Northowram Hill Quarry, Northowram
- M14 Fly Flatts Delph Quarry, Warley
- M15 Soil Hill Quarry, Halifax (Mineral working ceased, site in restoration)
- M16 Hunters Hill Quarry, Halifax
- M17 Sunnybank Quarry/Delph Hill Quarry, Mount Tabor
- M18 Elland Edge Quarries, Elland
- M19 Mount Tabor Quarry, Halifax
- M20 Rock End Moor Delph, Todmorden
- M21 Birks Royd Quarry, Southowram
- M22 Only House Quarry, Sowood
- M23 Crownest Quarry, Hipperholme
- M24 Marsh Quarry, Friendly
- M25 Pond Quarry, Brighouse
- M26 Upper Pule/Scout Quarry, Swalesmoor
- M27 West Lane Quarry, Southowram (Mineral working ceased, site in restoration)
- M27a Spring Hill Quarry, Greetland

ii) Clay Workings

- M28 Soil Hill Pottery, Causeway Foot, Halifax (Mineral working ceased, site under restoration and aftercare)
- M29 The Hut, Soil Hill Farm, Causeway Foot, Halifax (Part of site under restoration and aftercare)
- M30 Hanson Brick Co., Strangstry Wood, Elland
- M31 Springfield Clay Mine, Shibden, Halifax
- M32 Ashgrove Works, Elland
- M33 Former Blackley Clay Works, Elland
- M34 Spaniard Hall, Shelf
- M35 Corporal Lane, Shelf (fireclay, sand stone and coal)

Coal and Colliery Spoil Disposal

13.13 There are parts of Calderdale that are underlain by coal-bearing strata of the Carboniferous Lower Coal Measures series and identified on the Coal Resources Map produced by the Coal Authority in partnership with the British Geological Survey. The broad areas are to the east of Halifax and to the northwest of Todmorden, which form the margins of the exposed Yorkshire and Lancashire coalfields respectively. Historically coal has been worked in these areas, often in association with fireclay, by drift mining, deep mining and other methods. Currently (2006) within the District, there is a small opencast coal operation associated with the Corporal Lane mineral working site (M35). There is no deep/drift mining in the District.

13.14 Government guidance on coal is set out in MPG3: 'Coal Mining and Colliery Spoil'. The Guidance puts the interests of protecting the environment and local communities first by ensuring that planning permissions are only allowed where the development is environmentally acceptable or provides over-riding or community benefits which would outweigh the likely impacts. If both of these requirements are not met then there is a presumption against both deep and opencast coal mining and colliery spoil disposal. The Guidance emphasises that extraction should only take place at the best balance of community, social and economic interests, consistent with the principles of sustainable development. In addition, there is a significant change to earlier advice as the mineral planning authority's assessment of the environmental acceptability or otherwise of individual proposals should now prevail. The following Policy will apply:-

Policy M 5

Coal Extraction and Colliery Spoil Disposal

Proposals for coal extraction and colliery spoil disposal will not be permitted unless it can be demonstrated that:-

- i. the proposals are environmentally acceptable or can be made so by planning conditions or legal agreements/ obligations; or**
- ii. the proposals provide local or community benefits which clearly outweigh the likely environmental impacts to justify the development; and**
- iii. in assessing the acceptability of the proposal, regard will be had to material**

economic, social and environmental factors including:-

- a. the environmental impacts of noise, dust, vibration, blasting, visual intrusion, harm to the water environment, traffic and the consequent cumulative impact on the local amenity;**
- b. the effects on landscape, features of archaeological, historic or heritage interest and on agriculture;**
- c. the effects on sites of nature conservation of European, national or local designation;**
- d. Green Belt policies where applicable;**
- e. the effects on the hydrology and hydro-geology, including the impact of de-watering resulting from the mineral working;**
- f. the avoidance of the sterilisation of the mineral;**
- g. the avoidance of piecemeal working of mineral deposits;**
- h. the efficient and economic working of other mineral deposits in an environmentally acceptable manner;**
- i. the cumulative impact arising in the locality from the extent of past mining activities, other working sites and on-going restoration;**
- j. the effects on regeneration objectives including the image of the locality by potential investors and the consequent effects on investment; and**
- k. the extent of environmental or other benefits attributable to the proposals.**

Oil and Gas

13.15 Calderdale lies within the Lower Coal Measure series, which could potentially have reserves of oil and natural gas and coal bed methane, although these have not been investigated. National policy is to encourage exploration for the production of the country's own oil and gas reserves and prior to the submission of planning application for oil and natural gas development a licence is required from the DTI. It is recognised that the nation's interest in developing indigenous oil and gas resources can be in conflict with protecting the environment and amenity of local people. Proposals for the commercial extraction of oil and gas and coal bed methane will need to demonstrate that extraction, transport and reclamation can be undertaken in a satisfactory manner and that

potential hazards are kept to a minimum. The exploitation of oil and gas will be considered under the Policy set out below:-

Policy M 6

Oil and Gas

Proposals for the exploration to determine the presence or extent of oil or natural gas reserves, development and distribution of oil and natural gas will be permitted provided that all the following criteria are satisfied:-

- i. **there will be no unacceptable impact on the local environment in terms of visual amenity, noise, dust, air, surface or ground water pollution, or harm to the environment or other nuisance during or after the operations; and**
- ii. **in assessing the proposals detailed information will be required on:-**
 - a. **the exploration and extraction activities (including plant and machinery to be used), timing and method of gas flaring, noise levels, disposal of mud and drilling residues, on site storage of plant machinery and equipment (including pipes and pipe laying equipment) screening and landscaping;**
 - b. **transport arrangements including pipelines; and**
 - c. **a comprehensive scheme of restoration and aftercare.**

Peat

13.16 The upland areas of the Pennines contain abundant resources of peat that provide a rich, distinctive and increasingly rare habitat for a range of plant and animal species. Peat deposits that are of ecological interest with designations such as Sites of Special Scientific Interest, Sites of Ecological or Geological Interest, Special Protection Areas and Special Areas of Conservation cover parts of the upland areas of the District. These upland peat areas contribute to the landscape character of the District and are recognised as important but vulnerable habitats that can be easily harmed or even destroyed. Peat on moorland is an important carbon 'sink' and the degradation and removal of it will result in green house gasses being released to the atmosphere. Peat is also of importance to the horticultural industry, but

so far deposits in the District have not been commercially exploited. Government policy set out in MPG13 'Guidelines for Peat Provision' (1995) stresses that nature conservation should be given considerable weight when peat proposals are considered. MPG13 also states that in future the extraction of peat should be restricted to areas that have already been significantly damaged by human activity and are of little or no conservation interest. In the interests of landscape protection, protection of archaeological remains in peat bogs and nature conservation the following Policy will apply:-

Policy M 7

Peat

Proposals for the commercial extraction of peat and other activities that diminish the resource will not be permitted where the development would adversely affect the landscape character, archaeology and ecology of the Pennine uplands especially in areas designated for their nature conservation importance. Proposals for peat extraction will not be permitted unless the site has already been significantly damaged by recent human activity and is of limited or no nature conservation or archaeological value and wherever possible, the subsequent restoration of such sites should give priority to wetland rehabilitation and to the enhancement of the nature conservation resource.

Environmental Safeguards

13.17 It is vital to maintain a high standard of control over all minerals operations, reworking, prospecting and exploration to ensure these activities can be accommodated without adverse effects upon the transport and highway network, local residents and the environment. The Town and Country Minerals Act (1981) imposed a duty on mineral planning authorities to undertake a periodic review of old minerals permissions. Many of these old permissions had very few conditions attached and the review is a means of bringing these sites up to modern day standards by attaching conditions which control the operations and ensure the restoration and after-care of these mineral working sites. Provisions under the Planning and Compensation Act (1991) enabled old Interim Development Order permissions granted before July 1948 to be registered and reviewed. The

Environment Act (1995) revised the requirements to review minerals permissions granted between July 1948 and February 1982 and to undertake a periodic review of all mineral planning permissions. The actions the Mineral Planning Authorities have to undertake to achieve the review of old minerals permissions are set out in MPG14 'Review of Mineral Permissions' (1995). The following Policy reflects the opportunities offered by the legislation to update mineral working permissions to secure environmental protection and ensure that the sites are restored to a beneficial after-use.

Policy M 8

Review of Mineral Working Sites

Mineral working sites will continue to be reviewed to identify:-

- i. any inadequacies in existing planning control for the protection of the environment both during and after working; and
- ii. any opportunities for obtaining improved environmental standards.

In respect of identified inadequacies and opportunities, improvements will be required to ensure the satisfactory working and reclamation of sites.

Reworking Deposits

13.18 Mineral deposits and other low grade sources may have been left undisturbed for some time and natural regeneration may have occurred to such an extent as to make the deposits attractive features in their own right. In these circumstances proposals to remove material would not be permitted unless it can be shown that there is a proven need for the material, other alternative sources of supply have been considered and the proposals offer benefits which could not otherwise be achieved. Any such proposals would also have to satisfy the requirements of other relevant policies of the Plan, including Waste Management Policy WM 10. The following Policy will apply:-

Policy M 9

Re-working of Mineral Deposits

Proposals for the re-working of material from old mineral working deposits and sources of low grade materials, such as waste tips and disused railway embankments, will be permitted providing that the following criteria are met:-

- i. the minerals to be produced would be used instead of primary won materials;
- ii. there would not be an unacceptable impact on the living conditions of those living nearby;
- iii. there would not be an unacceptable impact on the landscape or ecology of the area;
- iv. the local highway network is capable of accommodating the likely volume of traffic both safely and without impinging on the free flow of traffic;
- v. where no restoration has taken place or where the restoration is of a poor standard, the restoration of the site following the reworking of the deposits would bring about environmental benefits;
- vi. where restoration has satisfactorily taken place in accordance with an approved scheme, the reworking of deposits will only be permitted where the material to be produced is to meet a proven need, there are no alternative supplies that could economically satisfy the need and the restoration following reworking will be of a high standard; and
- vii. all other relevant UDP policies are met.

Recycling and Secondary Aggregates

13.19 The use of alternatives such as minerals remaining after extraction of other low grade sources such as colliery spoil, power station ash, construction and demolition waste can reduce the need to extract primary won minerals, the demand for new extraction areas and the area required for disposing of waste. This is in line with a sustainable approach to the supply of minerals and waste management. Their use

may also assist in the reclamation of derelict sites to a beneficial after-use. The following strategic Part One Policy therefore applies:-

POLICY GM 3

RECYCLING

THE RECYCLING AND RE-USE OF MINERALS AND MATERIALS (SUCH AS CONCRETE, BRICK, ASH AND COLLIERY SHALE) WILL BE ENCOURAGED AS ALTERNATIVES TO NEWLY WON MINERALS WHEREVER THIS IS FEASIBLE AND WHERE IT CAN BE CARRIED OUT IN AN ENVIRONMENTALLY ACCEPTABLE MANNER FOR THE PURPOSE OF SAFEGUARDING RESOURCES AND IN ORDER TO MINIMISE THE NEED FOR NEW OR EXTENSIONS TO MINERAL WORKINGS.

Recycling

13.20 In order to ensure that any recycling proposals do not give rise to environmental problems, applications will be assessed against their contribution to sustainable development objectives and in particular the need not to give rise to unacceptable problems. The following Part Two Policy will apply:-

Policy M 10

Recycling

Proposals for the production of secondary aggregates from waste material (such as power station ash, steel slag and inert construction and demolition waste) will be permitted provided that:-

- i. the development would create no unacceptable impact in terms of environmental, amenity, safety, traffic or other problems;**
- ii. the operation would not prejudice the restoration of the site; and**
- iii. all other relevant UDP policies are met.**



14 Waste Management

Introduction

14.1 The 1997 Adopted UDP was prepared during a period of major change for the waste disposal industry which resulted in an increasing emphasis on the market led approach to waste disposal, an increased awareness of the need to reduce the amount of waste generated, to increase recycling and to protect the environment. The main aim of the 1997 Adopted UDP was to provide a framework for decision making for reducing, recovering and disposing of waste in the District, with landfill being the main means of waste disposal. Recent European Union Directives on waste have now been transposed into national legislation and national/regional guidance that set out a new framework for waste management as described in paragraphs 14.2 to 14.14. As a result of these changes this Section on waste management in the Replacement UDP has been written to reflect the new waste management framework.

European Strategy

14.2 United Kingdom waste policy has been increasingly influenced by European Union (EU) legislation since the publication of the Directive on Waste 75/442/EEC, as amended by 91/156/EEC and 91/692/EEC. When drawing up plans, local planning authorities must have regard to the objectives of Article 3 (the need to minimise waste and to encourage recycling and energy recovery), Article 4 (the need to protect the environment and humans from potentially polluting development) and Article 5 (the need to set up an integrated network of disposal installations to facilitate self-sufficiency in accordance with the Proximity Principle) of the Directive. The Landfill Directive 1999/31/EEC is another significant element of EU legislation. It came into force in July 1999 and is now incorporated into UK legislation. The Directive seeks to impose stringent operational and technical requirements on the landfilling of waste and will have far reaching implications for waste management planning. These implications include:-

- a. the banning of co-disposal and requirements for sites to elect to operate as hazardous, non-hazardous or inert waste from July 2004 which will have the effect of reducing the number of sites licensed to take hazardous waste;
- b. there will be the requirement for waste to be pre-treated prior to landfill from 2004 which will

mean a need for more pre-treatment facilities; and

- c. the banning of liquids and tyres from landfill is likely to result in a need for new facilities.

14.3 A key element of EU policy that has become central to the UK's national waste strategy is the development of a waste management hierarchy. This prioritises waste management options with the overall aim of achieving a move up the hierarchy. The hierarchy is split into four categories in the following order:-

1. Reduction – by using technology that requires less material in products and less waste in manufacturing and produces longer-lasting products with lower pollution potential;
2. Re-use – e.g. returnable bottles;
3. Recovery – e.g. re-cycling, composting;
4. Disposal – by incineration without energy recovery or by landfill.

National Waste Strategy

14.4 The Government being a signatory to the EU Landfill Directive transposed the Directive into UK Legislation by adopting a variety of measures. In 1996 Landfill Tax was introduced as an escalating tax. The Government published a document entitled 'Waste Strategy 2000' which sets out a strategy for UK authorities in relation to waste management practices. This document sets targets for local authorities in respect of recycling, composting and recovery of value from waste. This change in direction will reduce but not eliminate the need for landfill as the ultimate means of disposal.

14.5 The perceived slow response to 'Waste Strategy 2000' resulted in a further Government report being published in 2002 entitled 'Waste Not Want Not' which made recommendations for a more sustainable management of waste. This report resulted in the Department of Farming and Rural Affairs (DEFRA) preparing an Action Plan including 34 recommendations that included such measures as funding being made available under the Waste Implementation Programme (WIP), a rise in landfill tax, developing proposals for alternative indicators that incorporate waste reduction and a Landfill Allowance Trading Scheme (LATS). The introduction in 2005 of the LATS has significantly increased the pressure on local authorities to divert waste away from landfill to other mass reduction processes.

Waste Strategy 2000

14.6 'Waste Strategy 2000' sets out the Government's policy framework for sustainable waste management and provides principles that should be used when formulating policy and taking waste management decisions. The Strategy deals with only about a quarter of the waste produced. Agricultural waste is subject to separate regulation, whilst construction wastes are addressed through the 'Sustainable Construction Strategy' and MPG6 'Guidelines for Aggregates Provision in England' (1994). Sewage sludge is subject to specific controls. 'Waste Strategy 2000' also introduces a number of recycling targets that will be statutory by incorporating them as performance standards in Best Value initiatives. These targets are:-

- by 2005, to reduce the amount of industrial and commercial waste sent to landfill by 85% of that landfilled in 1998;
- to recover value from 40% of municipal waste by 2005;
- to recover value from 45% of municipal waste by 2010;
- to recover value from 67% of municipal waste by 2015;
- to recycle or compost at least 25% of household waste by 2005;
- to recycle or compost at least 30% of household waste by 2010; and
- to recycle or compost at least 33% of household waste by 2015.

NOTE: In the context of these targets "recover" means recycling, composting some forms of material and energy recovery.

14.7 In addition to the 'Waste Strategy 2000' targets aimed at the recovery of waste, there are the Landfill Directive targets aimed at reducing the amount of biodegradable municipal waste being landfilled, and these targets are legally binding to comply with EU law. To implement these targets the Government has introduced permits for local authorities to restrict the amount of biodegradable waste sent to landfill (LATS). These permits allow set tonnages of biodegradable municipal waste to be landfilled and these will be progressively reduced over time. Local authorities that meet the targets and have spare capacity are able to trade the spare capacity with other authorities that have exceeded their targets. These performance standards are:-

- by 2010, biodegradable municipal waste going to landfills must be reduced to 75% of the total

amount (by weight) of biodegradable municipal waste produced in 1995;

- by 2013, biodegradable municipal waste going to landfills must be reduced to 50% of the total amount (by weight) of biodegradable municipal waste produced in 1995; and
- by 2020, biodegradable municipal waste going to landfills must be reduced to 35% of the total amount (by weight) of biodegradable municipal waste produced in 1995.

Landfill Tax

14.8 In October 1996 a Landfill Tax was introduced to encourage a reduction in the amount of waste being sent to landfill. The aim of the tax is to ensure that the use of landfill reflects its environmental impact, thereby encouraging people to produce less waste, recover value from the waste produced and to dispose less waste to landfill. This is an escalating tax which began in 1996 at a rate of £7 per tonne for biologically active waste. By 2006, the rate has reached £21 for every tonne of waste disposed to landfill. This tax will rise by £3 per tonne in annual increments until the tax reaches £35 per tonne in 2013 assuming that a review of the tax in 2007 will not increase the yearly escalation rate of £3 per tonne per year.

PPS10

14.9 In July 2005 PPS10 'Planning for Waste and Sustainable Development' was published. PPS10 sets out the strategy for a more sustainable approach to waste management that will protect human health and the environment by producing less waste and by using it as a resource wherever possible, by moving waste up the 'waste hierarchy' of reduction, reuse, recycling, using waste as a source of energy and disposing of waste as a last option. All of this means a significant change in the way waste is handled and investment in waste management facilities. The planning system has an important role to play in delivering sustainable waste management through the development of strategies for growth and regeneration and use of resources by the provision of new waste management facilities through up-to-date development plan documents.

Regional Spatial Strategy

14.10 Regional Planning Guidance (RPG12) for Yorkshire and the Humber has been replaced by Regional Spatial Strategy for Yorkshire and the Humber (RSS). The RSS (published in December 2004) is based on a selective review of RPG12 and

includes waste management. The Sustainable Waste Management section in the RSS provides an interim framework for waste based on the Regional Waste Management Strategy (2003). The Regional Technical Advisory Body (RTAB) will advise the region on waste planning issues and it will offer technical advice on the implementation and review of the RSS policies.

Waste Management Strategy for Calderdale

14.11 Since 1999 the Council has been both the waste collection and waste disposal authority and is responsible for the collection, reception, processing, recovery, recycling, transport and end disposal of municipal waste which also includes some commercial and industrial waste in the District. The Community Strategy (2006) has indicated that there should be less household waste and more waste recycled and composted. The total annual generation of municipal waste in Calderdale during 2005/06 was about 87,000 tonnes, of which 69,000 tonnes was household waste, not recycled but disposed of to landfill. As there are no suitable landfill sites in Calderdale waste is transported from the transfer loading stations in Halifax and at Eastwood to Lancashire. Some 12,600 tonnes was recycled, 5,100 tonnes was composted and about 140 tonnes of clinical waste was landfilled or was incinerated. The Council also provides five household waste sites throughout the District (see Policy WM 4) that receive 38% of the household waste generated.

14.12 The Council needs to divert increasing quantities of Biodegradable Municipal Waste (BMW) away from landfill to comply with the EU Landfill Directive. To achieve higher levels of recycling the Council recognises that there is a need for separate household recycling collections at source and a kerbside collection scheme based on paper and glass has been introduced. To achieve higher levels of recycling more complex and expensive arrangements will be required, involving the provision of capital for a processing plant. Packages may include any combination of solutions drawn from material recycling facilities, composting or energy from waste. Under the terms of the Directive, Calderdale will be obliged to divert:

- 25% of BMW away from landfill by 2010,
- 50% by 2013 and
- 65% by 2016.

The Council's current strategy is to reduce the amount of waste sent to landfill to satisfy LATS and to increase the emphasis on waste minimisation, to

continue to develop recycling/composting and to procure from the private sector long-term waste treatment and disposal that will result in a reduction in waste going to landfill. In the future new collection contracts will be required and may include joint working with adjacent local authorities.

14.13 ~~The following Part One Policies take into account the European, national and regional guidance for waste management to be applied in the District.~~

~~POLICY GWM 1~~

~~WASTE STRATEGY~~

~~A WASTE MANAGEMENT HIERARCHY WILL BE PROMOTED IN ACCORDANCE WITH NATIONAL AND REGIONAL GUIDANCE WHICH FAVOURS, IN ORDER OF PRIORITY:~~

- ~~I. REDUCTION;~~
- ~~II. RE-USE;~~
- ~~III. RECOVERY, RECYCLING AND COMPOSTING;~~
- ~~IV. ENERGY RECOVERY; AND~~
- ~~V. DISPOSAL TO LANDFILL~~

~~POLICY GWM 2~~

~~NEW WASTE FACILITIES~~

~~PROPOSALS FOR THE DEVELOPMENT OF NEW WASTE FACILITIES WILL BE CONSIDERED ON THE BASIS OF:~~

- ~~I. LOCAL NEED AND/OR REGIONAL REQUIREMENTS;~~
- ~~II. THE PROXIMITY PRINCIPLE;~~
- ~~III. REGIONAL SELF SUFFICIENCY;~~
- ~~IV. THE PROTECTION OF THE ENVIRONMENT AND COMMUNITIES~~
- ~~V. THE WASTE HIERARCHY IN POLICY GWM1; AND~~
- ~~VI. OTHER RELEVANT PLANNING CONSIDERATIONS.~~

14.14 Planning applications and proposals for waste management facilities and other related developments will need to take account of the Council's Waste Management Strategy ~~and the strategic considerations contained within POLICY GWM 1 and POLICY GWM 2.~~ In addition however,

it is important to provide guidance to developers concerning the consideration of applications and the criteria that will be applied to them. These are set out in the following Policy:-

Policy WM 1

Criteria for Assessing Waste Management Facilities

Proposals for waste management facilities will be permitted where the effects of the proposals on the environment, other existing and proposed land uses, and the local inhabitants/communities, are acceptable. In particular proposals will be assessed against the following criteria:-

- i. that there is a demonstrated need for the facility;
- ii. location in relation to the main sources of waste;
- iii. the potential impact on local communities and other sensitive land uses;
- iv. the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, Scheduled Monuments and other sites of archaeological or historic interest where these are material considerations;
- v. the potential impact on the Green Belt, agricultural land, landscape, the natural environment and habitat sites and species including sites subject to statutory protection;
- vi. local environmental effects including noise, dust, vibration, odour, litter, contamination, attraction of vermin or birds and potential for the pollution of surface water or ground water;
- vii. hours of operation;
- viii. land instability;
- ix. mode of transport, including the use of alternative modes of transport other than by road access, traffic volumes and highway safety;
- x. the need to avoid a proliferation of sites in a locality such as would be likely to have a detrimental impact by virtue of their cumulative impact; and
- xi. is consistent with other relevant UDP policies.

Additional Information Required in Support of a Proposal

14.15 The operation of waste management facilities can generate noise, dust, litter and odour nuisance. The movement of heavy goods vehicles to and from sites can increase the impact and controls are needed to ensure that safety and amenity are not compromised. To ensure that the impact of waste management sites is fully assessed, details in support of the proposal will be required as set out in the following Policy:-

Policy WM 2

Information Required with Applications for Waste Management Facilities

Proposals for waste management facilities will be required to provide the following details:-

- i. information on the carrying out of waste handling and processing activities within a building or appropriate means of enclosure;
- ii. means of access, vehicle manoeuvring and car parking;
- iii. the potential of the site to be served using alternative means of transport other than road vehicles;
- iv. screening and landscaping;
- v. mobile and fixed plant and machinery;
- vi. proposed throughput of waste material;
- vii. duration of the development;
- viii. site drainage and measures to protect the water environment;
- ix. measures to prevent the impact on amenity in terms of noise, dust, vibration, fumes, odour, vermin and litter;
- x. measures to control and monitor leachate and landfill gas during and after the development, where appropriate;
- xi. proposals for the restoration of the site; and
- xii. proposals for the recovery of energy, where appropriate, are adopted.

Landfilling of Waste

14.16 Prior to 1996 the West Yorkshire Waste Regulatory Authority provided data on waste arisings and site capacities in West Yorkshire and this information was set out in the Waste Disposal Plan (1996) which was prepared to meet the requirements of Section 50 of the Environmental Protection Act (1990). The Environment Act (1995) made provision for the formation of the Environment Agency, which included waste regulation, previously carried out by local authorities. At the same time the Waste Disposal Plan for West Yorkshire prepared under Section 50 of the Environmental Protection Act (1990) was repealed. The Environment Agency's 'Strategic Waste Management Assessment 2000' for the Yorkshire and the Humber region indicates that the majority of the waste produced in the region was disposed of by landfill. In the period 1998/99 this amounted to some 13 million tonnes, of which 8 million tonnes was biodegradable household, industrial and commercial waste. Landfill sites licensed for biodegradable waste in the region have a life expectancy of 7 years with landfill sites in West Yorkshire having a life expectancy of 8 years. There is no detailed information by individual district included in this report.

14.17 Within Calderdale there are a number of waste transfer stations (see list 1 in Table 14.1 below) and landfill sites (see list 2 in Table 14.1 below). There are a number of sites within Calderdale (e.g. the Spaniard Hall mineral working site and Upper Hazel Hurst Farm) which are exempt from licensing and import inert waste (excavation waste and soils) to reclaim the site, or for the purpose of improvement to agricultural land, the landscaping of areas and the restoration of mineral working sites.

Table 14.1 Transfer Stations and Landfill Sites in Calderdale

1) TRANSFER STATIONS IN CALDERDALE

- W1 Gibbet Street, Halifax
- W2 Lucy Street, Halifax
- W3 Phoebe Mills, Siddal, Halifax
- W4 Milner Royd Depot, Fall Lane, Sowerby Bridge
- W6 George Street, Brighouse (CPR Skip Hire)
- W7 Calder Street, West Vale
- W8 Lloyd Loaders, Hipperholme, Halifax
- W9 Farrar Mill Lane, off Shaw Lane, Halifax

1) TRANSFER STATIONS IN CALDERDALE

- W10 Woodbottom, Ellen Holme Lane, Luddenden
- W11 Swales Moor Road, Halifax
- W12 Lee Bank Transfer Station, Halifax
- W13 Eastwood Waste Transfer Station, Todmorden

2) LANDFILL SITES IN CALDERDALE

- W14 Park Pit Landfill site, Elland (in restoration)
- W15 Ash Grove Pipe Works, Elland
- W16 Church Lane, Southowram
- W19 Crownest Quarry, Hipperholme
- W20 Upper Pule Quarries, Bradford Old Road, Swalesmoor (in restoration)
- W22 Bacup Road, Sharneyford
- W25 Delph Hill, Moorend Road, Mt Tabor
- W28 Shay Lane, Holmfield
- W29 Clockface Quarry, Barkisland
- W30 Pond Quarry, off Lightcliffe Road, Brighouse
- W31 Only House Quarry, Sowood
- W32 Ringby Lane/Parkspring Quarry, Swalesmoor (part of sites in restoration and aftercare)
- W33 Wham Quarry, Sowood
- W34 Beacon Lodge Quarry, Southowram
- W35 Upper Hazel Hurst Farm, Withens Road, Wainstalls
- W36 Common Woodhead Quarries
- W39 Cromwell Bottom (North Loop)

14.18 The Environment Agency has provided some information on wastes produced at county and district level in the region in its 'Strategic Waste Management Assessment 2000'. However, the Regional Technical Advisory Body, which will give guidance to planning authorities on the management of waste in the region, has yet to report. This means that the UDP has proceeded without the detailed statistical data on waste or advice on the need to provide a regionally self-sufficient network of waste management facilities which are located close to where the waste is produced. In the absence of this information the 'Area of Search' approach has not been adopted in the UDP but instead a criteria based approach has been used for the provision of waste management facilities.

14.19 The effectiveness of the Landfill Directive, landfill tax and other factors promoting a movement up the waste hierarchy by reducing the amount of waste going to landfill will only become apparent over time. A key element of the Council's waste strategy is the need to divert more waste from landfill by limiting the amount of land available for landfill and by encouraging options higher up the waste hierarchy.

14.20 The Council is still dependant on landfill as a means of disposal and achieving the reduction, re-use and recovery of waste could be a long process with significant impacts only being made after 2005. For some wastes, disposal by landfill may remain the best practicable option (such as those which are difficult to re-use or recycle). Even waste that has been treated has a residual element that needs to be disposed of and, as a result, there will still be a need for waste to be disposed of by landfill in the foreseeable future. There are also instances when landfilling can assist in the reclamation of degraded and contaminated sites and in the restoration of mineral working sites, provided measures to protect amenity and the environment are incorporated into such schemes. In addition, the importation of inert waste to raise levels for agricultural improvement is becoming increasingly common as farmers seek to diversify and gain an extra income. Such schemes normally require planning permission. However, these proposals often result in disruptive tipping activities in the countryside with heavy goods vehicle movements on narrow roads. Against a background of changed national priorities for agriculture there are other options to resolve such problems on low lying and ill drained land in all but the most compelling circumstances and opportunities for nature conservation and tree planting should now be considered.

Policy WM 3

Landfilling of Wastes

Proposals for the landfilling of residual wastes will only be permitted where they can be considered to be one or more of the following:-

- i. they are small-scale extensions to existing operational landfill sites where the benefits of the scheme outweigh any adverse impacts which the development is likely to cause; and/or**

- ii. they are at former mineral working sites that cannot be satisfactorily reclaimed by any other means; and/or**
- iii. they are at sites that are contaminated, degraded or despoiled and cannot be reclaimed by other means;**

subject to the following criteria:-

- a. the proposal will not lead to unacceptable environmental, amenity, safety, traffic or other problems;**
- b. the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, Scheduled Monuments and other sites of historic interest, where these are material considerations;**
- c. the development does not cause harm to the Green Belt, agricultural land, landscape, the natural environment and habitat sites and species including sites subject to statutory protection;**
- d. the proposals provide for the restoration of the site, especially where opportunities for biodiversity enhancement are maximised and, in the case where sites are to be restored to agriculture, forestry or amenity uses, an aftercare scheme of an agreed timescale following restoration; and**
- e. the provisions of other relevant UDP policies are met.**

Recycling

14.21 As part of the Government's strategy the aim is to develop new and stronger markets for the re-use and use of recycled materials, as well as providing more facilities. There is a need for more single material waste streams including the separation and sorting at source, more reprocessing capacity and the greater use of secondary or recycled materials. Calderdale's recycling performance in the past has been below 5%, so to achieve the targets to be set by Central Government, Calderdale's recycling target for 2003/4 will be 10% (approximately 8,000 tonnes at the current rate of waste arisings). The Council has agreed to exceed the statutory minimum of 18% by an additional 2% to 20% that should be recycled by 2005/6 (17,400 tonnes at the current rate of household waste arisings).

14.22 Household waste centres fulfill an important function in enabling the public to dispose of bulky household goods, garden waste and other recyclable wastes. There are five such centres in Calderdale at Elland, Brighouse, Sowerby Bridge, Halifax and Todmorden, and these are shown on the Proposals Map. Their continued use will be safeguarded as part of the Council's drive to reduce waste going to landfill.

Policy WM 4

Recycling at Existing Household Waste Disposal Sites

Recycling facilities for household waste will continue to be supported at the existing network of household waste disposal centres in Calderdale at:-

- **Ainley Depot, Huddersfield Road, Elland**
- **Atlas Mill Depot, Brighouse**
- **Milner Royd Depot, Sowerby Bridge**
- **Lee Bank, Halifax**
- **Eastwood Household Waste Site, Todmorden**

Policy WM 5

Provision of Household Waste Disposal Sites

Proposals for the expansion of existing facilities on adjoining land and for the provision of new household waste disposal and recycling facilities in other locations will be supported if they:-

- are located close to the source of waste;**
- will not give rise to unacceptable adverse impacts on people and the environment in terms of noise, dust, traffic, odour, vermin, visual intrusion and the pollution of ground water and surface water;**
- are located in industrial areas or other locations appropriate to the development or at active landfill sites;**
- are suitably located in relation to the existing network of sites; and**
- the provisions of other relevant UDP policies are met.**

Waste Management Facilities

14.23 Facilities for the sorting, processing and treatment of waste normally involve industrial type activities and can generate large numbers of heavy goods vehicle movements. Because of their industrial nature they are most suited to locations within specified industrial areas or at existing mineral or waste sites or on sites that are being reclaimed for a beneficial use. Scrapyards are also included in this category of waste handling and again these are best suited to locations within industrial areas.

14.24 Recycling involves the processing of waste materials such as wood, plastic, metal, brick, rubble and paper, to produce usable raw materials or products. There are benefits to be gained from recycling by conserving natural resources, saving energy in production and transport, reducing the demand for landfill, the risk of pollution and level of methane gas emissions. However, there are also disadvantages as they can result in large numbers of vehicle movements, they may be unsightly, especially if material is handled or stored outside in the open, and the plant used could result in noise and dust nuisance.

14.25 The markets for recycled products can be unstable, and as such, recycling will only produce environmental benefits if there is a demand for its goods and that they replace products from primary sources. As a result the following Policy will apply:-

Policy WM 6

Transfer and Treatment of Waste

Proposals for the provision of waste management facilities for the handling, treatment and transfer of waste that reduces the volume of waste will be supported if:-

- they are located in industrial areas; or**
- located in existing landfill or mineral working sites.**

In addition, proposals will be required to meet all the following requirements:-

- all operations (including storage) which would cause injury to amenity shall be undertaken in suitably designed buildings and the site landscaped and screened;**

- b. the development will not give rise to unacceptable impacts on people or the environment in terms of noise, dust, traffic, litter, vermin, odour, visual intrusion, or pollution of ground water and surface water;**
- c. the existing highway network can accommodate the traffic generated; and**
- d. the provisions of other relevant UDP policies are met.**

Where it is proposed to locate development at a landfill or mineral working site, the restoration of the site must not be prejudiced and the development should be removed on completion of the landfill or mineral operations, unless material considerations support their permanent retention.

Anaerobic Digestion and Composting

14.26 Anaerobic digestion and composting can be an important means of securing the re-use of the organic element of waste that can be used as a substitute for peat. Anaerobic digestion is the bacterial fermentation of organic waste in warm, oxygen-free conditions. The process converts the waste into methane and carbon dioxide and leaves liquid and solid residue. The liquid is a nitrogen rich fertiliser and the solids are used as a soil conditioner. The methane gas can be used to produce heat and electricity. At the present time, digestion plants, particularly for household waste, are not common in the UK. However, in the future the process may become more cost effective and more widespread. Digestion plants for household waste are likely to be large industrial plants and as such must be sited in industrial areas or close to wastewater treatment plants, landfill or waste transfer sites.

14.27 Composting is a process that stimulates the decaying of organic materials by aerobic means. It is usually undertaken on green waste, but it can also be used on mixed household waste. The green waste is normally shredded and heaped in rows (windrows) and turned regularly. Composting of mixed household waste may be undertaken in an enclosed industrial type building where the compost is processed, including aeration and mechanical means of turning, and would generally be undertaken in an industrial area. Open composting of mixed household waste could be undertaken on existing landfill sites. However, composting does have disadvantages. The composting of all domestic waste is not possible in

practice and, in any event, would yield too much for the market to cope with. It may also retain heavy metals and this could result in potential contamination problems.

14.28 Both anaerobic digestion and composting produce odour and there is also a potential for emissions to the air from the gas produced. A large digestion or composting plant would also be a significant traffic generator. The process may be visually intrusive. This can arise from the buildings associated with the process and the storage and treatment of the waste outside. The following Policy will apply: -

Policy WM 7

Digestion and Mixed Waste Composting

Proposals for anaerobic digestion plants and mixed waste composting schemes will be permitted if:

- i. they are located within an industrial area or location appropriate to the development; or**
 - ii. they are within or adjacent to an existing waste management facility; and**
- a. the existing highway network can satisfactorily accommodate the traffic generated;**
 - b. provision is made to control odour, noise, visual impact and pollution of the water environment;**
 - c. proposals for the recovery of energy, where appropriate, are adopted; and**
 - d. the provisions of other relevant UDP policies are met**

Green Waste Composting

14.29 Potential nuisances, particularly from odour, can arise from composting sites that should generally be located away from residential and other sensitive land uses. meaning that they may need to be located in open countryside. The type and amount of development will need to be controlled. Sites located within farm building complexes may be appropriate for green waste composting particularly if they can help to diversify the rural economy. The proposals must satisfy the requirements of other policies of the UDP and in particular they must be of an appropriate

scale and in keeping with the landscape. They should also have easy access to the primary road network so as to avoid excessive use of rural roads by heavy goods. The following Policy will apply:-

Policy WM 8

Green Waste Composting

Proposals for green waste composting will be permitted if:-

- i. the waste facility is close to the source of waste arising and the final market for the compost; or**
- ii. where the proposal is in the open countryside it is of an appropriate scale and is in keeping with the landscape, re-uses existing buildings, or is on land within, or adjacent to, farm building complexes; and**
 - a. the existing highway network can satisfactorily accommodate the traffic generated;**
 - b. provision is made to control odour, noise, visual impact and pollution of the water environment; and**
 - c. the provisions of other relevant UDP policies are met**

Incineration

14.30 At the present time within the UK as a whole, only 8% of waste is incinerated and only 2% is incinerated with energy recovery. The Government recognises that incineration with energy recovery can, on appropriate sites, make an important contribution to the use of waste and the production of renewable energy. Incineration with energy recovery has the potential to reduce pollution from waste during final disposal by reducing its volume and organic content and thus its potential for the generation of landfill gas and leachate. In addition, if it is combined with energy recovery it helps to conserve finite resources such as coal and natural gas.

14.31 The Government's 'Waste Strategy 2000' indicates that incineration with energy recovery will have a role to play in the management of household waste and PPS10 also recognises that value can be recovered by generating energy from waste. However,

energy from waste should not be selected until other options higher up the waste hierarchy (reduction, re-use, recycling/composting have been assessed).

14.32 Strict environmental controls need to be applied to the development and operation of incineration. The proposals must comply with the policies of the UDP in respect of environmental impact and transport, together with the requirements of the waste regulation and pollution prevention regimes. Incineration plants normally comprise of substantial industrial type buildings with tall chimneys. They can generate significant volumes of heavy goods vehicles and display many characteristics shared with large scale heavy industrial developments. They should, therefore, be located within industrial areas. Clinical and similar wastes will be consigned for disposal by incineration either at the hospital's own facility or at alternative appropriate sites. All incinerators should be located away from major concentrations of population because of the impact of ground and airborne emissions, have easy access to the primary road network or a rail or canal link, minimise the impact on the natural environment, and be located so as to ensure a balance between the need to minimise transport distances and the proximity to residential areas. The following Policy will therefore apply:-

Policy WM 9

Incineration

Proposals for incinerators will only be permitted where they meet the following criteria:-

- i. the development creates no unacceptable environmental, amenity, traffic, safety, or other problems;**
- ii. they are located in an area appropriate to their development (such as an industrial area) away from major concentrations of population;**
- iii. they will be located in an appropriate building;**
- iv. the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, Scheduled Monuments and other sites of historic interest, where these are material considerations;**

- v. the development does not cause harm to the Green Belt, agricultural land, landscape, the natural environment and habitat and species sites including sites subject to statutory protection;
- vi. appropriate provision is made for the control of odour, visual impact, noise, dust and emissions to the air;
- vii. they include proposals for the recovery of energy; and
- viii. the provisions of other relevant UDP policies are met.

- traffic and the effects on the highway network, or
 - risk to health and safety of the public
- iii. the operations would be completed within a limited timescale to safeguard the amenity of local communities;
 - iv. the site would be restored to a standard appropriate to its intended after use; and
 - v. the provisions of other relevant UDP policies are met.

Re-Working of Former Landfill Sites

14.33 The excavation of former landfill sites for the purposes of recovering material is an activity that can be dangerous and potentially polluting, particularly where the clay cap or seal is ruptured or gases are released. The ingress of water into a previously sealed waste mass can give rise to leachate which may exceed the design capacity. There may, however, be cases where a site may be reworked if it would benefit from reclamation and environmental improvement subject to controls and beneficial reinstatement of the site. The following Policy will therefore apply:-

Policy WM 10

Reworking of Former Landfill Sites

The reworking or disturbance of old landfill sites and colliery spoil tips that have been restored or reclaimed to a satisfactory standard will not be permitted unless it can be demonstrated that:

- i. the reclamation of the land or landform and after use so created would produce a substantial environmental and/or economic benefit:
- ii. the proposal would not give rise to unacceptable adverse impacts on people and the environment in terms of:-
 - visual amenity;
 - noise, dust, air or ground water pollution,

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Monitoring and Review of the Plan 251



15 Monitoring and Review of the Plan

15.1 Review is the process of looking again at the Plan policies and proposals in the light of information gained from the monitoring process and deciding whether changes need to be made to the policies and proposals. The Government has legislated to fundamentally alter the development plan system within England. This involves the replacement of the UDP with a Local Development Framework (LDF) consisting primarily of a core strategy and a number of subject based development plan documents together with action and area plans. The Local Development Scheme (LDS), required under the 2004 Planning and Compulsory Purchase Act, and which sets out the programme of work to be undertaken by the Council, is currently under review. It will include a number of documents including one covering a review of the extent and boundaries of the Green Belt which will be undertaken in order to provide a long term defensible Green Belt boundary that will last unchanged for at least 30 years. Substantive work on the LDF will commence during 2007.

15.2 An annual report will be published utilising monitoring information on the key indicators in Table 15.1 that will provide a basis for any future review, be it minor changes or a more comprehensive review, of the Plan's policies and proposals. It will also be of

particular importance to housing issues and will allow the phasing of housing sites to be reviewed during the life of the Plan.

15.3 The two procedures of monitoring and review are therefore vital if the policies and proposals are to remain relevant to the District's needs. By the combination of monitoring and review it is intended that the policies and proposals contained in this plan will be up-dated to form parts of the LDF.

15.4 Monitoring is the process of collecting, collating and presenting information on those matters that are seen as important measures of change in the District. It is fundamental to the requirement of testing the performance and effectiveness of planning policies and to keep them up-to-date. Therefore, monitoring needs to be undertaken continuously and with a high degree of consistency and accuracy. The monitoring of key topics within the adopted UDP will therefore take place on a regular basis to ensure that up-to-date information is available to assist in making planning and development decisions and to help identify priorities for the future. The Annual Monitoring Report required for the Local Development Framework addresses many of these issues.

15.5 The following major objectives of the Plan will therefore be monitored via the key indicators set out in Table 15.1 below:-

Table 15.1 Principal Plan Objectives and Key Policy Indicators

Objective	Principal Policies	Principal Indicators	Target (where applicable*)
The regeneration and renaissance of the district	GE4	Amount of derelict or degraded land (ha) brought back into use;	
	GH2	Number of housing completions on previously developed land	85%
To make adequate provision for employment related development	GE1 GE2	Take up of land (ha) for employment uses; Loss of land (ha/year) allocated as new employment sites to non-employment uses	
To meet the housing needs of the district	GH1	Number of housing completions	450 per annum
To enhance the town centres and meet the shopping needs of the district	GS1 GS2	Regular monitoring of town centre statistics (as per PPS6) and planning applications for retail development	
To protect and ensure adequate provision of open space	GOS1	Amount of development on Open Space (ha) Increase in amount of open space (ha) in areas of deficiency	

To enhance and protect the quality of the built and natural environment	GBE1	Number of Listed Buildings/Ancient Monuments demolished per annum	
To ensure an efficient transport network	GT1 GT2	Monitored through the West Yorkshire Local Transport Plan	
To ensure the principle aims of national Green Belt policy are met	GNE1	Number of planning applications approved in Green Belt	
To ensure the effective protection of environmentally important areas within the district	GNE2	Number of designated sites lost Number of new sites designated	
To conserve and enhance natural resources	GEP2	Amount of energy produced from renewable energy sources (Mw)	
To meet the District's needs regarding minerals and waste management	GM1 GWM1 GWM2	Data on planning applications and extent of reserves	

*Quantitative targets do not exist for many indicators but where they do, generally they are set down in the Regional Spatial Strategy for Yorkshire and the Humber (2004).

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Annex A Privacy, Daylighting and Amenity Space

A.1 Policy BE 2 of the Plan seeks to ensure good design, particularly in residential areas, by ensuring that adequate space about buildings is achieved. This annex provides additional guidance and standards on privacy, daylighting and amenity space to assist in evaluating the acceptability of development proposals. In order to achieve adequate space around buildings, proposals should accord with the Privacy, Daylighting and Amenity Space Standards set down in Table A 1 at the end of this annex, subject to the advice below.

A.2 PPG3 promotes the use of more sustainable patterns of development by making more efficient use of land. This can be achieved by maximising the re-use of previously developed land through high density schemes that incorporate innovative design and layouts. The conversion and re-use of existing buildings including the use of upper floor space over shops, can provide an important source of additional housing, particularly in town centres. PPG 3 also advocates that policies should be adopted to promote such conversions, by taking a more flexible approach to development plan standards with regard to (amongst other things) overlooking. It is therefore considered that in some instances it may not be appropriate or possible to achieve the recommended distances included within Table A 1 and that a more pragmatic approach may be taken in respect of space about building requirements. Examples where this could occur include residential proposals for change of use, conversions, flat developments, infill developments, developments in town centres, and other forms of residential proposal may also be considered appropriate where they can achieve wider UDP objectives. Such cases will be judged on their merits, but it will still be necessary to ensure the amenity of the occupiers of the proposed and surrounding dwellings and that the development potential of any adjacent land or building is not compromised.

A.3 One particular area where there is an opportunity for a degree of flexibility is on the public or street side of a dwelling where privacy expectations are generally lower. In certain instances, due to changes in ground levels, development may have the potential to significantly overlook or overshadow an existing dwelling or be affected by existing properties. In these cases separation distances should be greater than the minimum set out within Table A 1 below. Factors that should be taken into consideration in determining planning applications include:-

- the design of a dwelling or extension in relation to its effect on the existing form of development and the appearance of the streetscape;
- levels (developers may be required to submit details of existing and proposed ground and finished floor levels);
- privacy, aspect and overshadowing;
- the use of permanent screening (although the use of soft landscaping and boundary treatment could also assist in screening);
- whether an extension replaces an existing extension or outbuilding; and
- the orientation of the proposal in relation to the sun.

A.4 Therefore, the information within Table A.1 is not hard and fast rules, but provides an indication of standards which will be applied with a measure of flexibility in appropriate circumstances, an approach which as highlighted above, is supported by PPG3.

A.5 Private garden areas are normally expected to be provided in new residential developments. Ordinarily, these must be of an adequate size, shape and level and should be in proportion with the dwelling proposed, size of plot and general character of the area. However, these requirements must be offset against the desire to achieve higher density developments, which could result in the provision of small scale easily managed gardens and private amenity spaces. That part of the private garden area sited immediately adjacent to the dwelling and primarily used for sitting out should not be directly overlooked from other properties or gardens and measures to improve privacy should be considered. Balconies, roof gardens and first floor patios can adversely affect the privacy of neighbours and will generally be unacceptable.

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Table A.1 Privacy, Daylighting and Amenity Space Standards

ASPECT CONSIDERED DESIGNS	MINIMUM DISTANCES	BASIC DESIGNS
<p>Where window locations are known, site layout plans should be annotated to show clearly the position of all main and subsidiary windows to the proposed dwellings and any adjacent dwellings. The following definitions will be applied where the above requirement has been met.</p> <p>NOTES</p> <p>1. MAIN ASPECT - main windows to lounge/living rooms, dining rooms and conservatories</p> <p>2. SECONDARY ASPECT - windows to kitchens, bedrooms, study, and subsidiary windows to lounge/living and dining rooms.</p> <p>3. SIDE ASPECT - includes blank walls, windows to non-habitable rooms and walls to non-residential buildings.</p>	<p>The following space standards will be applied in assessing residential development proposals including extensions.</p>	<p>The following definitions will be applied where the design has not been decided or where the development is adjacent to existing development where aspects cannot be determined. These definitions will also be used where no indication is made of aspects etc, and where it is not possible to make assessments on the basis of main, secondary and side aspects.</p> <p>NOTES</p> <p>1. FRONT - the public approach side to the dwelling from the street or main pedestrian route; OR architecturally the main elevation if this is elsewhere.</p> <p>2. BACK - principal private garden side of the dwelling.</p> <p>3. SIDE - wall of dwelling containing no habitable room windows.</p> <p>4. BOUNDARY - limit of the curtilage of the dwelling.</p>
MAIN to MAIN	21 metres	FRONT TO FRONT ; FRONT TO BACK; BACK TO BACK
MAIN TO SECONDARY	18 metres	
SECONDARY TO SECONDARY	15 metres	FRONT TO SIDE; BACK TO SIDE
MAIN TO SIDE	12 metres	
SECONDARY TO SIDE	9 metres	BACK TO BOUNDARY
4. Where the adjacent site or land undeveloped but allocated for (and suitable for) development		5. Where the adjacent site or land is undeveloped but allocated for (and suitable for) development
MAIN TO SECONDARY	10.5 metres	BACK TO BOUNDARY; FRONT TO BOUNDARY
SECONDARY TO BOUNDARY	7.5 metres	
SIDE TO BOUNDARY	1.5 metres	SIDE TO BOUNDARY

THE EFFECT OF SLOPES

In certain circumstances, because it is sited on a slope, development may have the potential to overlook or overshadow an existing dwelling or be affected by existing properties. In these cases separation distances should be greater than the minimum given above.

OVERLOOKING

In respect of main and secondary to side elevations, where the main concerns are overshadowing and overlooking, the distances quoted relate to buildings directly in front of windows and not when they are set to one side. For the effects of angles of overlooking, and the definition of the Primary sector see the diagrams below.

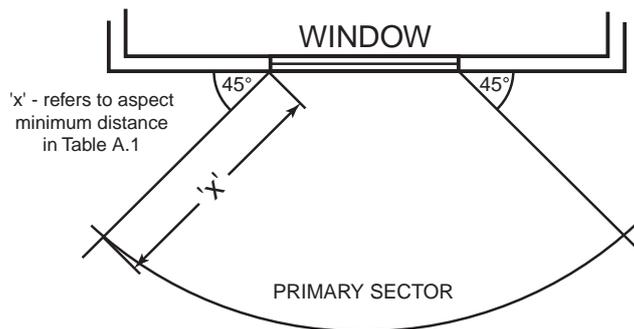
A.6 ANGLE OF OVERLOOKING

In addition to the consideration of distances between windows in the above standards, development will normally only be permitted where facing habitable room windows do not fall within a primary sector defined by drawing lines at 45° to the wall from both sides of the window opening and being of the minimum length set out in the preceding standards (refer to paragraph A.2 for further guidance). The following diagram illustrates these requirements:-

How to Define the Primary Sector

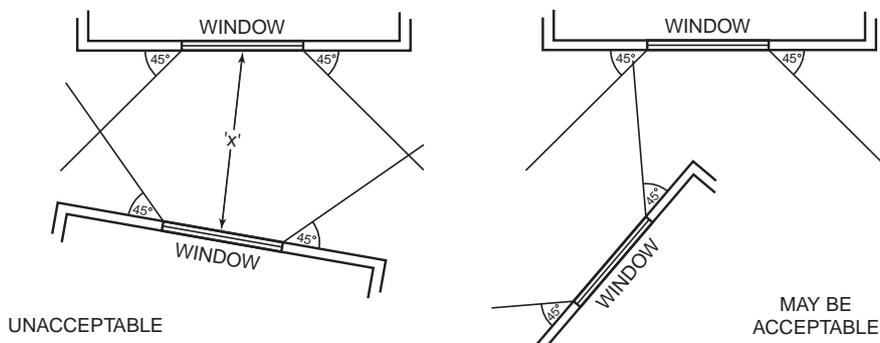
(a) A primary sector of view will be defined from habitable room windows by drawing a 45° line from both sides of the window.

Picture A.1 Definition of Primary Sector



(b) Facing habitable room windows will not normally be allowed where they are within the minimum distance for aspect considered designs (Table A.1) and each window falls within the primary sector measured from the opposing window (refer also to paragraph A.2).

Picture A.2 Facing Habitable Room Windows



Possible Exceptions to Standards

- There may be a need for making exceptions to the standards, particularly when assessing alterations or conversions to Listed and historic buildings, developments in Conservation Areas, change of use proposals, conversions, flat developments, infill developments, developments in town centres, and other forms of residential proposal which may achieve wider UDP objectives. In such cases proposals will be assessed on their individual merit.
- Windows to non-habitable rooms - where these would otherwise not meet the standards stated they may be obscure glazed or positioned at high level in the room.
- Screening - screening between habitable room windows may allow distances of less than those stated. However, the screening should result in no undue loss of light to habitable room windows. Screens should generally rise 2m above ground level and be built of appropriate durable materials.

A.7 DEFINITIONS

Habitable rooms include: Lounge/Living Room, Dining Room, Conservatory, Kitchen, Bedroom, Study

Non-habitable rooms include: Bathroom, Lavatory, Utility Room, Hall, Storm Porch, Stairway, Landing, Garage

Subsidiary Windows - These are second or subsequent windows, much smaller than the main window. Their purpose is mainly to obtain slightly more light or ventilation to a part of a room rather than to secure views out.

Obscure Glazing - This means patterned or frosted glass/glazing materials which lets in light but prevents clear vision through.

High level Windows - Windows with a sill set at a high level to allow light and ventilation to enter a room but making viewing out more difficult. Skylights usually have a similar function.

Screening – Permanent walls and fencing used to overcome privacy problems. They will generally be higher than eye level.

Main Aspect - Main windows to Lounge/Living Rooms, Dining Rooms and Conservatories.

Secondary Aspect - windows to habitable rooms, but not the Main Aspect. (Windows serving rooms that are used for both kitchen and dining purposes can be classed as either Main or Secondary Aspect. Each case will be judged on its merits. (Factors that will assist in this assessment include the usage of the room directly adjoining a principal window and the availability of other rooms for dining).

Side Aspect - Blank walls and walls only containing windows to non-habitable rooms, and walls to non-residential buildings.

Front Elevations - For the purposes of these guidelines, the front elevation is taken to mean the elevation which combines as many as possible of the following:-

- it faces the street or 'main' street (where terraces have alternate front and back streets)
- it faces the main garden area of the property
- it contains the main windows to the lounge/living room
- it has the main architectural features that unify the building and give its character, e.g. bay or mullioned windows, front doors, distinctive stonework

Rear Elevations – For the purposes of these guidelines, the rear elevation is taken to mean the elevation which combines as many as possible of the following:-

- it faces the 'back' street (where terraces have alternative front and back streets)
- it faces the rear yard/garden
- it contains kitchen, dining room or subsidiary windows
- it has existing extensions or outbuildings

Boundary - The limit of the curtilage of a dwelling.

A.8 HOUSE EXTENSIONS

Not all house extensions require planning permission. Where they do, the recommended window standards outlined in Table A1 will apply together with the following additional requirements:-

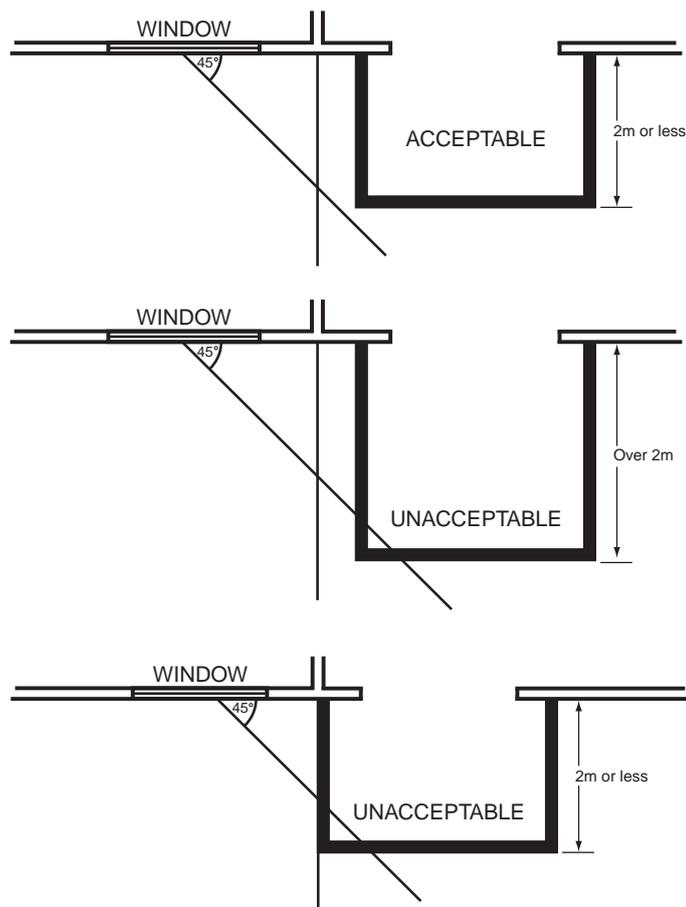
(A) EXTENSIONS TO BACK-TO-BACK HOUSES AND TO THE FRONT OF THROUGH TERRACES

Planning permission will not normally be granted for applications for extensions to back-to-back houses, or the front elevation of through terrace houses which comprise:-

- extensions of two or more storeys;
- single storey extensions projecting more than 2 metres from the front main wall of the property;
- single storey extensions projecting 2 metres or less which cross a 45° line drawn from the centre of the nearest main aspect window of the adjoining house(s).

The above information is portrayed in the following diagrams:

Picture A.3 For Single Storey Extensions to Back-to-Back Houses and to the Front of Through Terrace Houses



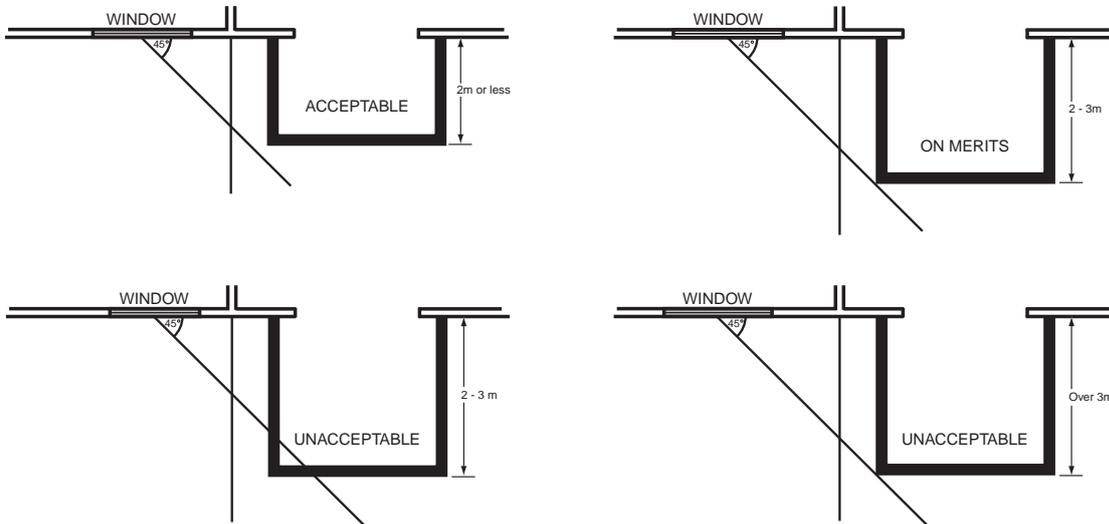
(B) EXTENSIONS TO REAR OF THROUGH TERRACE HOUSES

Planning permission will not normally be granted for applications for extensions at the rear of through terrace houses which comprise:-

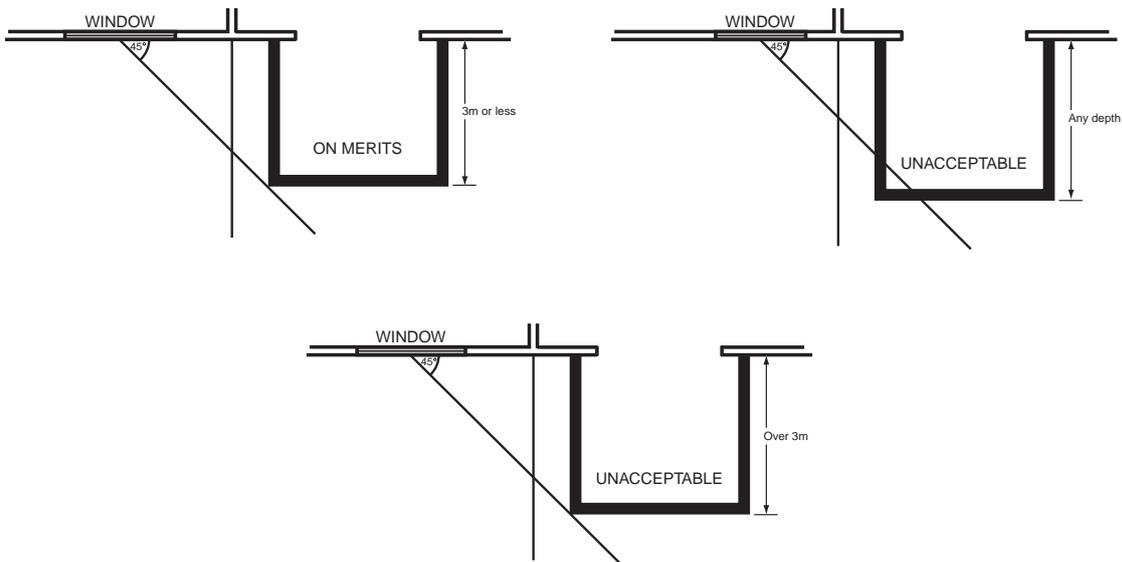
- a. any extension projecting 3 metres or more;
- b. single storey extensions projecting over 2 metres which cross a 45° line drawn from the centre of the nearest main aspect window of the adjoining house.
- c. extensions of two or more storeys (of any depth) which cross a 45° line drawn from the centre of the nearest main aspect window of the adjoining house.

The above information is portrayed in the following diagrams:

Picture A.4 For Single Storey Extensions to Rear of Through Terrace Houses



Picture A.5 For Two or More Storey Extensions to Through Terrace Houses



(C) EXTENSIONS TO SEMI-DETACHED HOUSES

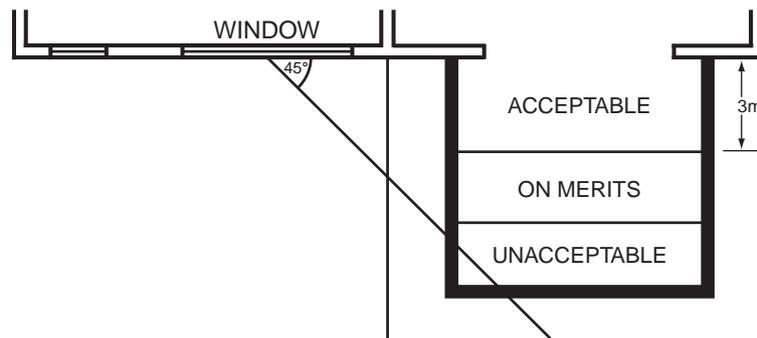
Planning permission will not normally be granted for applications for extensions to semi-detached houses which comprise:-

- a. single storey extensions projecting over 3 metres which cross a 45° line drawn from the centre of the nearest main aspect window of the adjoining house.
- b. extensions of two or more storeys projecting over 2 metres which cross a 45° line drawn from the centre of the nearest main aspect window of the adjoining house.

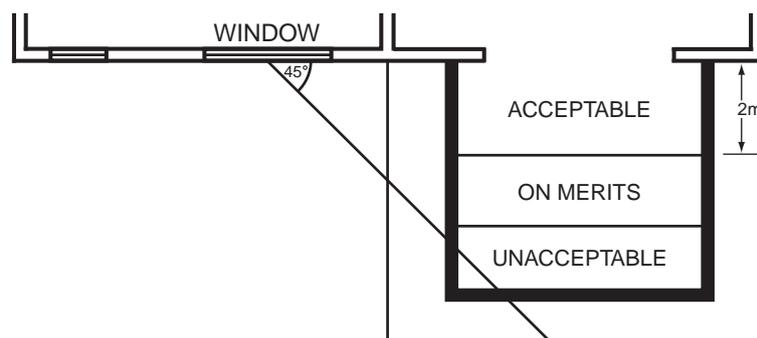
Extensions to the side of semi-detached houses can cause both visual and practical problems and the variety of these means that it is not possible to generalise in this guidance. However, in considering applications for extensions to the side of these properties, regard should be had to the appearance, overshadowing, overlooking and other practical effects and to the standards in other relevant parts of this guidance and to relevant UDP Policies.

The above information is portrayed in the following diagrams:

Picture A.6 For Single Storey Extensions to Semi-Detached Houses



Picture A.7 For Two or More Storey Extensions to Semi-Detached Houses



(D) EXTENSIONS TO DETACHED HOUSES

The variety of such cases means that general rules cannot be made. However, the minimum space standards set out will apply.

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A

Replacement Calderdale UDP : Adopted 25 August 2006

Annex B Trees On or Adjacent to Development Sites

B.1 This Annex provides further detailed technical information to assist implementation of Policies relating to trees. Paragraphs 11.73 to 11.79 and Policy NE 21 in Section 11 on the Natural Environment and the Countryside concern trees on or adjacent to development sites.

B.2 SUBMISSION OF A TREE SURVEY

The need for a tree survey is stated in paragraph 11.75. The matters this survey should include are set out below:

- an accurate site survey including ground levels and existing features;
- the location, species, canopy size, and likely root system spread of all trees on and adjacent to the site;
- a tree condition survey;
- an assessment of the ecological value of the trees;
- an arboricultural implications study;
- a hedgerow survey (where relevant);
- fill levels plus cut and fill details;
- service and drainage details;
- the location of site compound, storage areas and temporary access where relevant;
- details of measures to be taken to protect trees during construction; and
- the internal layout of dwellings where relevant.

B.3 SHADE CAST

Paragraphs 11.78 to 11.79 explain the need to take account of shade cast if future pressure to fell or prune trees is to be avoided. The Council will take into consideration the following factors when assessing the degree of shade cast and how close to an existing tree(s) a new building will be permitted:

- the location of the building in relation to the tree(s). The assessment needed to establish whether or not a building would be subject to shade cast is achieved by taking a 45 degree angle from the average attainable height of the species of tree (as stated in Table B 1) to the ground level in the sector between the north-east and north-west of the tree(s). Any window and associated room falling within that zone would be subject to shade cast. Residential proposals are particularly susceptible to shade cast. Therefore, where windows to habitable rooms of dwellings would lie in the sector between the north-east and north-west of a tree, a minimum distance equivalent to the average attainable height of the tree will be required (subject to allowance being made for the spread of the tree's crown and site features such as slope and aspect). Where the minimum distance cannot be achieved the dwelling would be subject to an unacceptable level of shade cast and is therefore not likely to be acceptable;
- the type of building (for example, more light will be needed in a house than an industrial unit);
- the tree(s) species and average attainable height;
- the aspect of the tree from the proposed building (for example, a tree on the northside of a building will take less light from a building than one on the southside);
- the topography of the site (for example, a tree located at a lower level than a building will generally take less light from it than one located at a higher level than it);
- potential post development nuisance problems. Consideration will be given to the likelihood of future requests to fell and prune trees that may cause a nuisance through, for example, interference with TV reception and leaf litter in gutters.
- in residential proposals gardens can also be subjected to shade cast which can be particularly disliked in private south facing gardens, thus increasing the likely pressure from future residents to request felling of the appropriate trees. The likely shade cast effects on private garden areas of development proposals will also be taken into account.

264 Trees On or Adjacent to Development Sites

B

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Table B.1 lists the likely attainable heights of a variety of trees commonly found in the District. The maximum attainable height would only be achieved in good conditions and on open ground. As these conditions are not always prevalent in the District a more realistic average attainable height of trees is calculated by averaging the height at 20 years together with the maximum attainable height. It is this average attainable height that will be used to establish the level of shade cast. The list includes most trees likely to be encountered on development sites and those suitable for planting in residential areas. There are many other species and cultivars, too numerous to list here, some of which would be acceptable depending on location. Inclusion in the list does not imply suitability for a particular situation. Information concerning the average attainable height of trees that do not appear on the list can be sought from the Council's Community Services Trees Officer.

Table B.1 The Attainable Height of Common Tree Types

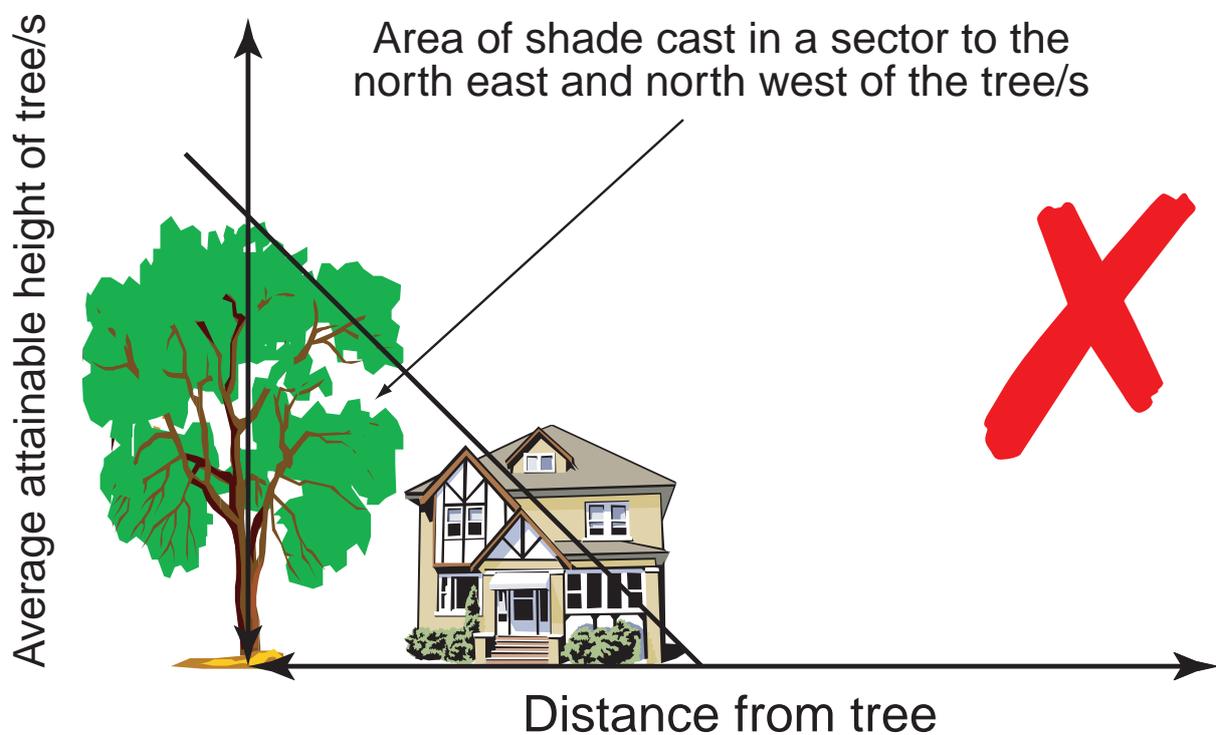
TREE TYPE	Average Height at 10 years (metres)	Average Height at 20 years (metres)	Maximum Attainable Height (metres) (in good conditions and on open ground)	Average Attainable Height (metres)
ASH (Common)	8	11	35	23
ALDER (Common)	8	15	25	20
BEECH (Common)	6	10	40	25
BIRCH (Silver)	8	18	26	22
CEDAR (Deodar)	8	12	36	24
DOGWOOD (Pacific)	3	6	12	9
DOUGLAS FIR	9	17	59	38
ELM (Wych)	8	15	38	27
HAWTHORN	4	6	15	11
HAZEL (Common)	4	6	8	7
HOLLY	4	6	20	13
HORNBEAM	7	11	20	16
HORSE CHESTNUT	8	11	38	25
LARCH (European)	8	15	43	29
LIME (Common)	8	11	46	29
MAPLE (Norway)	8	13	28	15
OAK (Common)	6	11	26	19
PINE (Scots)	8	12	36	24
POPLAR (Lombardy)	10	17	36	27
ROBINIA	9	15	30	23
ROWAN	8	12	18	15
SPRUCE (Norway)	8	15	44	30

TREE TYPE	Average Height at 10 years (metres)	Average Height at 20 years (metres)	Maximum Attainable Height (metres) (in good conditions and on open ground)	Average Attainable Height (metres)
SYCAMORE	10	15	35	25
WALNUT (Common)	5	12	30	21
WHITEBEAM	5	9	20	15
WILD CHERRY	8	14	30	22
WILLOW (Crack)	10	15	25	20

Source : 'The Trees of Britain and Northern Europe' A. Mitchell, J Wilkinson (1982) Collins, London.

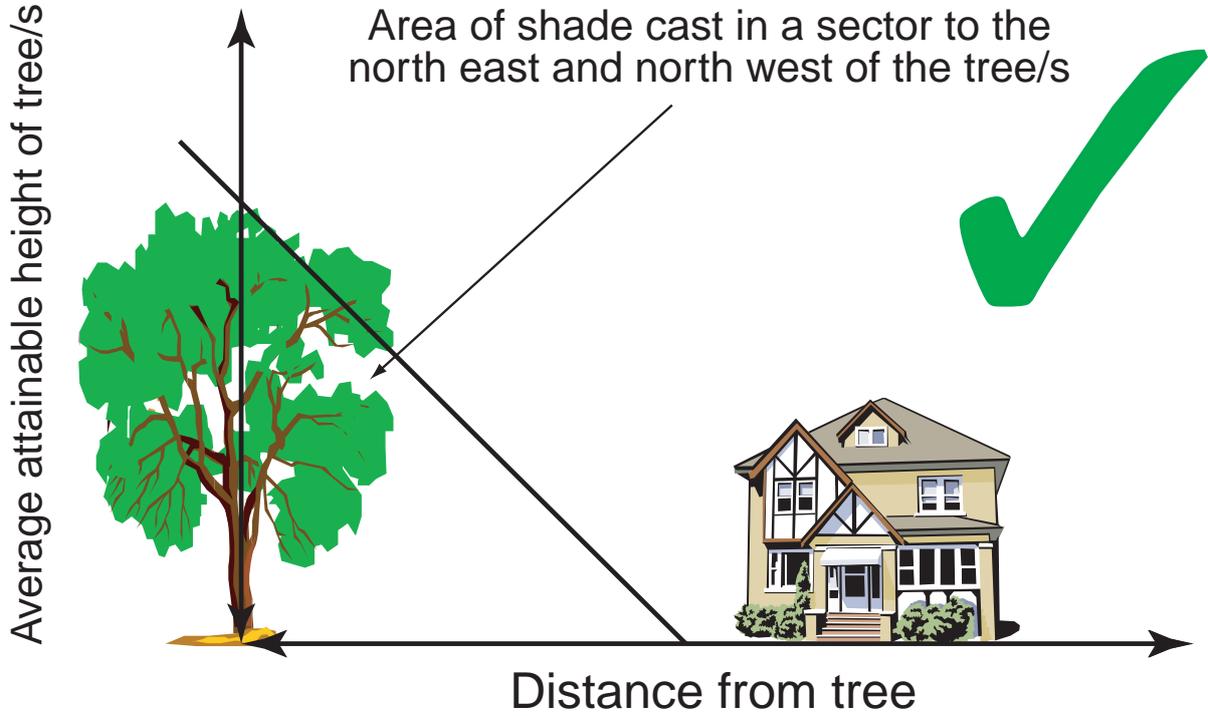
Examples of Shade Cast Assessment in Residential Development Proposals

Picture B.1 Shade Cast



266 Trees On or Adjacent to Development Sites

Picture B.2 Shade Cast



B

Appendix 1 National Planning Policy

PLANNING POLICY GUIDANCE (PPGs) AND PLANNING POLICY STATEMENTS (PPSs)

National Planning Policy sets out Government policies on different aspects of planning. Local authorities must take their content into account in preparing their development plans. The guidance may also be material to decisions on individual planning applications and appeals.

The following is a list of the existing Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) and the date they were published:-

- PPS1:** Delivering Sustainable Development (2005)
- PPG2:** Green Belts (1995)
- PPG3:** Housing (2000 + updates 2005) (and supporting Best Practice Guide documents)
- PPG4:** Industrial and Commercial Development and Small Firms (1992)
- PPG5:** Simplified Planning Zones (1992)
- PPS6:** Planning For Town Centres (2005)
- PPS7:** Sustainable Development in Rural Areas (2004)
- PPG8:** Telecommunications (2001)
- PPS9:** Biodiversity and Geological Conservation (2005)
- PPS10:** Planning and Sustainable Waste Management (2005)
- PPS11:** Regional Spatial Strategies (2004)
- PPG12:** Development Plans (1999)
- PPS12:** Local Development Frameworks (2004)
- PPG13:** Transport (2001)
- PPG14:** Development of Unstable Land (1990), Annex 1 (1996) and Annex 2 (2002)
- PPG15:** Planning and the Historic Environment (1994)
- PPG16:** Archaeology and Planning (1990)
- PPG17:** Planning for Open Space, Sport and Recreation (2002) (and Companion Guide to PPG17)
- PPG18:** Enforcing Planning Control (1991)
- PPG19:** Outdoor Advertisement Control (1992)
- PPS22:** Renewable Energy (2004) (and Companion Guide to PPS22)
- PPS23:** Planning and Pollution Control (2004)
- PPG24:** Planning and Noise (1994)
- PPG25:** Development and Flood Risk (2001)

Appendix 2 National Minerals Policy

MINERALS PLANNING GUIDANCE AND MINERALS POLICY STATEMENTS

Minerals Planning Guidance notes (MPGs) and their replacements, Minerals Policy Statements (MPSs) set out the Government's policies on minerals and planning issues and provide advice to minerals planning authorities and the minerals industry on policies and the operation of the planning system with regard to minerals. Mineral planning authorities must take their contents into account when preparing their development plans. The guidance may also be material to decisions on individual planning applications and appeals.

The following is a list of existing MPGs and MPSs and the dates at which they became effective: -

National and Regional Guidelines for aggregates provision in England, 2001-2016

Aggregates Provision in England 2001-2016 - First and Second Monitoring Reports

MPG1: General Considerations and the Development Plan System (1996)

MPG2: Applications, Permissions and Conditions (1998)

MPS2: Controlling and Mitigating the Environmental Effects of Mineral Extraction in England (2005)

MPG3: Coal Mining and Colliery Coal Disposal (1999)

MPG4: Revocation, Modification, Discontinuance, Prohibition and Suspension Orders - Town and Country Planning (Compensation for Restrictions on Mineral Working and Mineral Waste Depositing) Regulations (1997)

MPG5: Stability in Surface Mineral Working and Tips (2000)

MPG6: Guidance for Aggregates Provision in England (1994)

MPG7: Reclamation of Mineral Workings (1996)

MPG8: Planning and Compensation Act (1991): Interim Development Order Permissions (IDOs) - Statutory Provisions and Procedures (1991)

MPG9: Planning and Compensation Act (1991) Interim Development Order Permissions (IDOs) - Conditions (1992)

MPG10: Provision of Raw Material for the Cement Industry (1991)

MPG13: Guidelines for Peat Provision in England Including the Place of Alternative Materials (1995)

MPG14: Environment Act (1995) Review of Mineral Planning Permissions (1995)

MPG15: Provision of Silica Sand in England (1996)

270 National Minerals Policy

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Appendix 3 Supporting Published Documents

The Council made use of a wide range of documents whilst preparing the Replacement UDP. Some of these documents were prepared for the Council whilst others were produced by other organisations. Some of the documents are seen as essential supporting documents for the UDP and were published alongside the Replacement Plan and placed on deposit with it. Others are useful for background or further reading. All of these documents may be inspected at Calderdale Council's Planning Services offices in Northgate House, Halifax.

Documents Published alongside Replacement UDP and Placed on Deposit:-

Sustainability Appraisal Part 1 (2001)

Sustainability Appraisal Part 2 (2002)

Minor Changes to the Green Belt (2002)

Consultation Report (2002)

Other Background Documents:-

Calderdale Urban Capacity Study (2001)

Business Environments Group: 'Economic Assessment and Employment Site Identification' (2001)

West Yorkshire Local Transport Plan, (2000)

West Yorkshire Retail Capacity Study, (1999)

Halifax Town Centre Strategy, (2001)

Calderdale and Kirklees Housing Requirements Study (1999)

A Local Housing Strategy for Calderdale 2001 - 2006

"A Heritage Strategy for the Southern Pennines"; SCOSPA, (2001)

Integrated Management Strategy and Conservation Action Plan; SCOSPA (1999)

Calderdale's Natural Heritage; a Biodiversity Action Plan for Calderdale (2003)

A Species Audit for Calderdale

Housing Technical Paper: (June 2003)

Upper Calder Valley Renaissance Strategy (2003)

Halifax Streets Ahead (2004)

Calderdale Futures Plan (2006)

Supplementary Planning Guidance Note 1: The Provision of Affordable Housing in New Housing Developments (1998)

272 Supporting Published Documents

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Appendix 4 Glossary of Terms

By necessity some technical and legal terms and phrases have been used in this document. This glossary aims to explain these in plain English. It is by no means exhaustive either in its breadth of contents or depth of meaning, but it is hoped that it will prove to be a useful aid when used in conjunction with the text, statutory documents, circulars etc.

Access Bus - a service operated by the West Yorkshire Passenger Transport Executive (METRO) in conjunction with the Social Services Department to provide an assisted dial-a-ride means of transport for less mobile citizens.

Access Land - large areas of 'open space' which are open to public access, either as urban common or rural common, some of which is owned by the Council. This open space (AL) land is shown on the Proposals Map. This is NOT the Access Land referred to in the Countryside and Rights of Way Act 2000 (CRoW Act) which is not shown.

Active Solar Power - the use of solar panels to directly heat water systems by using the sun's energy

Advertisement Hoarding - a large board used for displaying advertising posters.

Affordable Housing - housing which is accessible to people whose income is insufficient to enable them to buy housing locally on the open market.

Agriculture - includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes. (Town and Country Planning Act (1990), Section 336)

Air Quality Action Plan - where an Air Quality Management Area is designated, an Action Plan needs to be formulated, outlining how the Council intends to bring about improvements in air quality so as to meet the standards and objectives for the pollutants of concern.

Air Quality Management Area (AQMA) - an area where air pollution is likely to exceed National Air Quality Objectives under the Environment Act (1995),

particularly due to road traffic emissions. Air quality will be reviewed over the life of the Plan and therefore new areas may be designated.

Allocation - the land use assigned a specific end use in the UDP/Development Plan. This word relates mainly to New Housing Sites, New Employment Sites and Mixed Use Sites.

Allotment - portion of land used for cultivation. Area of land let out at a nominal rent by local authorities, independent allotment associations or private owners to individuals for the cultivation of food (see also Statutory Allotments).

Amenity - quiet enjoyment of property, it can include factors such as pleasantness, privacy and adequate daylight. However, it does not include the views that a property might enjoy.

Amenity Open Space - open space which has a value in contributing to the areas amenity, notably in terms of its visual or environmental role (rather than the specific value for recreation or nature conservation).

Ancient Woodland - sites which have had continuous woodland cover since at least AD 1600 to the present day, though some sites may have been replanted at some point in the past.

Areas of Archaeological Value (Class III Areas) - areas or sites where evidence exists to indicate the presence or probability of remains of archaeological value. Registered in the Historic Environment Record (HER).

Areas of Special Archaeological Value (Class II Areas) - areas or sites where evidence exists to indicate the presence or strong probability of remains of archaeological value. Registered in the Historic Environment Record (HER).

Article 4 Directions - made under Article 4 of the Town and Country Planning (General Permitted Development) Order (1995) (and subsequent orders) removing or restricting permitted development rights.

Biodiversity - the richness and variety of plants, insects, birds, mammals and all living things in the world.

Biodiversity Action Plan (BAP) - a plan identifying biodiversity priorities and the means of their conservation.

Biomass - the use of products and by-products of agriculture and forestry to produce energy. For example, wood fuel from forestry residues, poultry litter from intensive chicken rearing and the cultivation of crops, typically willow or grass.

Brownfield site - land which has previously been developed as defined by PPG 3 (Housing). (See Previously Developed Land for a full definition)

Building Regulations - a set of national standards set by Government to ensure buildings are constructed in a safe manner. New building work and most refurbishment requires a Building Regulations consent.

Car Clubs - organisations made up of residents who legally agree to jointly own and make use of a limited number of cars.

Car-Free Housing - housing where there will be no car parking allowed with the development. Residents will need to agree not to own a car.

Challenge Funding - Challenge Funding is a scheme introduced by English Heritage and the Council for British Archaeology to encourage voluntary effort in making original contributions to the study and care of Britain's historic environment. Groups, societies and individuals are challenged to put forward proposals for innovative projects which will say something new about the history of local surroundings, and thus inform their future care.

Circular - Government advice which clarifies and explains matters of both legislation and procedure.

Combined Heat and Power (CHP) - use of the waste heat from power generation to provide heating for a building or neighbourhood.

Common Land - includes any land enclosed under the Enclosure Acts (1845 to 1882), and any town or village green (Town and Country Planning Act (1990), Section 336), over which the public have rights of use. There are generally six recognised rights of common:

- grazing sheep or cattle (herbage);
- taking peat or turf (turbarry);
- taking wood, gorse or furze (estovers);
- taking of fish (pescary);
- eating of acorns or beechmast by pigs (pannage);
- the right to take sand, gravel, stone and minerals (common in the soil);

In addition, for urban common there is the right to roam. For rural commons the right to roam is restricted to public rights of way or the owner may grant public rights of access by Deed. However, the Government's proposals to permit the public access to open countryside will also include access to rural common land.

Community Schools - schools which are to be used as an integral part of the community in which they are located by providing for the educational needs of all the citizens and by offering a range of other community facilities.

Community Strategy - a document bringing together all the Council's strategic intentions for addressing the major issues affecting the Council and its citizens, and setting out a framework for a co-ordinated use of resources and delivery of services.

Commuted Sum - a sum of money paid by a developer, under a planning obligation, to a local authority to cover, or contribute towards, the cost of providing necessary facilities, at or near, the site of a proposed development in order to overcome relevant planning objections. Alternatively, payments may be made periodically to a local authority or some other body, for a specified period to cover, for example, ongoing maintenance costs.

Conservation Areas - areas of special architectural or historic interest, where development is more tightly restricted than elsewhere in order to preserve or enhance their special character and qualities. These areas are designated by the Council under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act (1990) which gives them statutory recognition and protection.

Controlled Waste - non-radioactive solid wastes and sludges (excluding mineral wastes) defined as "controlled wastes" under the Environmental Protection Act (1990). Guidance on the definition of waste is provided in Annex 2 to DoE Circular 11/94 on Waste Management Licensing.

CO 2 - carbon dioxide.

Curtilage - the area of land attached to a building. In the case of Listed Buildings, the 'listing' usually extends to cover all structures and boundary walls within its curtilage.

DCLG - Department for Communities and Local Government, set up to replace the ODPM in 2006.

Defensible Space - public and semi-public space that is overlooked, demarcated or maintained by someone. It is an important concept in securing public safety in urban areas where people are empowered with a feeling of ownership of the space around them that they will police and look after, thus contributing to a safer crime-free environment.

DEfRA - Department of the Environment, Food and Rural Affairs, set up in 2002. This has replaced part of the former DTLR, and has taken on board aspects of work regarding environmental protection, the role of the Former Ministry of Agriculture, Fisheries and Food, and rural issues.

Derelict Land - land so damaged by industrial or other development that it is incapable of beneficial use without treatment.

DETR – the former Department of Environment, Transport and the Regions, set up in 1996. The Government Department that was in charge of, amongst other concerns, planning matters. This replaced the previously separate Departments of Transport and Environment, and was replaced by the DTLR.

Development - the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land (Section 55 Town and Country Planning Act (1990)).

Development Control (DC) - the process of determining planning applications., carried out by the Council in order to ensure appropriate use of land and buildings in conformity with Government legislation and guidance, the Development Plan (in this case the UDP) and other material planning considerations.

Discontinuance Notice - a requirement to remove an advertisement or stop using an advertisement site under the Town and Country Planning (Control of Advertisements) Regulations 1992 as amended.

District - the administrative area of the Metropolitan Borough of Calderdale.

DTLR - Department of Transport, Local Government and the Regions, created in 2001, replaced the Department of the Environment, Transport and the Regions (DETR). The DTLR has now been disbanded and replaced by three separate departments, Department for Transport (DfT), Department for

Environment, Food and Rural Affairs (DEFRA), and the Department for Communities and Local Government (DCLG).

Ecological Plan - a document commissioned by the Leisure Services Department adopting an ecological approach to the management of the Calderdale Landscape. This was replaced by the Calderdale Biodiversity Action Plan.

Edge of Centre - for shopping uses, a location well connected to and within easy walking distance (up to 300 metres) of the main shopping area, often providing parking facilities that serve the centre as well as the store. For other uses (including offices or leisure), an edge of centre location is likely to be within 300 metres of the town centre boundary.

Energy Conservation - the use of certain building techniques and design principles to produce a more energy efficient building.

Environmental Improvement Areas - areas where the Council will carry out (subject to the availability of resources), and encourage priority measures to improve the environment.

Environmental Impact Assessment (EIA) - a procedure and management technique which ensures the likely effects of new development on the environment are fully appraised and taken into account before the development is allowed to go ahead.

Flood Plains - land adjacent to a watercourse over which water flows in times of flood or would flow but for the presence of flood defences where they exist.

Food Deserts - residential areas which are located some distance from convenience shopping. As a general principle, it is an aspiration that every resident within the District should be within 500 metres of a convenience store offering a range of products necessary for daily and top-up shopping.

Footloose Company - a company that does not have any specific locational requirements and as such is free to locate anywhere.

General Permitted Development Order (1995) (GPDO) (as amended) - Statutory Instrument (1995) No 418 which describes those forms of development classed as "permitted development" which do not need express planning permission and therefore do not need to be subject of planning applications.

General Improvement Areas (GIAs) - areas where encouragement of improvements to owner occupied housing was assisted by grants and environmental improvement. Terminated under Part VII of the Local Government and Housing Act (1989), effective from March 1991.

Grampian Condition - a form of condition (named after the Grampian Region of Scotland, where their use was first tested in case law) attached to the grant of planning permission which ensures that certain elements, which may be, outside the control of the applicant are implemented or in place before the development can either commence or be occupied. These types of condition are often used instead of a Planning Obligation.

Green Belt - an area of open land defined on the Proposals Map, in accordance with Government guidance (PPG2) where strict controls on development are applied in order to check the unrestricted sprawl of large built-up areas, safeguard the countryside from encroachment, prevent neighbouring towns from merging with one another, preserve the special character of historic towns and assist in urban regeneration.

Greenfield Land - a common term used to describe land which has not been previously developed, in accordance with the definitions set out in PPG3 Annex C. It includes agricultural fields, agricultural and forestry buildings, parks, allotments and recreation grounds, woodlands and other land that may never have had a permanent structure placed upon them. Also included is land that was previously developed but where the remains of any structure or activity have blended into the landscape in the process of time to the extent that it can reasonably be considered as part of the natural surroundings.

Greenhouse Effect - greenhouse gases, (such as carbon dioxide) trap heat in the atmosphere by absorbing longwave radiation while letting the sun's energy pass through, this increases the mean temperature of the planet (also known as 'global warming' or 'climate change').

Greenhouse Gas - a collection of gas types (including carbon dioxide) which accumulate in the upper atmosphere and contribute to the greenhouse effect.

Habitat - a site or area inhabited by a particular species of plants or animals, which provides the unique combination of characteristics to enable the species to continue to exist.

Halifax Central Monitoring Cordon - this is a survey envelope drawn around the centre of Halifax and used on a regular basis to count traffic and pedestrian flows into and out of the town centre.

Hard Landscaping - landscaping using walling, fencing, street furniture, lighting, stone setts, paving slabs rather than plants.

Heritage - buildings, artefacts or landscapes which have been handed down by a previous generation.

High Voltage Power Lines - power lines carrying over 132 kV.

Highway - a generic term encompassing various public rights of way over land. Highways, or parts of them, may be classed as follows:-

- a. 'all purpose highway' - one over which the public have a right of way on foot and with vehicles, and over which they may exercise a bridleway user;
- b. 'carriageway' - a way constituting or comprised in a highway, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;
- c. 'footway' - that part of an all purpose highway over which the public have a right of way on foot only;
- d. 'footpath' - a highway in its own right over which the public have a right of way on foot only, not being a footway;
- e. 'bridleway' - a highway over which the public have a right of way on foot and a right of way on horseback or leading a horse, with or without a right to drive animals of any description along the highway;
- f. 'cycle way' - a way constituting or comprised in a highway, over which the public have a right of way on pedal cycles with or without a right of way on foot.

Houses in Multiple Occupation (HMO) - a dwelling occupied by a number of people living separately.

Housing Corporation - a body created by the Housing Act (1964) through which funding is allocated to Housing Associations. The Corporation operates within an annual cash limit and works to a development programme approved by the Secretary of State.

In-Bye Land - enclosed farmland in hill or upland areas used for the rearing of cattle or sheep or the production of crops.

Landscaping - the treatment of spaces between and around buildings. Landscaping does not necessarily possess any recreational value but includes hard elements (such as paving, walling, fencing, street furniture, lighting, paving) and soft elements (such as grassed areas, trees, shrubs, plants, water areas).

Landscape Character Assessment - is a method for identifying and understanding the patterns and features (both natural and man-made) that makes places distinctive.

Legal Agreement - made between the local planning authority and any person interested in land, for the purpose of restricting or regulating the development or use of the land, usually made in connection with the granting of planning permission (Section 106 Town and Country Planning Act (1990)).

Lifetime Homes - housing designed for all needs and all ages.

Listed Building - a building of special architectural or historic interest which appears on a list compiled or approved by the Secretary of State for Culture, Media and Sport. This includes any object or structure fixed to the building or any separate structure within the curtilage that has formed part of the land since before 1 July 1948. Once a building is Listed, consent is normally required for its demolition and for any works of alteration or extension which would affect its character as a building of special architectural or historic interest.

Local Centres - see Retail Hierarchy.

Local Nature Reserve (LNR) - an area considered to be of importance for nature conservation, education and public enjoyment. Such sites may be of district or local importance. They may be designated on any land where nature conservation is the primary management objective. Usually designated by the local planning authority, following consultation with English Nature, under the National Parks and Access to the Countryside Act (1949) (as amended).

Local Planning Authority (LPA) - the body responsible for carrying out the statutory and discretionary planning functions of the District - The Council of the Metropolitan Borough of Calderdale.

Major Town Centre - see Retail Hierarchy.

Manufacturing Company - a company that produces goods especially by an industrial process.

Massing - the combined effect of the size and shape of a building or group of buildings.

METRO - West Yorkshire Passenger Transport Executive, the marketing and operating agency for passenger transport in West Yorkshire.

Minerals Planning Guidance (MPG) and Minerals Policy Statements (MPSs) - a series of guidance notes issued by the Secretary of State to provide advice on the control of minerals development. The list of MPGs and MPSs is contained within Appendix 2.

Mixed-Use Development - the development of more than one land use on a single site or within a building (such as residential, retail, offices and recreation) which are complimentary and can co-exist without undue conflict.

Mixed-Use Frontages - frontages where non retail uses including those in Food and Drink Class (A3) will be encouraged but will not be allowed to dominate the overall mix of uses.

National Nature Reserves - sites of national importance managed for nature conservation objectives by approved bodies and designated by English Nature.

National Playing Fields Association (NPFA) - a national voluntary organisation which campaigns for the provision and protection of playing fields, public open space and children's play space.

Natural Surveillance - the discouragement to wrong-doing by the presence of passers-by, or the ability of people to be seen from surrounding windows with the resulting perception of safety.

Neglected Land - land which, though capable of some beneficial use, is at present uncared for, untidy and is in a condition detrimental to the environment.

Neighbourhood Watch - a scheme under which members of a community (such as a housing estate) agree together to take responsibility for keeping an eye on each other's property, as a way of preventing crime.

Office Amenity Area (Halifax) - an area where the amenity of daytime office uses will be protected from incursions of predominantly night time uses, in order to support the daytime economy of the area.

Open Space - areas of land located within urban and rural areas that are of public value and which may be

either in public or private ownership. PPG17 "Planning for Open Space, Sport and Recreation" (2002) defines open space which may be of public value as: accessible countryside in urban fringe areas, allotments, amenity greenspace (including informal recreation spaces, greenspaces in and around housing, domestic gardens and village greens), cemeteries, children's and teenagers play and informal areas, churchyards, city farms, civic spaces, community gardens, golf courses, grasslands and scrub (e.g. downlands, commons and meadows), green corridors (including river and canal banks, cycleways and rights of way), school grounds, parks and gardens (including urban parks, country parks and formal gardens), playing fields, open and running water, outdoor sports and recreation facilities and grounds (with natural or artificial surfaces and publicly or privately owned), urban and rural commons, urban forestry, wastelands and derelict open land and rock areas (e.g. cliffs, quarries and pits), wetlands, and woodland.

Other Open Space (OOS) - this open space designation is predominantly applied to land that does not have predetermined open space functions such as sports and recreation grounds, cemeteries, amenity land or allotments. It generally consists of formal parks and gardens and other open space including private gardens.

Other Retail Locations - stores or retail parks which are not to be regarded as town centres for the purposes of policy interpretation. These may be in edge-of-centre, out of centre or out of town location. There are no out of town "Other Retail Locations" within Calderdale.

Out-of-Centre - a location that is clearly separate from a town centre, but not necessarily outside the urban area.

Out-of-Town - an out of centre development on land not clearly within the current urban boundary.

Outlying Areas - open countryside, outside and separating the main urban settlements in the District which are either Green Belt, Special Landscape Area or Area around Todmorden.

Outlying Communities - small settlements located within the Green Belt, Area around Todmorden and/or Special Landscape Area. These have a limited range of community facilities, shops and sources of employment and are frequently located in upland areas.

Part M of the Building Regulations - Minimum Standards for Disabled Access to Buildings

Passenger Transport Authority (PTA) - a joint board nominated from the district councils of a metropolitan region to assess overall needs for public transport, to provide funds for subsidised services, promote co-ordination between services and to take action to increase convenience and availability of public transport services.

Passive Solar Design - designing buildings to make optimal use of energy freely available from the sun, daylight and air currents.

Permitted Development (PD) - certain forms of development which, as prescribed in the Town and Country Planning (General Permitted Development Order (1995) (as amended) and the Use Classes Order (1987) (as amended), do not require express planning permission and therefore do not need to be the subject of planning applications.

Planning Obligations - the Planning and Compensation Act (1991), Section 106, allows a developer to enter into a Planning Obligation either as a legal agreement or as a unilateral undertaking. These ensure that works, infrastructure, or facilities are secured alongside a development.

Photovoltaic Cells (PVs) - cells employing energy from the sun to generate electricity.

Planning Policy Guidance Notes (PPG) and Planning Policy Statements - a series of policy guidance issued by the Secretary of State to provide guidance on general and specific aspects of planning policy. The list of PPGs and PPSs is contained in Appendix 1.

Pollution - the release of energy (sound, light, heat) or harmful or poisonous substances (solid, liquid, vapour, dust and gases) into the environment, thereby adversely affecting human populations, ecosystems, watercourses, air and soil quality.

Premium Employment Site - defined within RSS for Yorkshire and The Humber Policy E3 as a location for major employment projects with a national or international choice of location, generally within the size range 15-40 hectares, designed to meet the needs of high-tech products and processes and service sector growth.

Previously Developed Land (PDL) - this is defined by PPG3 'Housing' as:

“Previously developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed surface infrastructure”.

The definition covers the curtilage of development. Previously developed land may occur in both built-up and rural settings. The definition includes defence buildings and land used for mineral extraction and waste disposal where provision for restoration has not been made through development control procedures. The definition excludes land and buildings that are currently in use for agricultural or forestry purposes, and land in built-up areas which has not been previously developed (e.g. parks, recreation grounds and allotments - even though these may contain certain urban features such as paths, pavilions and other buildings). Also excluded is land that was previously developed but where the remains of any structure or activity have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings), and where there is a clear reason that could outweigh the re-use of the site – such as its contribution to nature conservation – or it has subsequently been put to an amenity use and cannot be regarded as requiring redevelopment.

Primary Employment Areas (PEAs) - areas, as defined on the Proposals Map, in which industry and business uses predominate and where the Council will seek to encourage development which creates jobs.

Primary Housing Areas (PHAs) - areas, as defined on the Proposals Map, in which housing predominates.

Primary Shopping Frontages - key frontages of town centres predominantly in retail use, where it is intended to retain retailing as a high percentage of uses.

Priority Species - an animal or plant identified in a Biodiversity Action Plan as being of particular conservation concern.

Priority Habitat - a wildlife habitat identified in a Biodiversity Action Plan as being of particular conservation concern.

Protection Agencies - public sector bodies whose primary function is to protect the public and environment from hazards and development which are likely to be detrimental to health and amenity e.g. the Health and Safety Executive and the Environment Agency.

Quality Bus Partnerships - partnerships between METRO, the Council, Police and bus operators on given bus corridors, where efforts are made by all parties to improve the quality and safety of services and facilities provided along that corridor.

Regeneration - the process of targeting resources at improving the infrastructure and environment of deteriorating older urban industrial areas in order to enhance job creation and retention.

Regional Aggregates Working Party (RAWP) - a regional group consisting of representatives from the mineral industry, local authorities and Central Government which assesses the supply and demand for aggregates in the Yorkshire and Humberside Region. The RAWP is guided in its work by the National Co-ordinating Group (NCG) which is chaired by the DTLR and includes senior representatives of industry and local government.

Regionally Important Geological or Geomorphological Site (RIGS) - sites notified as being of particular importance for their educational and geological/geomorphological value.

Regional Spatial Strategy (RSS) - the regional planning document for Yorkshire & the Humber published in 2004. This now has development plan status as a result of the Planning & Compulsory Purchase Act 2004.

Registered Social Landlords (RSL) - independent housing organisations registered with the Housing Corporation under the Housing Act (1996). Most are housing associations, but there are also trusts, co-operatives and companies.

Renaissance - a term central to Government Guidance contained in the Urban and Rural White Papers which promotes the renewal of existing urban and rural settlements of all sizes, making them more attractive, high quality and safe places to live, work, shop, spend leisure time and invest whilst also protecting and enhancing the attractive features and tackling problem areas.

Renewable energy - energy which occurs naturally and repeatedly in the environment. By current convention, the definition also includes combustible or digestible industrial, agricultural and domestic waste material.

Residential Amenity Area (Halifax) - an area in Halifax town centre where the protection of the

amenity of existing or potential residents will be an important consideration when determining proposals for other uses.

Resources - the raw materials and means by which development and policies will be implemented. In respect of the UDP the principle resources are land, finance and people.

Retail Hierarchy - definitions of retail hierarchy shown on the Proposals Map:-

- Major Town Centre - HALIFAX defined as:- large sub-regional centre providing the main comparison shops in the District serving a wide catchment area; some convenience retailing; daily main indoor market facilities, and frequent special outdoor markets; many financial and professional services; administrative, cultural and office employment centre, major entertainment (such as theatre, cinema, night clubs, licensed premises and restaurants); public transport focus, highly accessible, off street public car parking for both long and short stay, and some on street short stay parking.
- Town Centres - BRIGHOUSE, ELLAND, SOWERBY BRIDGE, HEBDEN BRIDGE AND TODMORDEN defined as:- smaller town centres providing retailing, financial and personal services to a more local area (usually the town and its hinterland in question); supermarket or superstore provision; market held at least once a week; local entertainment (such as theatre or cinema; licensed premises and restaurants); public transport focus; accessible to the local catchment; some off-street public car parking, and on street short stay parking.
- Local Centres - KING CROSS, QUEENS ROAD, MYTHOLMROYD, HIPPERHOLME, RIPPONDEN, NORTHOWRAM, WEST VALE defined as:- small centres or groups of shops, generally convenience shopping, but some comparison as well; some personal or financial services serving a limited area, hot-food takeaways and licensed premises; some local services such as library or health centre; may be a public transport focus or have through bus services, but mainly pedestrian catchment; possibly some off street parking but mainly on street provision.
- Local Shops - smaller groups of shops around the District that are too small to show on the Proposals Map, and which also form part of the shopping hierarchy.
- Other Retail Location - free standing supermarkets, superstores, do-it yourself

warehouses, carpet stores, furniture dealers, sometimes located within retail parks.

Retail Parks - a group of at least 3 retail warehouses.

Retail Warehouses - large single-level stores specialising in the sale of household goods (such as carpets, furniture and electrical goods) and bulky DIY items, catering mainly for car-borne customers and often in out-of-centre locations.

RPG 12 - Regional Planning Guidance for Yorkshire and the Humber to 2016, provided by the Secretary of State for Transport, Local Government and the Regions (2001). This provided the regional basis for developing the Replacement UDP. It was replaced by **Regional Spatial Strategy for Yorkshire & the Humber in 2004 (RSS)**.

Rural Diversification - the development of non-agricultural activities by farm businesses in order to supplement their farming activities. This is often done to support farm income and ensure the continuing viability of the business.

Scheduled Ancient Monument (Class 1 Archaeological Area) - archaeological remains which enjoy special protection by virtue of being scheduled under the Ancient Monuments and Archaeological Areas Act 1979.

SCOSPA - Standing Conference of South Pennines Authorities

Secondary Shopping Frontages - frontages in town centres where retail uses are important but not as important as in the primary frontages. Non-retail uses will be allowed to take a larger proportion of the length of the frontage than in primary frontages.

Secured by Design - the national police scheme which aims to minimise crime and opportunities to commit crime, primarily through employing more security-conscious building design methods.

Service Sector - non-manufacturing sources of employment traditionally associated with 'white collar workers', but also includes banking and finance, business services, hotels and catering and distribution.

Simplified Planning Zone - a scheme that grants a blanket planning permission for certain classes of development within a specified area in order to assist in the regeneration of that area.

Single Regeneration Budget (SRB) - provides resources to support regeneration initiatives carried out by local regeneration partnerships. Its priority is to enhance the quality of life of local people in areas of need by reducing the gap between deprived and other areas, and between different groups. The SRB commitments are to end by 2007. The types of bid supported differ from place to place, according to local circumstances but they will all include some or all of the following objectives:

- improve the employment prospects, education and skills of local people;
- address social exclusion and improving opportunities for the disadvantaged;
- promote sustainable regeneration, improve and protect the environment and infrastructure, including housing;
- support and promote growth in local economies and businesses;
- reduce crime and drug abuse and improve community safety.

Site of Ecological or Geological Interest (SEGI) - areas of particular interest by reason of their flora, fauna, geological or physiological features which require protection and preservation.

Site of Special Scientific Interest (SSSI) - areas designated by English Nature (Nature Conservancy Council for England) as being of special interest by reason of their flora, fauna, geological or physiological features and have statutory protection to preserve these features.

Skyline - the line at which the earth and sky appear to meet.

Solar Gain - designing buildings to make optimal use of energy freely available from the sun, daylight and air currents.

South Pennine Moor - this area forms part of the Pennine 'backbone' of England and is a dramatic and distinct upland landscape that stands prominently above the encircling urban centres of Greater Manchester, the Lancashire Valleys and West Yorkshire. This Moor incorporates the South Pennine Heritage Area, as identified by SCOSPA.

Special Area of Conservation (SAC) - a site with statutory protection which is of international importance to biodiversity. Classified under EC Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna.

Special Housing Needs - groups within society or the community who have particular accommodation requirements (whether through type of housing, location or facilities within or ancillary to the dwelling) which cannot be met on the general owner-occupied or rental market. This may include the elderly, physically and mentally handicapped, single parent families, young people and those leaving institutional care. The type of housing provided may include sheltered homes, hostels and specially adapted dwellings.

Special Landscape Area (SLA) - those parts of the outlying areas that are of high visual amenity and environmental quality which are given protection to retain their physical landforms, rivers, trees, buildings and special character.

Special Needs Groups - groups within society or the community which require additional assistance due to their physical, mental or social condition. These include people with disabilities, the elderly and single parent families.

Special Protection Area (SPA) - a site with statutory protection of international importance to biodiversity. Classified under EC Directive on the Conservation of Wild Birds.

Statutory Allotments - parcels of land acquired or appropriated by the local authority specifically for use as allotments. They cannot be sold or used for other purposes without the consent of the Secretary of State under Section 8 of the Allotment Act (1925).

Street Furniture - a broad term describing features and fixtures such as benches, litter bins, raised planters.

Supermarket - single level, self-service stores selling mainly food, with a trading floorspace less than 2,500 square metres, often with car parking.

Superstore - single level, self-service stores selling mainly food, or food and non-food goods, usually with more than 2,500 square metres trading floorspace, with associated car parking.

Sustainability Appraisal - a process which tests the consistency and performance of a plan or policy against sustainable objectives, for example making full use of urban land, protecting and enhancing natural resources and limiting and reducing pollution.

Sustainable Development - defined by the Brundtland Commission (1987) and quoted in PPS1 as "Development which meets the needs of the present

without compromising the ability of future generations to achieve their own needs.” The UK’s strategy for sustainable development “ A Better Quality of Life” was published in 1999 and highlights the need for environmental improvement, social progress and economic success to go hand in hand.

Surface Water Drainage and Sustainable Drainage Systems (SUDS) - a range of sustainable drainage management systems which mimic natural drainage processes rather than using traditional piped methods. These treat surface water near to the source and can reduce flood risk.

Tertiary Mixed-Use Frontages - frontages within which non-retail uses will be allowed up to 50% of the length of the frontage, in order to encourage diversity of uses, but also to control the proliferation of non-retail uses.

The English Sports Council (Sport England) - a Government-funded body which promotes the knowledge and practice of sport and recreation.

Topography - landforms or surface configuration of a region.

Tourism - tourist travel and the services connected with it.

Town Centre - see Retail Hierarchy.

Town Cramming - the over-intensive development of urban areas resulting in the loss of open space, environmental, social and cultural resources and a reduction in the quality of the urban environment.

Tree Preservation Orders (TPOs) - statutory protection to specific trees, groups of trees and woodlands of amenity or species value so as to prohibit felling, removal, pruning or damage occurring to them without the prior consent of the local planning authority.

Unitary Development Plan (UDP) - a single tier District-wide plan based on land use issues at both the strategic and local level, replacing the former two tier system of Structure and Local Plans. The UDP has regard to legislation and strategic guidance issued by Central Government, but is otherwise prepared by the local planning authority.

Use Classes Order (1987) (as amended 2005)(UCO) - which classifies different types of land use as follows:-

- A1 - Shops

- A2 - Financial and Professional Services
- A3 - Restaurants and Cafes
- A4 - Drinking Establishments
- A5 - Hot Food Takeaways
- B1- Business (Offices/Light Industry)
- B2 -General Industry
- B8 - Storage and Distribution
- C1- Hotels and Hostels
- C2 - Residential Institutions
- C3 - Dwelling Houses
- D1- Non-Residential Institutions
- D2 - Assembly and Leisure
- Sui Generis (Uses Outside the Definitions of the Use Classes Order) - as listed in Article 3(6) and other uses not specified including:- retail warehouse clubs, petrol filling stations, theatres, amusement arcades, nightclubs, hostels funfairs, launderettes, motor vehicle sales, taxi or car hire business, scrapyards, builders' yards, storage and distribution of minerals, or works registrable under the Alkali etc Works Regulations Act (1906).

Vista - an extensive view, especially through a long narrow avenue of buildings or trees.

Warehousing - buildings used for storage and distribution as defined by the Town and Country Planning (Use Classes) Order 1987 (Class B8).

Washlands - flat areas adjacent to rivers which are set aside to accommodate floodwaters. These areas are identified by the Environment Agency and they are generally protected from development which would prevent them from fulfilling their function.

West Yorkshire Local Transport Plan (WYLTP) - a document prepared jointly by the five Districts of West Yorkshire (Bradford, Calderdale, Kirklees, Leeds and Wakefield) and acting as the main focus for transport planning, programming and funding within the county area.

Wetlands - areas of swampy or marshy land, waterlogged on a regular basis for whole or part of the year that provide a particular habitat for plants and animals.

Wildlife Corridor - an area providing linking habitats for wildlife through which temporarily displaced species may migrate to other less threatened sites so as to assist in nature conservation within the District, particularly in the urban areas.

Windfarm - a site consisting of groups of wind powered electricity generators.

Appendix 5 Acronyms and Abbreviations

The following Table provides a list of abbreviations and acronyms used within the Replacement Unitary Development Plan in order to inform readers.

Table 5.1 Acronyms and Abbreviations

Acronym Or Abbreviation	Meaning
AAT	Area Around Todmorden
AERC	Applied Environmental Research Centre
AMP	Asset Management Plan (for schools)
AMR	Annual Monitoring Report
ANG	Accessible Natural Greenspace
AONB	Area of Outstanding Natural Beauty
APTR	All Purpose Trunk Road
AQMA	Air Quality Management Area
BAP	Bio-Diversity Action Plan
BGS	British Geological Survey
BMW	Biodegradable Municipal Waste
BS	British Standard
CABE	Commission for Architecture and the Built Environment
CCTV	Closed Circuit Television
CE	Church of England
CHP	Combined Heat and Power
CROW	Countryside and Rights of Way
DCLG	Department for Communities and Local Government
DEFRA	Department for Environment, Food and Rural Affairs
DETR	Department of the Environment, Transport and Regions
DfES	Department for Education and Skills
DfT	Department for Transport
DPH / dph	Dwellings per Hectare
DTI	Department for Trade and Industry
DTLR	Department of Transport, Local Government and the Regions
EA	Environment Agency
EA	Environmental Assessment (EIA)

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Acronym Or Abbreviation	Meaning
EDP	Education Development Plan
EEC	European Economic Community
EIA	Environmental Impact Assessment
ETSU	Energy Technology Support Unit
EU	European Union
GF	Greenfield
GOYH	Government Office for Yorkshire & the Humber
GPDO	General Permitted Development Order (1995)
HA	Highways Agency
HBOS	Halifax Bank of Scotland
HEAN	Heritage Education and Access Network
HER	Historic Environment Record
HM	Her Majesty
HMO	Houses in Multiple Occupation
HMSO	Her Majesty's Stationery Office
HSE	Health and Safety Executive
ICNIRP	International Commission on Non-Ionizing Radiation Protection
IDO	Interim Development Order
J & I	Junior and Infants School
J, I & N	Junior, Infants and Nursery School
Kv	Kilo volt
LATS	Landfill Allowance Trading Sceme
LBA	Leeds / Bradford International Airport
LDD	Local Development Document
LDF	Local Development Framework
LTP	Local Transport Plan
LNR	Local Nature Reserve
LPA	Local Planning Authority
METRO	The trading name of the West Yorkshire Passenger Transport Executive
MPG	Minerals Planning Guidance
MPS	Minerals Policy Statement

Acronym Or Abbreviation	Meaning
MBC	Metropolitan Borough Council
MU	Mixed-Use
Mw	Mega Watts
NNR	National Nature Reserve
NPFA	National Playing Fields Association
NRPB	National Radiological Protection Board
ODPM	Office of the Deputy Prime Minister
PDL / pdl	Previously Developed Land
PEA	Primary Employment Area
PFI	Private Finance Initiative
PHA	Primary Housing Area
PPG	Planning Policy Guidance
PPS	Planning Policy Statement
PRoW	Public Right of Way
PTA	Passenger Transport Authority
PV	Photovoltaic
RCHME	Royal Commission on the Historical Monuments of England
RF	Radio- Frequency
RIGS	Regionally Important Geological Sites
ROW	Right of Way
RPG	Regional Planning Guidance
RSS	Regional Spatial Strategy
RTAB	Regional Technical Advisory Board
RTS	Regional Transport Study
SAC	Special Area of Conservation
SCOSPA	Standing Conference of South Pennine Authorities
SEA	Strategic Environmental Assessment
SEGI	Site of Ecological and/or Geological Interest
SLA	Special Landscape Area
SOP	School Organisation Plan
SPA	Special Protection Area

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Acronym Or Abbreviation	Meaning
SPD	Supplementary Planning Document
SoE	Statement of Environment
SRB	Single Regeneration Budget
StOP	Statement of Priorities (for school capital expenditure)
SSSI	Site of Special Scientific Interest
SUDS	Sustainable Drainage System
TA	Transport Assessment
TPO	Tree Preservation Order
UCS	Urban Capacity Study
UDP	Unitary Development Plan
UK	United Kingdom
uPVC	Unplasticized Polyvinyl chloride
VC	Voluntarily Controlled School
WIP	Waste Implementation Plan
WYAAS	West Yorkshire Archaeological Advisory Service
WYLTP	West Yorkshire Local Transport Plan
WYPTA	West Yorkshire Passenger Transport Authority
WYPTE	West Yorkshire Passenger Transport Executive (METRO)
WYRCS	West Yorkshire Retail Capacity Study (1999)

Appendix 6 Policy Topic Index

This index seeks to point readers to relevant UDP policies for specific topics.

The use of the index does not take away the need to consider the whole range of policies, where many cross-references exist, even if not listed. The list is not exhaustive and less important cross-references are not shown.

Table 6.1 Policy Topic Index

Policy Topic	Relevant Policy
Access / Accessibility	GT1, GT2, GT6 , T1, T2 , H14, H15, BE8
Accommodation Above Shops and Business Premises	H12
Advertisements	BE12
Advertisement Hoardings	BE12, BE13
Affordable Housing (and Low Cost Housing)	GH1, H13
Aggregates (Minerals)	GM1, GM2
Agriculture, Equestrian and Other Animal Based Uses	E15, E16
Air Pollution	GEP1 , EP1
Air Quality Management Plan	GEP1, EP2
Allotments	OS6, OS7
Amenity Space in New Development	BE2, Annex A
Amusement Arcades	S9
Ancient Monuments	BE22
Ancient Woodland	NE19
Archaeological Interest - assessment	BE25
Archaeological Interest - national	BE22
Archaeological Interest - recording	BE26
Archaeological Interest - regional	BE23
Archaeological Interest - sites of value	BE24
Area Around Todmorden	NE8, NE9, NE10
Areas of Search (Minerals)	M4
Art in Public Places	BE10
Baby Changing Facilities	BE9
Bicycle Parking (within new developments)	T19
Boundary Treatment	BE1
Bridleways	T12
Building Appearance	BE1
Building Materials	BE1
Bus Priority Routes	T2

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Policy Topic	Relevant Policy
Bus Stations	T3, T4
Biodiversity Enhancement	NE17
Camping Sites	E12
Canals and Rivers	T24 , NE18, EP15
Caravan Sites	E12
Car Boot Sales	S14
Car-free and Low Car Housing Development	T21
Car Parking	T18
Catteries and Kennels	E17
Cesspools	EP11
Cemeteries	CF6
Children's Playgroups	CF8
Closed-Circuit Television (CCTV)	EP5, BE7
Coal Extraction	M5
Colliery Spoil Disposal	GM1, M5
Combined Heat and Power Systems	EP26, EP27
Common Land	OS8
Community Facilities (strategic framework)	GCF3
Composting	WM7, WM8
Congestion	GT1
Conservation Areas -development within	BE18
Conservation Areas - demolition within	BE19
Contaminated Land	EP9, EP10
Crime Prevention	BE4
Culverts	EP23
Cycling/Cycleways/Cycle Routes	T13
Dance Studios	CF10
Dangerous Substance Establishments	EP6, EP7
Daycare Facilities for Children	CF8
Daylighting	BE2
Defensible Space	BE4
Demolition - listed buildings	BE17
Demolition - conservation areas	BE19
Density (Housing)	H10
Dental Surgeries	CF9

Policy Topic	Relevant Policy
Derelict and Degraded Land and Buildings	GE4, E18
Design	GBE1, BE1
Design - amenity	BE2, Annex A
Design - boundary treatment	BE1
Design - daylighting	BE2, Annex A
Design - density	BE1, H10
Design - energy efficient development	EP25
Design - form	BE1
Design - height	BE1
Design - highways and accesses	GT6
Design - landscaping	BE3
Design - layout	BE1, BE2, Annex A
Design - local identity	GBE1
Design - massing	BE1
Design - materials	BE1
Design - natural and built features	BE3
Design - pedestrian environments	GT6 , BE6
Design - piecemeal development	GBE2
Design - privacy	BE2
Design - scale	BE1
Design - security	BE4, BE7
Design - solar heating systems	EP27
Design - siting	BE1
Disabled People	CF7, H14
Distribution Centres (Use Class B8)	E9
Disused Railways	T11
Doctors Surgeries	CF9
Drainage - culverting of watercourses	EP23
Drainage - development outside floodplains	EP19
Drainage - flood risk	GE1 , EP16, EP17, EP18, EP19, EP20
Drainage - non-mains	EP13
Drainage - protection of ground water	EP14
Drainage - sustainable drainage systems	EP22
Drainage - watercourse improvements	EP21

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Policy Topic	Relevant Policy
Drystone and Natural Stone Walling	NE25
Education	see 'Schools'
Electricity - renewable energy sources	EP28
Electricity - overhead lines	EP24
Employment - amount of employment land	GE1, GE2, E3
Employment - development outside primary employment areas	E2
Employment - mixed-use allocations	E4
Employment - new employment sites	GE1, GE2, E3
Employment - office and business uses (Use Classes A2, B1)	GE1, E6 , E7, E8
Employment - non-employment uses on employment sites	GE3
Employment - Primary Employment Area (PEA)	E1
Employment - safeguarding land	GE1, GE3, E5
Employment - storage and distribution (Use Class B8)	GE1, E9
Employment - tourism development	GE1, E10 , E11, E12
Employment - warehousing (Use Class B8)	GE1, E9
Energy - combined Heat and Power Systems (CHP)	EP26, EP27
Energy - crops	EP28
Energy - efficiency (design)	GE2 , EP25, EP27, EP28
Energy - renewable sources	EP27, EP28
Energy - solar heating systems	EP27, EP31, EP32
Energy - wind power development	EP29, EP30, EP33
Environmental Impact Assessment	NE13
Equestrian Development	E16
External Lighting	EP4, EP5, BE7
Farm Diversification	E13, E14
Farm Shops	E14, S5
Fitness Studios	CF11
Flood Defences	EP18
Flood Lighting	EP4, EP5
Floodland	EP16, EP17
Flood Prevention	GE1 , EP16, EP17, EP18, EP19, EP20
Footpaths	T12 , T20
Forestry	Paragraphs 11.62 - 11.65
Freight Transport	T24

Policy Topic	Relevant Policy
Functional Floodplain (Washland)	EP16
Garage Courts (development of)	T22
Gardens in the Area Around Todmorden	NE10
Gardens in the Green Belt	NE6
Garden Centres	S5, E14
Gas	GM1, M6
Goods Vehicles Operating Centres	T25
Graveyards	CF7
Green Belt - alterations and extensions to dwellings	NE2
Green Belt - appropriate development within	NE1
Green Belt - development in settlements	NE7
Green Belt - extensions and alterations to other buildings	NE3
Green Belt - gardens	NE6
Green Belt - purpose of	GNE1
Green Belt - replacement dwellings	NE5
Green Belt - re-use of buildings	NE4, E14
Green Belt - village envelopes	NE7
Green Waste Composting	WM8
Groundwater	EP14
Gypsy Sites	H17
Halifax Branch Canal (former)	OS10
Halifax Residential Priority Regeneration Area	S10
Hard Landscaping	BE3
Hazardous Installations	EP6, EP7
Health Centres	CF9
Hedgerows	NE22
Helicopters	T26
Highway Design	BE5
Highway Schemes	GT7, T14, T16
Highway Agency	Paragraph 9.23
Historic Parks and Gardens	BE20, BE21
Horses	E16
Hospitals	CF9
Hotels, Motels and other Visitor Accommodation	GE1, E10 , E11
Hot Food Takeaways	S15

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Policy Topic	Relevant Policy
Housing - accessible	H14, H15
Housing - allocations	GH1 , GH2, H5, H6, H7, H8
Housing - affordable (low cost)	H13
Housing - density	H10
Housing - for disabled	H14
Housing - for elderly	H15
Housing - gypsies	H17
Housing - improvement and re-use of existing dwellings	H4
Housing - lifetime homes	H15
Housing - living over shops and other business premises	H12
Housing - monitoring	H6
Housing - multiple occupation	H16
Housing - non-allocated sites	H9
Housing - phasing	H5, H6, H7, H8
Housing - provision of additional housing	GH1 , GH2, H5, H6, H7, H8
Housing - primary housing areas	H2,
Housing - renewal	H3
Housing - separation of housing and industry	H1
Housing - strategy	GH1
Housing - type	H11, H13 , H14, H15
Housing - visitability standard housing	H14
Housing - windfall sites	H9
Household Waste Disposal Sites	WM4, WM5
Illuminated Advertisements	BE12
Incineration	GWM1 , WM9
Incompatible or Hazardous Land Uses	EP7, EP8
Indicative 1 in 100 Year Floodplain	EP17
Infrastructure Development	GCF1, GCF5
Kennels and Catteries	E17
Landfill	WM3, WM10
Landscaping	BE3
Leisure Uses	GS2, S1 , CF10
Libraries	GCF3
Lifetime Homes	H15
Light Pollution	GEP1 , EP5

Policy Topic	Relevant Policy
Listed Buildings - advertisements	BE12 , BE14
Listed Buildings - alterations	BE14
Listed Buildings - change of use	BE16
Listed Buildings - demolition of	BE17
Listed Buildings - extension	BE14
Listed Buildings - setting	BE15
Listed Buildings - shopfronts	S28, BE14
Living Over Shops and Business Premises	H12
Local Nature Reserves	NE14
Locally Important Nature Conservation Sites	NE14, NE15, NE16, NE17, NE18
Location of Development (sequential approach)	GP2, GP3
Lorry Routing and Parking	T23
Low Cost Housing (and Affordable Housing)	H13
Masts	BE11
Materials	GBE1, BE1
Minerals - areas of search	M4
Minerals - aggregate minerals	GM1, GM2
Minerals - common land	OS8, M1, M2
Minerals - criteria for assessing mineral working applications	GM1, M1, M2
Minerals - environmental safeguards	GM1, M1, M8
Minerals - extensions to existing workings	M1, M2, M3
Minerals - future demand	GM1, GM2
Minerals - oil and gas	M6
Minerals - peat extraction	M7
Minerals - reclamation of sites by landfill	WM3
Minerals - recycling	GM3, M10
Minerals - review of mineral working sites	M8
Minerals - reworking of deposits	M9
Minerals - secondary aggregates	GM3, M10
Minerals - strategy	GM1, GM2
Minerals - safeguarding resources	GM1, M4
Mixed-use development	S13, E4
Motels	E11
Motorcycling	T13
Multiple Occupation	H16

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Policy Topic	Relevant Policy
Nature Conservation - biodiversity enhancement	NE17
Nature Conservation - Environmental Impact Assessment	NE13
Nature Conservation - local nature reserves	NE14
Nature Conservation - national nature reserves	NE13
Nature Conservation - priority habitat	NE14
Nature Conservation - protected species	NE16
Nature Conservation - protection of the environment (general)	GNE1, GNE2, GEP1 , GEP2
Nature Conservation - Regionally Important Geological or Geomorphological Sites (RIGS)	NE14
Nature Conservation - Sites of Ecological or Geological Interest (SEGIs)	NE14
Nature Conservation - Sites of international importance	Paragraphs 11.41 - 11.42
Nature Conservation - sites of local importance	NE14
Nature Conservation - sites of national importance	NE13
Nature Conservation - Special Areas of Conservation (SACs)	Paragraphs 11.41 - 11.42
Nature Conservation - Sites of Special Scientific Interest (SSSIs)	NE13
Nature Conservation - Special Protection Area (SPAs)	Paragraphs 11.41 - 11.42
Nature Conservation - water areas	NE18
Nature Conservation - wildlife corridors	NE15
Natural Stone and Drystone Walls	NE23
Navigable Waterways and Canals	T24 , OS9, EP15
Neglected Land and Buildings	GP4, GE4, E18
Nightclubs	CF10
Noise Pollution	GEP1, EP3, EP4
Non-conforming Uses	H1, EP3 , EP6, EP7, EP8
Non-mains Drainage	EP13
Nurseries (childcare)	CF8
Nursing Homes	CF7
Office Amenity Space	S11
Offices (B1 and A2)	GE1, E6 , E7 , E8 , S11
Oil	GM1, M6
Open Space - allotments	OS6, OS7
Open Space - assessment and audit	GOS2
Open Space - common land	OS8
Open Space - protected open spaces	GOS1 , OS1, OS3
Open Space - provision	GOS1 , GCF1, OS2, OS4, OS5

Policy Topic	Relevant Policy
Open Space - provision in residential development	OS5
Open Space - sports ground and playing fields	GOS1 , OS1, OS2, OS3 , OS4, OS5
Open Space - waterways and open water	OS9
Over-the-shop Living	H12
Overhead Electricity Power Lines	EP24, EP33
Parking - bicycle	T18
Parking - car	T19
Parking - motorcycle, moped, scooter	T20
Passive Solar Design	EP31, EP32
Paving Materials	BE3
Peat Extraction	M7
Pedestrians /Pedestrianisation	GT6 , T16, BE6, BE7
Photovoltaic Technology	EP32
Piece Hall (Halifax)	E22
Piecemeal Development	GBE2
Planning Obligations	GCF1
Play Areas	OS3 , OS4, OS5
Playing Fields	GOS1, GOS2 , OS1, OS2, OS3 , OS4, OS5
Police Architectural Liaison Officer	BE4
Pollution Control	GEP4
Pollution Control - air	EP1, EP2
Pollution Control - contaminated land	EP9, EP10, EP11
Pollution Control - groundwater	EP14
Pollution Control - hazardous installations	EP6, EP7
Pollution Control - light	EP5, BE7
Pollution Control - noise	EP3, EP4
Pollution Control - non-mains drainage	EP13
Pollution Control - rivers	EP12
Post Offices	CF5
Power Generation (see 'Energy')	see 'Energy'
Primary Employment Areas (PEAs)	E1
Primary Housing Areas (PHAs)	H2
Primary Shopping Frontages	S6
Priority Habitat	NE14

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Policy Topic	Relevant Policy
Prisons	Paragraph 11.34
Privacy	BE1, BE2
Private Amenity Space	BE2
Private Hire Vehicles	T7, T8
Protected Land	NE11
Protected Wildlife Species	NE16
Public Art	BE10
Public Buildings (accessibility to)	BE8, BE9
Public Open Space	see 'Open Space'
Public Rights of Way	T2, T10, T11, T12
Public Transportation	GT1, T2, T3
Public Views and Vistas	BE1
Rail Facilities	GT2, T3, T4, T5, T11
Recycling (Waste and Minerals)	GM3, WM4, M10
Refuse Storage	WM6
Regeneration and Renaissance (promotion of)	GP4, GE4, E18, E19, E20, E21
Regeneration Action Area (Sowerby Bridge to Copley)	E20, E21
Regionally Important Geological or Geomorphological sites (RIGS)	NE14
Registered Rural Commons	OS8
Registered Urban Commons	OS8
Renewable Energy in Development	GE2, EP26, EP27, EP28, EP29, EP33
Renewal Areas (Housing)	H3
Replacement Dwelling (in the Green Belt)	NE5
Residential Amenity Area (Halifax)	S12
Residential Homes	CF7
Retailing	see 'Shopping'
Re-use of Buildings (in the Green Belt)	NE4
Review of Minerals Permission	M8
Rights of Way	T10, T11, T12
Rivers and Canals	OS9, EP12, EP15, T24
Rural Diversification	E13
Safeguarding Better Quality Agricultural Land	E15
Safe Pedestrian Environments	BE6, T16
Satellite Antennae/Dishes	BE11
Scheduled Ancient Monuments	BE22

Policy Topic	Relevant Policy
Schools	GCF2, GCF3, GCF4, CF1, CF2
Schools - community use of school facilities	CF3
Schools - education infrastructure programmes	GCF5
Schools - matching school facilities to education needs	GCF4
Schools - new schools	CF2
Schools - schools and housing	CF1
Schools - surplus educational land and buildings	CF4
Secondary Shopping Frontages	S7
Security (Design)	BE4, BE7
Sewage Treatment	EP13, EP14
Shade Cast (by trees)	NE21
Shopping/Shops	GS1, GS2, GS3 , S2
Shopping/Shops - car boot sales	S14
Shopping/Shops - change of use	S2, S3, S4, S5, S6, S7, S8, S9
Shopping/Shops - criteria for assessment	S2
Shopping/Shops - disabled access	BE8, BE9, S16
Shopping/Shops - farm shops	S2, S4, S5
Shopping/Shops - frontages (primary, secondary and tertiary mixed-use)	S6, S7, S8
Shopping/Shops - garden centres	S5
Shopping/Shops - green belt/open countryside	S4
Shopping/Shops - Halifax town centre	S10, S11, S12, S13
Shopping/Shops - hierarchy	GS2, S1
Shopping/Shops - hot food takeaways	S15
Shopping/Shops - key town centre retail and leisure uses	GS2, S1 , S2
Shopping/Shops - local shopping	CF5, S2, S3, S9
Shopping/Shops - mixed-use day and night business area (Halifax)	S13
Shopping/Shops - non-retail uses	S5, S6, S7, S8, S9
Shopping/Shops - objectives	GS1, GS2, GS3
Shopping/Shops - out of town	GS2, S1 , S2, S3, S4
Shopping/Shops - Primary shopping frontages	S6
Shopping/Shops - residential amenity area (Halifax)	S12
Shopping/Shops - Secondary shopping frontages	S7
Shopping/Shops - sequential approach	GS2, S1 , S2
Shopping/Shops - shop fronts	S16, S17

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Policy Topic	Relevant Policy
Shopping/Shops - strategy	GS1
Shopping/Shops - temporary retailing	S14
Shopping/Shops - tertiary mixed-use frontages	S8
Sites of Archaeological Interest	BE22, BE23, BE24, BE25, BE26
Sites of Ecological or Geological Interest (SEGIs)	NE14
Sites of International Nature Conservation Importance	Paragraphs 11.41 - 11.42
Sites of Special Scientific Interest	NE13
Skyline	BE1
Snooker Halls	CF10
Social Entertainment and Arts Centres	S1 , CF10
Soft Landscaping	GBE1, BE1, BE3
Solar Heating Systems	GEP2 , EP31, EP32
Sowerby Bridge Canal Wharf	E21
Space about Dwellings	BE2, Annex A
Special Areas of Conservation (SACs)	Paragraphs 11.41 - 11.42
Special Landscape Area (SLAs)	NE12
Special Needs Groups	CF7
Special Protection Area	Paragraphs 11.41 - 11.42
Sport/Sports Grounds, Playing Fields and Facilities	GSO1 , OS1, OS2, OS3 , OS4, OS5
Statutory Undertakers	GCF2
Stone Setts	BE3
Stone Walls	NE23, BE3
Storage, Warehousing and Distribution (Use Class B8)	E9
Strategic Road Network	GT3
Street access and accessibility	BE8
Street furniture	BE3, BE5
Street lighting	BE4, BE7
Street paving	BE3, BE5
Street pedestrianisation	BE6, T16
Subsidence	EP11
Surgeries	CF9
Sustainability	GEP2 , GP1, GP2, GP3, EP25, EP27
Sustainable Drainage Systems	EP22
Swimming Pools	S1 , OS4, CF10
Takeaways	S15

Policy Topic	Relevant Policy
Taxis (and Private Hire Vehicles)	T7, T8
Telecommunications	BE11
Tertiary Mixed-use Shopping Frontage	S8
Tipping	see 'Waste'
Todmorden (The Area Around) - appropriate development	NE8
Todmorden (The Area Around) - development within settlements	NE9
Todmorden (The Area Around) - garden extensions	NE10
Todmorden (The Area Around) - village envelopes	NE9
Tourism Development	GE1, E10 , E11, E12
Townscape	GBE1, BE1, BE3
Towpaths	E15
Transport - abandoned highway proposals	T17
Transport - aerodrome safeguarding	T27
Transport assessments	GT5
Transport - bridleways	T10 , T11, T12
Transport - car free and low car housing development	T21
Transport - cycling	GT1 , GT2 , GT3, T13
Transport - footpaths	T10 , T11, T12
Transport - freight	GT4, T23 , T24
Transport - garage courts (development of)	T22
Transport - goods vehicle operation centres	T25
Transport - helicopters	T26
Transport - hierarchy of consideration	GT4
Transport - highway design	BE5
Transport - highway improvements associated with development	GT6
Transport - highway schemes	GT7
Transport - integrated transport system	GT1 , T5
Transport - interchanges	T5
Transport - investment priorities	GT2
Transport - mobility	T9
Transport - park and ride	T6
Transport - parking (car)	T18
Transport - parking (bicycle)	T19
Transport - parking (motorcycling)	T20
Transport - parking (on street controls)	T15

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Policy Topic	Relevant Policy
Transport - passenger facilities	T4
Transport - pedestrian environments	GT4, GT6 , T16, BE6
Transport - priorities	GT2, GT2, T2
Transport - public transport	GT1, GT2 , GT4, T1, T2 , T3, T4, T9 , CF1
Transport - rights of way	T10 , T11, T12
Transport - Rural Service Centres	T6
Transport - safe and efficient system	GT1
Transport - socially inclusive	T9
Transport - strategic road network	GT3, GT7
Transport - taxis and private hire vehicles	T7, T8
Transport - traffic management systems	T14
Transport - travel plans	T1
Trees/Woodland - ancient woodland	NE19
Trees/Woodland - energy crops	Paragraph 11.68
Trees/Woodland - hedgerows	NE22
Trees/Woodland - locations	NE21, Annex B
Trees/Woodland - on/adjacent to development sites	NE20, NE21, BE1, Annex B
Trees/Woodland - planting	NE21, Annex B
Trees/Woodland - shade cast	NE21, Annex B
Trees/Woodland - tree preservation orders	NE20
Trees/Woodland - tree survey	NE21, Annex B
Unstable Land	EP11
Upper Calder Valley Renaissance	E19
Urban Commons	OS8
Urban Entertainment Facilities	CF10
Views and Vistas	BE1
Village Envelopes - within the Green Belt	NE7
Village Envelopes - within the Area Around Todmorden	NE9
Village Shops	S3, CF5
Walling Materials	BE1, BE3
Warehousing (Use Class B8)	GE1, E9
Washlands	EP16, EP17, EP18
Waste Management - anaerobic digestion and composting	WM7
Waste Management - criteria for assessing waste management facilities	WM1

Policy Topic	Relevant Policy
Waste Management - green waste composting	WM7, WM8
Waste Management - hierarchy	GMW1, GMW2
Waste Management - household waste disposal	WM5
Waste Management - incineration	WM9
Waste Management - information required as part of applications for waste management facilities	WM2
Waste Management - landfilling of waste	WM3
Waste Management - new waste facilities	GMW1, GMW2 , WM1, WM2
Waste Management - recycling	WM4, WM5, WM6
Waste Management - reworking of former landfill sites	WM10
Waste Management - strategy	GMW1
Waste Management - transfer stations	WM1, WM2, WM3, WM5, WM6
Water Environments - canal and rivers	EP15, T24
Water Environments - drainage and flood prevention	GEP1 , EP16, EP17, EP18, EP19, EP20
Water Environments - ecological protection of supply	NE18, EP12
Water Environments - washlands and floodplains	EP16, EP17, EP18
Water Environments - water resources	EP12
Water Environments - waterways and open water	EP12, EP15, OS9, T24 ,
Wildlife Corridors	NE15
Wildlife Habitats	BE1, NE13, NE14, NE15
Windpower Developments	GEP2 , EP29, EP30
Windows (Privacy)	BE2, Annex A
Woodland	NE19

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Appendix 7 Policy Number Comparison

This table has been prepared to provide a comparison between Policy numbers formerly used within the Revised Deposit Replacement Calderdale UDP (March 2004) and this published version of the Adopted Replacement Calderdale UDP (August 2006) in order to inform readers.

The changes have occurred as a result of additions, deletions and revisions to policies through the various stages of plan preparation and the final document has been edited to provide a clear through numbered sequence.

Table 7.1 Policy Number Comparison

Revised Deposit UDP (2004) Draft Policy Number	POLICY TITLE	Replacement UDP (2006) Policy Numbers As Adopted
PART ONE POLICIES		
PART ONE PRINCIPLES POLICIES		
GP1	ENCOURAGING SUSTAINABLE DEVELOPMENT	GP1
GP2	LOCATION OF DEVELOPMENT	GP2
GP3	DEVELOPMENT OUTSIDE URBAN AREAS	GP3
GP4	PROMOTION OF URBAN AND RURAL REGENERATION AND RENAISSANCE	GP4
PART ONE EMPLOYMENT POLICIES		
GE1	MEETING THE ECONOMIC NEEDS OF THE DISTRICT	GE1
GE2	PROVISION OF EMPLOYMENT LAND	GE2
GE3	THE DEVELOPMENT OF EMPLOYMENT SITES FOR NON EMPLOYMENT USES	GE3
GE4	PRIORITIES FOR THE RECLAMATION AND RESTORATION OF DERELICT LAND AND BUILDINGS	GE4
PART ONE HOUSING POLICIES		
GH1	MEETING CALDERDALE'S HOUSING NEEDS	GH1
GH2	PROVISION OF ADDITIONAL DWELLINGS	GH2
PART ONE RETAILING AND TOWN CENTRES POLICIES		
GS1	RETAIL STRATEGY	GS1
GS2	THE LOCATION OF RETAIL AND KEY TOWN CENTRE AND LEISURE USES	GS2
GS3	SCALE OF RETAIL PROPOSALS	GS3

Revised Deposit UDP (2004) Draft Policy Number	POLICY TITLE	Replacement UDP (2006) Policy Numbers As Adopted
PART ONE OPEN SPACE POLICIES		
GOS1	THE PROTECTION AND ENHANCEMENT OF OPEN SPACE, SPORTS AND RECREATION FACILITIES	GOS1
GOS1A	AUDIT AND ASSESSMENT OF OPEN SPACE, SPORT AND RECREATION FACILITIES AND NEEDS	GOS2
PART ONE BUILT AND HISTORIC ENVIRONMENT POLICIES		
GBE1	THE CONTRIBUTION OF DESIGN TO THE QUALITY OF THE BUILT ENVIRONMENT	GBE1
GBE2	PIECEMEAL DEVELOPMENT	GBE2
PART ONE TRANSPORT POLICIES		
GT1	PROVISION OF A SUSTAINABLE, SAFE AND EFFICIENT TRANSPORT SYSTEM	GT1
GT2	PRIORITIES FOR TRANSPORT INVESTMENT	GT2
GT3	STRATEGIC ROAD NETWORK	GT3
GT4	HIERARCHY OF CONSIDERATION	GT4
GT5	TRANSPORT ASSESSMENTS	GT5
GT6	HIGHWAY AND PEDESTRIAN IMPROVEMENTS ASSOCIATED WITH DEVELOPMENT	GT6
GT7	HIGHWAYS PROPOSALS	GT7
PART ONE INFRASTRUCTURE, EDUCATION AND COMMUNITY FACILITIES POLICIES		
GCF1	INFRASTRUCTURE AND OTHER NEEDS ARISING FROM DEVELOPMENT	GCF1
GCF1A	DEVELOPMENT ENABLING STATUTORY UNDERTAKERS	GCF2
GCF2	STRATEGIC FRAMEWORK FOR COMMUNITY FACILITIES	GCF3
GCF3	MATCHING SCHOOL FACILITIES TO EDUCATIONAL NEEDS	GCF4
GCF4	CRITERIA FOR PREPARING EDUCATION INFRASTRUCTURE PROGRAMMES	GCF5
PART ONE NATURAL ENVIRONMENT POLICIES		
GNE1	CONTAINMENT OF THE URBAN AREA	GNE1
GNE2	PROTECTION OF THE ENVIRONMENT	GNE2

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Revised Deposit UDP (2004) Draft Policy Number	POLICY TITLE	Replacement UDP (2006) Policy Numbers As Adopted
PART ONE ENVIRONMENTAL PROTECTION POLICIES		
GEP1	PROTECTION OF ENVIRONMENTAL QUALITY	GEP1
GEP2	MANAGEMENT AND CONSERVATION OF NATURAL RESOURCES	GEP2
PART ONE MINERALS POLICIES		
GM1	MINERALS STRATEGY	GM1
GM2	AGGREGATE MINERALS	GM2
GM4	RECYCLING	GM3
PART ONE WASTE MANAGEMENT POLICIES		
GWM1	WASTE STRATEGY	GWM1
GWM2	NEW WASTE FACILITIES	GWM2
PART TWO POLICIES		
PART TWO EMPLOYMENT POLICIES		
E1	Primary Employment Areas	E1
E2	Employment Development outside the Primary Employment Areas	E2
E3	Sites Allocated for Employment Use	E3
E4	Sites Allocated for Mixed-Use	E4
E5	Safeguarding Employment Land and Buildings	E5
E7A	A2 (Financial and Professional Services) Office Development.	E6
E8A	Sequential Approach for Major B1 Office Development	E7
E8B	Criteria for Assessing Major Office B1 Development	E8
E9	Warehousing	E9
E10	Tourism Development	E10
E11	Hotels, Motels and Other Visitor Accommodation	E11
E12	Caravan and Camping Sites	E12
E13A	Encouraging Rural Diversification	E13
E13B	The Conversion and Adaptation of Rural Buildings for Commercial or Business Uses	E14

Revised Deposit UDP (2004) Draft Policy Number	POLICY TITLE	Replacement UDP (2006) Policy Numbers As Adopted
E14	The Safeguarding of Better Quality Agricultural Land	E15
E15	The Development of Agricultural Land	DELETED
E16	Agricultural and Equestrian Development	E16
E17	Dog and Cat Boarding/Breeding Facilities	E17
E18	The Reclamation and Restoration of Derelict Land and Buildings	E18
E18A	Regeneration Priority Areas in the Upper Calder Valley	E19
N/A	Regeneration Action Area: Sowerby Bridge Copley Valley	E20
E19	Sowerby Bridge Canal Wharf	E21
E20	The Piece Hall	E22
PART TWO HOUSING POLICIES		
H1	Separation of Housing and Industry	H1
H2	Primary Housing Areas	H2
H3	Housing Renewal	H3
H4	Improvement and Re-use of Existing Dwellings	H4
H5	Phase 1 Housing Allocations	H5
H6	Monitoring of Housing Developments	H6
H7	Phase 2 Housing Allocations	H7
H7A	Phase 3 Housing Allocations	H8
H7B	Lower Edge Quarry, Rastick	DELETED
H8	Non-Allocated Sites	H9
H9	Density of Housing Developments	H10
H10	Mix of Housing Types	H11
H11	Living Over Shops and Business Premises	H12
H12	Affordable Housing	H13
H13	Provision of Visitability Standard Housing	H14
H14	Lifetime Homes	H15
H15	Houses In Multiple Occupation	H16
H16	Gypsy Sites	H17

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Revised Deposit UDP (2004) Draft Policy Number	POLICY TITLE	Replacement UDP (2006) Policy Numbers As Adopted
PART TWO RETAILING AND TOWN CENTRES POLICIES		
S1	Sequential Approach for Retail and other Key Town Centre or Leisure Uses	S1
S2	Criteria for Assessing Retail Developments	S2
S3	Local Shopping Outside Centres	S3
S4	Retail Developments in the Green Belt	S4
S5	Farm Shops and Nursery Gardens	S5
S6	Primary Shopping Frontages	S6
S7	Secondary Shopping Frontages	S7
S8	Tertiary Mixed-Use Frontage	S8
S9	Non-Retail Uses in Smaller and Local Centres	S9
S9A	Halifax Residential Priority Regeneration Area	S10
S10	Halifax Office Amenity Area	S11
S11	Halifax Residential Amenity Area	S12
S12	Halifax, Mixed-Use Day and Night Business Area	S13
S13	Temporary Retailing and Car Boot Sales	S14
S14	Hot Food Takeaways	S15
S15	Shop Fronts in New Retail Developments	S16
S16	New and Replacement Shop Fronts	S17
PART TWO OPEN SPACE POLICIES		
OS1	Protected Open Spaces	OS1
OS2	The Provision of Open Space in Areas of Deficiency	OS2
OS3	The Safeguarding of Sports Grounds and Playing Fields	OS3
OS4	The Provision of Sports and Recreation Facilities	OS4
OS5	The Provision of Recreational Open Space in Residential Development	OS5
OS6	The Safeguarding of Allotments	OS6
OS7	The Provision of Allotment Sites	OS7
OS8	Development Within or at the Edge of Common Land	OS8
OS9	The Recreational Use of Waterways and Open Water	OS9

Revised Deposit UDP (2004) Draft Policy Number	POLICY TITLE	Replacement UDP (2006) Policy Numbers As Adopted
OS10	Former Halifax Branch Canal	OS10
PART TWO BUILT AND ENVIRONMENT AND HISTORIC ENVIRONMENT POLICIES		
BE1	General Design Criteria	BE1
BE2	Privacy, Daylighting and Amenity Space	BE2
BE4	Landscaping	BE3
BE5	Safety and Security Considerations	BE4
BE6	The Design and Layout of Highways and Accesses	BE5
BE7	The Provision of Safe Pedestrian Environments	BE6
BE9	CCTV and Area Lighting Schemes	BE7
BE10	Access for All	BE8
BE11	The Provision of Public Conveniences and Baby Facilities	BE9
BE12	Art in Public Places	BE10
BE13	Telecommunications	BE11
BE14	Advertisements	BE12
BE15	Advertisement Hoardings	BE13
BE16	Alteration and Extension of Listed Buildings	BE14
BE17	Setting of a Listed Building	BE15
BE18	Change of Use of a Listed Building	BE16
BE19	Demolition of a Listed Building	BE17
BE20	Development within Conservation Areas	BE18
BE21	Demolition within a Conservation Area	BE19
BE22	Protection of Registered Historic Parks and Gardens	BE20
BE22A	Protection of Locally Designated Historic Parks and Gardens	BE21
BE23	Archaeological Sites of National Significance	BE22
BE24	Archaeological Sites of Regional Importance	BE23
BE25	Protection of Sites of Archaeological Value	BE24
BE26	Archaeological Assessment	BE25
BE27	Archaeological Recording	BE26

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Replacement Calderdale UDP : Adopted 25 August 2006

Revised Deposit UDP (2004) Draft Policy Number	POLICY TITLE	Replacement UDP (2006) Policy Numbers As Adopted
PART TWO TRANSPORT POLICIES		
T1	Travel Plans	T1
T2	Bus Priority Measures	T2
T3	Public Transport Provision at New Development	T3
T4	Bus Station and Passenger Facilities at Brighouse, Elland and other Locations	T4
T4A	Transport Interchanges and Park & Ride	T5
T4B	Rural Service Centres	T6
T5	Private Hire Operating Centres	T7
T6	Taxi and Private Hire Radio Offices	T8
T7	Socially Inclusive Transport Network	T9
T8	Safeguarding Public Rights of Way	T10
T9	Protection of the Sites of Former Railway Lines	T11
T10	Applications Affecting Public Rights of Way	T12
T11	Cycleways	T13
T12	Traffic Management Schemes	T14
T13	On-Street Parking Controls	T15
T14	New and Extended Pedestrian Priority Schemes	T16
T15	Abandoned Highway Proposals	T17
T16	Maximum Parking Allowances	T18
T17A	Bicycle Parking Guidance	T19
T17B	Motorcycle/Moped/Scooter Parking Guidance	T20
T18	Car Free and Low Car Ownership Housing	T21
T19	Development of Garage Courts	T22
T20	Lorry Routeing, Parking and Signing	T23
T21	Use of Waterways and Railways for Freight Movement	T24
T22	Goods Vehicle Operating Centres	T25
T23	Helicopter Landing Facilities	T26
T24	Safeguarding Aerodromes and Air Traffic Technical Sites	T27

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Revised Deposit UDP (2004) Draft Policy Number	POLICY TITLE	Replacement UDP (2006) Policy Numbers As Adopted
PART TWO INFRASTRUCTURE, EDUCATION AND COMMUNITY FACILITIES POLICIES		
CF1	Co-ordination of Schools and Housing	CF1
CF2	New Schools and Other School Related Proposals	CF2
CF4	Use of Schools for Community Purposes	CF3
CF5	Release of Surplus Educational Land and Buildings	CF4
CF6	Development Involving the Loss of Village Shops, Post Offices, Public Houses or Hotels	CF5
CF7	Cemeteries	CF6
CF8	Collective Needs Accommodation and Residential/Nursing Homes	CF7
CF9	Day Care Facilities for Children	CF8
CF10	Medical, Dental or Health Facilities	CF9
CF11	Major Leisure/Entertainment Uses	CF10
CF12	Uses Near Places of Worship	DELETED
PART TWO NATURAL ENVIRONMENT POLICIES		
NE1	Development within the Green Belt	NE1
NE2	Extensions and Alterations to Dwellings in the Green Belt	NE2
NE2	Extension and Alteration to Other Buildings in the Green Belt	NE3
NE3	Conversion or Change of Use of Buildings in the Green Belt	NE4
NE4	Replacement Dwellings in the Green Belt	NE5
NE5	New Gardens in the Green Belt	NE6
NE6	Development Within The Named Village Envelopes in the Green Belt	NE7
NE6A	Redevelopment Proposals in the Green Belt	DELETED
NE7	Appropriate Development for the Area Around Todmorden	NE8
NE8	Development Within Settlements in the Area Around Todmorden	NE9
NE9	Garden Extensions Within the Area Around Todmorden	NE10

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Replacement Calderdale UDP : Adopted 25 August 2006

Revised Deposit UDP (2004) Draft Policy Number	POLICY TITLE	Replacement UDP (2006) Policy Numbers As Adopted
NE10	Protected Land	NE11
NE11	Development Within the Special Landscape Area	NE12
NE12	Protection of Sites of International Importance	DELETED
NE13	Protection of Sites of National Importance	NE13
NE14	Protection of Locally Important Sites	NE14
NE15	Development in Wildlife Corridors	NE15
NE16	Protection of Protected Species	NE16
NE17	Biodiversity Enhancement	NE17
NE18	Ecological Protection of Water Areas	NE18
NE19	Protection of Uncultivated Land or Semi-Natural Areas	DELETED
NE20	Protection and Planting of Woodlands and Trees	DELETED
NE21	Protection of Ancient Woodland	NE19
NE22	Tree Preservation Orders	NE20
NE23	Trees and Development Sites	NE21
NE24	Protection of Hedgerows	NE22
NE25	Protection of Stone Walls	NE23
PART TWO ENVIRONMENTAL PROTECTION POLICIES		
EP1	Protection of Air Quality	EP1
EP2	Development within an Air Quality Management Area	EP2
EP3	Noise Generating Development	EP3
EP4	Protection from Existing Noise	EP4
EP5	Control of External Lighting	EP5
EP6A	Dangerous Substance Establishments	EP6
EP6B	New or Extended Dangerous Substance Establishments	EP7
EP6C	Other Incompatible Uses	EP8
EP7	Development of Contaminated Sites	EP9
EP8	Development of Sites with Potential Contamination	EP10
EP9	Development on Potentially Unstable Land	EP11
EP10	Protection of Water Resources	EP12

Revised Deposit UDP (2004) Draft Policy Number	POLICY TITLE	Replacement UDP (2006) Policy Numbers As Adopted
EP11	Development Involving Non-Mains Drainage	EP13
EP12	Protection of Groundwater	EP14
EP13	Development Alongside Waterways	EP15
EP14	Protection of Washland and Functional Floodplain	EP16
EP15	Protection of Indicative Floodplain	EP17
EP16	Development Behind Flood Defences	EP18
EP17	Development Outside Floodplains	EP19
EP18	Protection from Flood Risk	EP20
EP19	Developments Involving Watercourse Improvements	EP21
EP20	Sustainable Drainage Systems	EP22
EP21	Culverting of Watercourses	EP23
EP22	Control of Overhead Electricity Lines	EP24
EP22A	Energy Efficient Development	EP25
EP23	Encouraging the Use of Combined Heat and Power Systems	EP26
EP23A	Renewable Energy in Developments	EP27
EP24	Development of Renewable Energy Sources	EP28
EP25	Developments Close to Renewable Energy Installations	EP29
EP26	Wind Power Developments	EP30
EP27	Development Incorporating Solar Heating and Power Systems	EP31
EP28	Protection of Solar Heating, Photovoltaic Panel and Passive Solar Design Developments	EP32
EP29	Renewable Power Generation	EP33
PART TWO MINERALS POLICIES		
M1	Criteria for Assessing All Mineral Working Proposals	M1
M2	Details Required with any Minerals Planning Application	M2
M3	Extensions to Existing Workings	M3
M4	Safeguarding Mineral Resources	M4
M5	Coal Extraction and Colliery Spoil Disposal	M5

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Replacement Calderdale UDP : Adopted 25 August 2006

Revised Deposit UDP (2004) Draft Policy Number	POLICY TITLE	Replacement UDP (2006) Policy Numbers As Adopted
M6	Oil and Gas	M6
M7	Peat	M7
M8	Reclamation of Mineral Working Sites by Landfill	DELETED
M9	Review of Mineral Working Sites	M8
M10	Re-working of Mineral Deposits	M9
M11	Recycling	M10
PART TWO WASTE MANAGEMENT POLICIES		
WM1	Criteria for Assessing Waste Management Facilities	WM1
WM2	Information Required with Applications for Waste Management Facilities	WM2
WM4	Landfilling of Wastes	WM3
WM5	Recycling at Existing Household Waste Disposal Sites	WM4
WM6	Provision of Household Waste Disposal Sites	WM5
WM7	Transfer and Treatment of Waste	WM6
WM8	Digestion and Mixed Waste Composting	WM7
WM9	Green Waste Composting	WM8
WM10	Incineration	WM9
WM11	Reworking of Former Landfill Sites	WM10

Appendix 8 Supplementary Maps

Indicative Floodplains

MAPS 1 and 2:

INDICATIVE (1 IN 100 YEAR) FLOODPLAIN MAPS

8.1 The indicative floodplain maps show the broad extent of areas of high flood risk and should be used only as a guide for developers. These areas are subject to continual change and could be more or less extensive than indicated. Up-to-date maps can be viewed at Planning Services, Northgate House, Halifax or on the Environment Agency's website – www.environment-agency.gov.uk . For more detailed information and advice, developers should contact the Environment Agency on 0113 2440191.

Picture 8.1 Upper Valley Indicative Floodplain



Picture 8.2 Lower Valley Indicative Floodplain



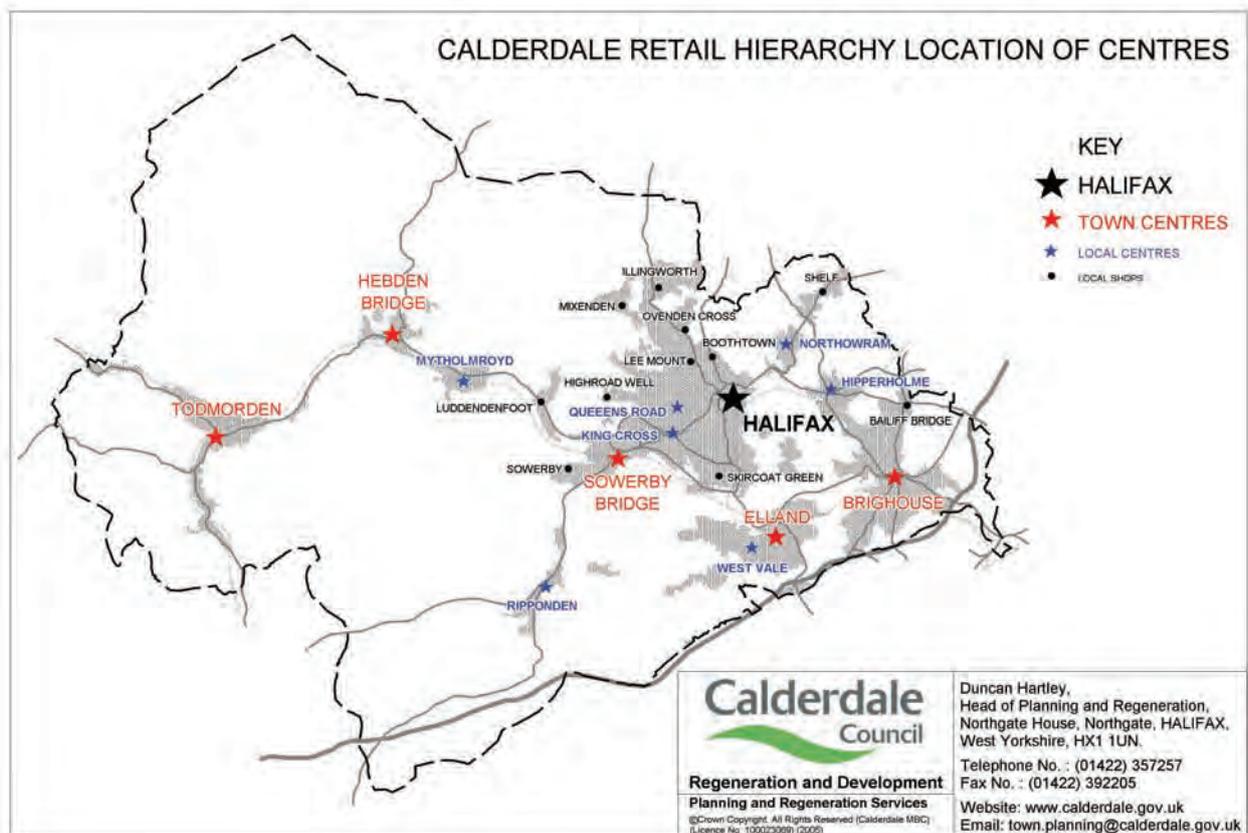
Calderdale Retail Hierarchy : Location of Centres

MAP 3:

CALDERDALE RETAIL HIERARCHY: LOCATION OF CENTRES

8.2 The retail hierarchy map gives an indication of the distribution of the shopping facilities that are named in Table 6.1 of Section 6 within the Reasoned Justification. It is not exhaustive or comprehensive and does not show every small group of shops or convenience stores within the District, or the out-of-centre supermarkets/superstores and retail warehouses, collectively known as 'Other Retail Locations', as these are shown on the Proposals Map.

Picture 8.3 Retail Hierachy within Calderdale



320 Supplementary Maps

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Replacement Calderdale UDP : Adopted 25 August 2006