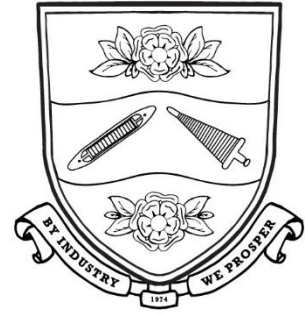


TODMORDEN TOWN COUNCIL

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Mr N McGurk BSc (Hons) MCD MBA MRTPI
Independent Examiner
Todmorden Neighbourhood Plan

8th August 2024

Dear Mr McGurk

Examiners Clarifications

Thank you for your clarification letter dated 15th July 2024 and apologise for the slight delay in responding as we needed to progress this through our committee structure.

We respond in red to each matter as raised in your letter:

Chapter 4

Policy H2- Housing Mix

Supporting text does not comprise a policy requirement. What is “an appropriate mix of mix of dwelling types” and “particular provision” – are there definitions you can point me to?

No, there are not definitions we can point you to.

Is the intention of the policy for housing development to provide for a mix of dwellings including one and/or two bed homes?

Yes, that is the intention. The Housing Needs Assessment indicated a need for 2 bedroomed properties.

Is the policy meant to apply only to major development (ten homes or more) ? If not, is there information you can point me to re: how small housing proposals can viably deliver “an appropriate” mix of housing?

Yes, the policy is meant to apply to sites of 10 or more units. The previous draft of the NDP included the threshold of 10 or more dwellings but feedback from a consultee was to remove this. We are happy for the 10 or more units threshold to be reinstated.

Local Plan Policy HS3 supports this.

Policy H4- Innovative Housing

In land use planning terms, there is a significant difference between respecting and enhancing local character. A requirement to enhance is onerous and in most cases, goes well beyond national planning policy requirements. Can you point me to evidence in justification of requiring all housing development to enhance its setting?

No – we agree and are happy for ‘enhance’ to be removed from the policy.

Policy H5-Reuse and Conversion

As set out, the Policy supports the conversion of any building to residential use even where it is not possible to provide sufficient vehicle parking or basement parking. Is this the intention of the Policy? If not the intention, how should an application for residential conversion that does not provide sufficient vehicle parking be treated?

No that is not the intention of the policy. The inclusion of the 2nd sentence was at the request of the LPA. There may be some instances where a small conversion that does not provide sufficient vehicular parking may be acceptable but for a larger conversion, we agree that insufficient parking provision would be unacceptable. We are happy for this policy to be amended to provide greater clarity.

Policy H7-Inclusive & Accessible Homes

Supports any residential development so long as it includes more than one home that meets enhanced Building Regulations standards. Is this the intention of the Policy?

It is, providing it satisfies other relevant policies, but we are happy for ‘supported’ to be changed to ‘encouraged’ if required.

Policy H8- Sustainable Drainage Systems

Please can you point me to detailed evidence to demonstrate that it will be appropriate in all circumstances for all development to include SuDS and that it is appropriate in all circumstances for SuDS to be retrofitted to any previously permitted development?

No, we agree that it may not be necessary in all circumstances, but given the challenge Todmorden faces in relation to flooding and water management it was felt this policy should be as strong as possible to reflect local sentiment on the issue. For example the impact of higher up development impacting on lower down properties

We are happy for the policy to be amended to something more appropriate providing it still helps to address this issue of flooding in the town.

H4 Innovative Housing and H9 Community Housing

Please can you point out why Policies H4 and H9 comprise separate policies, as they appear to largely duplicate one another?

As the NDP has changed over time the policies H4 and H9 have been amended and it is agreed they now do largely duplicate one another. We are happy for them to be merged and one of them deleted.

Chapter 5

Policy ED1-Reuse of Space.

As set out this Policy applies to any building, anywhere. Is this the intention of the Policy? If so, please can you point me to detailed information demonstrating why this Policy is appropriate in all circumstances?

No, it is agreed this may not be appropriate in all circumstances i.e in the 'Area around Todmorden' or other locations that may be deemed unsustainable due to poor public transport and active travel connections or have a detrimental impact on residential amenity.

The intention of the policy is to encourage the reuse of redundant buildings and bring them back into productive economic use.

We are happy for, any circumstances you may feel are of importance to be excluded within such a policy

Policy ED2-Innovative Working

This Policy appears to relate to business models and methods rather than land use planning policy matters. Is there any information you can point me to which clarifies any

land use planning policy matters that Policy ED2 is seeking to address?

No, we accept that this policy relates more to business models rather than land-use planning policy matters.

We are happy for this policy to be amended to reflect "Proposals for development that supports the establishment of " and included as an 'aspiration' or other similar non-policy to support locally based initiatives

This was drafted in response to comments received at numerous consultations about helping to support Todmorden become more economically prosperous and identifies industries that local people felt was missing.

Policy ED3-Home Working.

Planning permission is not required for home working and planning policies cannot control "furniture and artefacts." Dependent upon configuration, just about any room might provide for a desk, chair and storage. Is there any information you can point me to which clarifies the requirements of this Policy?

This exact policy has been successfully included in other adopted NDPs such as the Harden NDP, Bradford. As stated in the supporting text Yorkshire had/has the smallest average rooms sizes in new developments in England.

Following Covid-19 when people were spending more time at home it became clear that not all homes were suitable for people to work from home or for children to do homework as there

was not always sufficient space. We feel it is important that new homes are built to a size that can facilitate homeworking.

Policy ED6-Light Industry.

The Policy conflicts with Permitted Development Rights – is there information you can point me to which justifies this conflicting approach?

No, we cannot provide information to justify this conflicting approach.

Is it the intention of the Policy to support the development of workspace and offices anywhere in the Neighbourhood Area, as set out?

No, we agree that workspace and offices would not be suitable anywhere in the Neighbourhood Area.

For instance they would be better suited to areas within the town centre or existing employment areas, and less suitable in more remote areas with poor transport links.

The intention is to safeguard land already used for locally important industries.

Chapter 7

Policy TC4- Markets.

The Policy appears to relate to the quality and offer of markets, which is not a land use planning policy matter. Is there any information that you can point me to which sets out land use planning policy requirements in respect of Policy TC4.

No, the intention of the policy is to support improvements to the markets which are highly valued locally.

The reference to ‘quality and offer’ simply infer the encouragement of new traders/uses that provide services currently not offered.

We accept the removal of ‘quality and offer’ but hope to retain a policy that specifically supports the improvement of infrastructure and appearance of the indoor and outdoor markets.

Chapter 9

Policy TM1-Walking and Cycling Networks.

Please can you point me to information setting out when it will be necessary for development to enhance walking and cycling routes, as required by the Policy?

No, we cannot provide that information.

We are happy for ‘supported’ to be removed but would still like to encourage new developments to improve the local movement networks where possible to help schemes connect to local services.

Following the award of Town Deal Funding proposals to enhance cycle routes would be reinforced by new development giving consideration to joining such routes wherever feasible.

Project: Active Todmorden | Todmorden Town Deal

Policy TM3 - EV Charging Points

Is the Policy intended to apply to all development proposals, as worded?

Yes, but if this is not appropriate, we are happy for this to be amended to something more appropriate.

Local Plan Policy IM4j reinforces in line with Part S Building Regulations.

Chapter 10

Policy HG1- Heritage.

The Policy sets out requirements that are different to and which go well beyond national planning policy requirements in respect of heritage assets. Please can you point me to the justification for this direct conflict with national policy?

No we cannot provide any justification.

We are happy for this policy to be amended and include a suggestion below but are content for alternative suggestions to be provided.

“New developments will be expected to preserve, protect and enhance non-designated heritage assets and their settings. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The development or alteration of a non-designated heritage asset should be undertaken sensitively, respecting the historical and architectural integrity of the buildings. Proposals to restore non-designated heritage assets and original features will be supported, providing all other material planning considerations are satisfied.

Where properties are at high risk of flooding or have poor environmental performance allowances will be made for sensitive redevelopment or enhancement to bring these up to modern standards.

The following buildings and structures are to be included as Non-designated heritage assets....”

Wel look forward to your further comments and should you require any further clarification please do not hesitate to contact us.

Yours sincerely



Naomi Crewe
Town Clerk