

## Policies

- 4.5. The revised National Planning Policy Framework 2019 (NPPF) sets out government's planning policies for England and how these are expected to be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.
- 4.6. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.
- 4.7. Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.
- 4.8. The issues facing the community were identified from public consultation, these issues were brought together into sympathetic groups which formed our themes. From these themes cohesive objectives were written and from these policies formed to implement these objectives.
- 4.9. The NPPF states in paragraph 11 that a presumption in favour of sustainable development is at the heart of the NPPF and through both plan-making and decision-taking. All of our policies have been written with sustainability in mind.
- 4.10. The social goals of the Neighbourhood Plan are to maintain a thriving community within Sowerby, recognising that the community and its needs to grow through improving non-car movement. The economic goals are to retain and improve the existing employment base within Sowerby. It seeks to achieve this by ensuring that access to the current shopping area remains and is improved. Sowerby is a mainly rural area with the majority of economic stimulus through farms. These farms are situated on green belt lands and as such have their own legal protection. The environmental goals are to protect the environment and ensure that development recognises this in its design, landscaping and access. This it seeks to achieve through its policies on design and density within Sowerby.
- 4.11. Further details of how this has been achieved can be found at Appendix E, the Sustainability Table and within the Basic Conditions Document (Document 10) held with supporting documents and on the Neighbourhood Plan Website.
- 4.12. This document has drawn upon the National Planning Policy Framework 2019 (NPPF), Calderdale MBC's Draft Local Plan (DLP), Calderdale's Draft Flood Risk and Drainage Supplementary Planning Guidance (DSPG) and Calderdale's Draft Street Design Guide (SDG), which in turn is derived from Manual for Streets 2007. Each policy is listed under the Sowerby Neighbourhood Plan Policy Number (SNPP) and sits within the purple box, with the supporting information below.

**SNPP1: We support any action the CC takes to limit parking along the bus routes in order to preserve an easy flow of bus traffic in to and out of the area. Development proposals should not exacerbate the parking of vehicles along bus routes and should ensure safe and adequate parking arrangements for the area at all times. At the same time, we encourage the CC to promote the principal of getting parked vehicles off the side of the road – in particular Sowerby New Road – to promote the safety of pedestrians and to ease traffic flow.**

- 1.1. This policy draws upon NPPF Para.102 and Local Plan Policy HW6, IM4, IM5, RT7, HS7 and Annex 1.
- 1.2. This policy seeks to reflect the community aspiration that on-road parking is kept to a minimum to improve traffic flow, pedestrian safety, thus enhancing visual amenity and improving the local character of the area.
- 1.3. Within the area local residents, visitors, and service providers (including the emergency services) have reported difficulties in accessing the residential areas due to the levels of on-street parking.
- 1.4. It also seeks to ensure that the community concerns for pedestrian and cyclist safety on the roads in future developments is recognised, particularly when views are expressed and decisions made on planning applications relating to them.

**SNPP2: Development proposals that include adequate measures to provide, enhance and extend walking and cycling infrastructure will be supported.**

- 2.1. This policy draws upon NPPF Paras. 91, 98, 102, 104 and 110. SDG (general) and DLP Policy CC1.
- 2.2. It seeks to ensure that the community concerns for pedestrian and cyclist safety in future developments and on current roads and paths due to future development remains prominent when views are expressed and decisions made on planning applications relating to them.
- 2.3. The policy reflects both the Neighbourhood and wider area's aspirations to encourage the use of footpaths and cycle ways for short local journeys to the local larger town and schools. If safe and convenient routes for pedestrians and cyclists can be identified, provided and linked it is anticipated that local people will choose to use such forms of transport in preference to private cars for short journeys, to the overall benefit of the environment, public health and in the interests of reducing climate change.
- 2.4. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.
- 2.5. The policy is considered necessary in addition to those documents identified in 2.1 in order to relate the policy to the local context, identity and scale of the area.

**SNPP3: We encourage the CC to utilise any CIL resultant from development within the area to create, maintain and improve the network of footpaths and cycles paths; particularly along Sowerby New Road and through to the end of Sowerby. Developer contributions towards these costs should be sought in appropriate cases.**

- 3.1. This policy draws upon DLP Policy CC1, general provisions of the SDG and NPPF Para. 91.
- 3.2. The policy reflects both the Neighbourhood and wider areas aspirations to encourage the use of cycle ways for short local journeys to the local larger town and schools. If safe and convenient routes for pedestrians and cyclists can be identified, provided and linked it is anticipated that local people will chose to use such forms of transport in preference to private cars for short journeys, to the overall benefit of the environment, public health and in the interests of reducing climate change.

**SNPP4: While developers are currently required to provide a minimum of 2 car-parking spaces per new dwelling; developers of new dwellings in excess of 3 bedrooms will be encouraged to provide additional parking within the domestic curtilage to reflect the likely level of car ownership of a dwelling of that size.**

- 4.1. This policy draws upon SDG Section 5 and Local Plan HS7 and Annex 1 Table 1.1 C3.
- 4.2. It seeks to reflect the community aspiration that on road parking is kept to a minimum to improve traffic flow, pedestrian safety, increasing visual amenity and improving the local character of the area.
- 4.3. Within the area local residents, visitors, and service providers (including the emergency services) have reported difficulties in accessing the residential areas due to the levels of on-street parking.
- 4.4. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.

**SNPP5: Developers will be expected to provide alternative transport storage hubs; in particular bike storage lockers with at least one space per dwelling as well as electric car charging points.**

- 5.1. This policy draws upon SDG 5.18, 5.23, 5.6 and NPPF Para. 105 and Local Plan IM4 and Annex 1.
- 5.2. It seeks to reflect the community aspirations that alternative transport is fully supported within the area in order to reduce the congestion on the roads. Residents are more likely to employ alternative transport options if that transport can then be charged, stored and maintained safely within the neighbourhood.
- 5.3. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.

**SNPP6: In order to protect and encourage the remaining wildlife in Sowerby a low light emissions policy is supported within the area. We will work with the authorities to turn off street lights at low use times (e.g. midnight to 5am). All new development proposals should demonstrate how they will meet the policy aims with the submission of details of all proposed external lighting which should include time controllable security lights where necessary.**

6.1. This policy draws upon the Calderdale Biodiversity Action Plan (BAP), Local Plan CC1, NPPF174 and 180.

6.2. As described in the Ecological Assessment, Document 6 in the Supporting Documents Pack, it is believed that the Common and Soprano Pipistrelle bats may live within the neighbourhood boundary and Brown Long Eared and Daubenton bats live within 1km of the boundary. There are also significant sightings of Calderdale BAP listed birds within the area as well as several other mammals and invertebrates.

6.3. Bats commonly use suburban areas for commuting and foraging with Noctule and Pipistrelle bats often congregating around street lamps to take advantage of the invertebrates they attract. There are numerous street tree corridors throughout Sowerby which facilitate access for these bat species; however, other bats including Brown Long Eared bat and most myotis species are generally less tolerant of light. These species may be cut off from potential foraging or roosting sites due to continuous lighting such as that along roads. To allow bats to continue to use wildlife corridors any lighting planned in these areas could follow recommendations prescribed by the Bat Conservation Trust (2018) including;

- The spread of light should be at, or near horizontal level.
- The times that lights are used should be limited to provide some dark periods.
- Light sources to be used should lack ultra-violet light.
- A warm white spectrum (Ideally <2700 Kelvin)
- Lights should peak higher than 550nm
- Streetlights can be located so that the rear shields are adjacent to habitats

6.4. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.

**SNPP7: To alleviate issues with the change of land use from green field to urban usage, all development, regardless of size, should be designed to incorporate suitable Natural Flood Management (NFM)/ Sustainable Drainage Systems (SuDS) measures to ensure that surface water is managed in such a way as not to exacerbate, and where possible reduce, existing flooding problems either on site or adjacent land.**

7.1. This policy draws upon comprehensive Policies detailed within the DSPG, which in turn derive their basis from DLP Policies Nos. CC2, CC3 and CC4. Also see NPPF Para. 165.

7.2. It seeks to ensure that the community concerns about surface water flooding and sustainable drainage are taken into consideration when detailed proposals for new development are prepared and when views are expressed and decision are made on planning applications relating to them.

7.3. Much of Ryburn suffered catastrophic flooding in 2015. Sowerby itself suffered from waterlogged ground in 2015, and still does due to its position on a hillside with regularly saturated land above. Recent experience suggests that these problems would be exacerbated if new development were allowed, without incorporating appropriate flood prevention, resilience and mitigation measures through well-established SuDS techniques. CC has set up a taskforce to assist in the improvement of sustainable drainage within Calderdale. A full range of options for developers can be found at the [Slow the Flow: Calderdale](#) website.

7.4. Developers should demonstrate the inclusion of one or more of the following sustainable drainage design features to manage the risk of surface water flooding within their boundary and elsewhere in the parish.

- permeable driveways and parking areas;
- water harvesting and storage features;
- green roofs and/or
- soakaways

7.5. Support will be given to any application to retrofit SuDs / NFD to any previously permitted development.

7.6. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.

7.7. The policy is necessary to raise awareness of flooding issues and to ensure that all new development within the area does not increase and where possible decreases surface water run-off.

**SNPP8: Large scale development proposals (over 20 dwellings) must include and develop usable space for the community to use.**

- 8.1. This policy draws upon DLP Policies GN4, GN6 and HW2. NPPF Para. 99.
- 8.2. It seeks to alleviate the community concern that future development will result in the further loss of community space. While 72% of the area is Green Belt this does not equate with large areas that the community can utilise for recreation. The inclusion of community space should be included within all large development submissions.
- 8.3. Recent development has led to the loss of community space and this policy is necessary to raise awareness of lack of space within the area.
- 8.4. The limit of 20 dwellings has been allocated as this number of dwellings is felt to have enough space to include space for community use. Developments of less than 20 dwellings that are in future linked to further developments will be combined to have a cumulative impact.
- 8.5. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.

**SNPP9: Development proposals should have regard to the Design Code contained within this document, taking full account of the local vernacular.**

9.1. This policy draws upon DLP Policies SD1, BT1 and HE1. NPPF Paras. 124, 125, 126, 127 and 130.

9.2. It seeks to ensure that the community aspirations embodied in the [Design Code](#) are applied to proposals for new development in the area to ensure that the design principles therein are taken into consideration when proposals for new development are prepared and when views are expressed and decisions are made on planning applications relating to them.

9.3. Applicants for planning permission will be expected to include reference to the Design Code in any Design and Access, Heritage, or Planning Statements submitted with their applications.

9.4. The Design Code is a response to community concerns that new development within the area pays due respect to cultural, historic and architectural influences in the local community.

9.5. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.

9.6. The policy is necessary to ensure that the requirements of the Design Code are linked to new development through a formal policy requirement in the development plan.



**SNPP10: Development proposals that actively safeguard and, where possible, enhance biodiversity and wildlife opportunities within their core proposal will be supported especially where this can secure measurable net gains for biodiversity.**

10.1. This policy draws upon Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006, the UK Biodiversity Action Plan (BAP) and the Calderdale Biodiversity Action Plan and DLP Policy EN1.

10.2. This policy is designed to alleviate the community concerns about the impact any future development will have on the wildlife and the natural environment.

10.3. As described in the Ecological Assessment, Annex B, it is believed that the Common and Soprano Pipistrelle bats may live within the neighbourhood boundary and the Brown Long Eared and Daubenton bats live within 1km of the boundary. There are also significant sightings of Calderdale BAP listed birds within the area. As such development proposals supporting our natural wildlife by incorporating bird and or bat boxes in each dwelling will be strongly encouraged.

10.4. Sowerby Neighbourhood Area is rural in character and a majority of residents strongly support the protection and encouragement of local wildlife. Within the area there have been sightings of hedgehogs, badgers, foxes, newts, other amphibians as well as a varied bird population. The community is keen to continue to support and even increase these populations. Development proposals that support wildlife/ habitat corridors by:

- Planting a variety of indigenous trees and shrubs within each newly created curtilage.
- Creating freedom of movement for mammals to move between dwellings and the remainder of the area by providing safe access routes for mammals between boundaries.
- Creating wetland/ pond areas/ rain gardens where possible will be supported.

10.5. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.

10.6. The policy is considered necessary in addition to those listed in paragraph 10.1 in order to relate the policy to the local context, identity and scale of the area.

**SNPP11: To ensure the protection of the community, all development must provide safe pedestrian and cycling access within site boundaries and, as far as practical, to the community facilities within Sowerby.**

11.1. This policy draws upon the provisions of the SDG in general, plus NPPF Paras. 91 and 110.

11.2. This policy reflects community aspirations that all sites allocated for residential development should provide safe ingress and egress for pedestrians and cyclists. Several established residential areas have very narrow roads and either narrow or no footpaths at all. Recent experience shows that developments on brown field sites that do not have established roadside footpaths to the main town thoroughfares do not incorporate new footpaths in the development proposal.

11.3. The majority of identified sites are in green field sites and have limited pedestrian access currently, therefore all new development proposals should seek to identify and incorporate safe access to the existing urban areas.

11.4. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.

**SNPP12: CC will be encouraged to provide improved parking spaces to serve the shopping arcade on Towngate.**

12.1. This policy draws upon the provisions of the SDG in general and the spirit of NPPF Para. 92 and DLP RT7.

12.2. This policy reflects both community and business aspirations, in that the parking in front of the shop arcades should be improved, as cars currently utilise the old bus-stop which is unsuitable for multiple vehicle parking.

12.3. It is anticipated that safe parking in the vicinity of the shops will encourage increased patronage to the benefit of local business and through this the community as a whole.

**SNPP13: Development proposals should be of a demonstrable sustainable design and construction, optimised for energy efficiency. Proposals that aspire to zero emissions will be supported.**

13.1. This policy draws upon Local Plan CC1, NPPF 10, 11, 131 and 150.

13.2. This policy reflects resident aspirations that future buildings will be affordable both to purchase and to live in. Energy costs are taking up a bigger proportion of income than ever and it is of no help if homes are built but are unaffordable to heat and run.

13.3. The design and standard of any new development should aim to meet a high level of sustainable design and construction and be optimised for energy efficiency, targeting zero carbon emissions. This includes:

- Siting and orientation to optimise passive solar gain.
- The use of high quality, thermally efficient building materials.
- Installation of energy efficiency measures such as loft and wall insulation and double glazing.

13.4. Non-residential developments should aim to meet the Buildings Research Establishment BREEAM building standard 'excellent'.

13.5. Any new development to incorporate on-site energy generation from renewable sources such as solar panels, to at least the extent required by CCLP CC1.

13.6. The retrofit of heritage properties/assets is encouraged to reduce energy demand and to generate renewable energy where appropriate, providing it safeguards historic characteristics and development is done with engagement and permissions of relevant organisations.

13.7. The sensitive retrofitting of energy efficiency measures and the appropriate use of micro-renewables in historic buildings will be encouraged, including the retrofitting of listed buildings, buildings of solid wall or traditional construction and buildings within conservation areas, whilst safeguarding the special characteristics of these heritage assets for the future.

13.8. Alterations to existing buildings must be designed with energy reduction in mind and comply with sustainable design and construction standards.

13.9. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.

**SNPP14: Residential Developments should provide a range of dwelling types to meet the needs of the area. Proposals including accommodation for older people and single people in line with the Housing Needs Assessment, will be supported.**

14.1. This policy draws upon DLP Policies HS2, HS3 and HS4. NPPF Paras. 61, 62, 71 and 122.

14.2. In line with the Housing Needs Assessment – contained within the supporting documentation to the Neighbourhood Plan, this policy reflects community aspirations that all sites allocated for residential development should provide a range of dwellings, thus allowing younger adults to remain within the community when they wish to leave their parental home to buy or rent an entry level home. It will also allow others to downsize while staying within their support network; freeing up mid to large size houses for families in line with the Housing Needs Assessment.

14.3. There is likely to be a significant need for small and medium sized housing of 2-3 bedrooms in the future, with these most appropriately provided by construction of semi-detached and terraced houses. There is also an identified need for additional specialist housing for the elderly within the Plan area totalling 13 units over the Plan period, which should be of sufficient size to make a small dedicated scheme feasible.

14.4. Among projected changes, single person and couples will make up the majority of household increase (currently 29.8% and 18.6% of households), and the majority of these are likely to be retired or households nearing the age of retirement. To date the LPA and market has significantly under-delivered against HMA targets during the past five years. As such there is a discrepancy between the number of housing typologies sold and the level in the existing stock. The imbalance suggests increasing demand for terraced and semi-detached dwellings.

14.5. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.

**SNPP15: Significant Residential Developments should require a significant proportion of affordable to buy or affordable / social rental housing will be supported.**

15.1. This policy draws upon DLP Policy HS3 and NPPF Paras. 61, 62 and 64.

15.2. In line with the Housing Needs Assessment – contained within the supporting documentation to the Neighbourhood Plan, this policy reflects community aspirations that all sites allocated for residential development should provide a range of dwellings in line with the Housing Needs Assessment, allowing younger adults to remain within the community when they wish to leave their parental home to move into an entry level home.

15.3. Shared ownership and other affordable forms of homeownership and affordable renting, including social renting, have a significant role to play in meeting locally expressed needs, particularly given the relatively high levels of social renting in the town in comparison with the Borough.

15.4. The Lower Quartile Affordability Ratio (LQAR) for Sowerby was 7.64 in 2017 and this compares with a LQAR for Calderdale of around 4.59 in 2016. This data suggests entry level dwellings are relatively unaffordable in Sowerby compared with the levels in the District as a whole. Around 58% of all households are unable to afford to purchase a dwelling of this type. As regards access to the private rental market, around 58% of all households are unable to access entry-level type dwellings for rent as the current rental market in Sowerby is currently more expensive; given this is supposedly the most affordable open market tenure, we can conclude that 58% of households are unable to access housing suited to their needs, given their household composition, without subsidy. Therefore, Build to Rent (BTR) and social rented housing needs to be increased to meet the needs of the community.

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

15.6. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.

**SNPP16: Planning proposals that maintains, conserves and enhances the Non-Designated Heritage Assets listed in this Document without causing harm to other interests will be supported.**

16.1. This policy draws upon DLP Policy HE1, plus NPPF Paras. 184, 189, 190 and 197.

16.2. In line with the [Heritage Assessment](#) – contained within the supporting documentation to the Neighbourhood Plan, this policy reflects the fact that community awareness that much of our built heritage has either been demolished or removed in the 1950s and as such remaining elements of historic and conservation interest should be preserved. While many buildings within the Plan Area are Listed, many considered by the Community to be of historic value are not currently protected by legislation. In addition to individual buildings, the Plan Area contains groupings, structures and natural features that are considered worthy of protection. These assets are listed at Appendix B.

16.3. Where renovations or alterations of the assets on the list are proposed the design proposals should be treated sensitively and with careful regard to the surrounding environment.

16.4. Where development would result potentially in the loss of identified local non-designated heritage assets, it is requested that community consultation takes place prior to submission of any planning application. This will enable the developer and Community to work together, to achieve a solution that minimises and mitigates the effect of development in the interests of both parties.

16.5. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.

**SNPP17: Planning proposals should minimise the amount of pollution created, particularly that discharged into the surrounding air, and include alternative means of energy production unless demonstrably impractical.**

17.1. This policy draws upon Local Plan HW1, NPPF 181 and 183.

17.2. This policy reflects the fact that community has a rising concern over the quality of the air within Ryburn Valley. As a community there is no wish to add to any form of pollution and only proposals that seek to eliminate pollution should be supported.

17.3. Proposals for individual and community scale energy from solar photovoltaic panels, local biomass facilities, anaerobic digestions and wood fuel products will be supported subject to the following criteria: the siting and scale of the proposed development is appropriate to its setting and position in the wider landscape; and the proposed development does not create an unacceptable impact on the amenities of local residents; and the proposed development does not have an unacceptable impact on a feature of natural or biodiversity importance.

17.4. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.

**SNPP18: Wind turbines proposals of under 18m will be supported in principle within the Neighbourhood Plan Area where no unacceptable impacts are generated, particularly those relating to noise, biodiversity and visual effect.**

18.1. This policy draws upon Local Plan CC1, NPPF 151, 152 and 153.

18.2. This policy reflects the fact that community are keen to assist in providing alternative and clean power sources while preventing unsightly areas within the area.

18.3. Proposals for small scale wind turbines will be supported subject to the following criteria:

- Residential amenity through noise generation, shadow flicker or overbearing visual impact is not overbearing.
- Safety of highways and public rights of way is not affected.
- Landscape and visual impact is not impaired the cumulative impact from concentrations of wind turbines should be heavily weighted. Proposals for individual wind turbines or wind farms will not be permitted where they, together with existing and approved turbines or wind farms, would lead to a concentration of wind turbines on a scale which would significantly change the character of the wider landscape.
- Once the development reaches the end of its operational life it must be removed and the site remediated to its previous quality for future agricultural activity.

18.4. This policy deals with wind turbines under 18m as above this height the policy within the Local Plan will deal with any development.

18.5. This policy will be implemented by those seeking to carry out new development: by persons and organisations commenting upon planning applications; and by those responsible for determining planning applications and appeals.