

# Sowerby Neighbourhood Plan

## CALDERDALE COUNCIL AND SOWERBY NEIGHBOURHOOD FORUM RESPONSE TO EXAMINER'S QUESTIONS

Calderdale Metropolitan Borough Council

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As part of the Sowerby Neighbourhood Plan Examination the Examiner, Robert Bryan, has requested the Council and Sowerby Neighbourhood Forum respond to a number of questions regarding the Neighbourhood Plan. The questions and responses are set out below (the bold type highlights the Examiner's precise questions):

1. I note in paragraph 4.12 of the draft Plan it refers to the Calderdale Draft Street Design Guide. I cannot locate a copy of this. **Could the Council provide a copy or a link to it and confirm the status of the document?**

*Council/Forum Response: The Calderdale Draft Street Design Guide is being produced to complement the Manual for Streets 2007 which includes details on items such as driveway dimensions and refuse vehicle requirements. It has not been published on the Council website, however, following an informal consultation event with agents a couple of years ago it has been sent out on request. Its status currently is 'draft' and has been "road tested" the last couple of years and with some minor revisions will become the Highway Design Guide SPD within the coming year.*

2. **Regarding policy SNPP9 and the Design Code can the Forum confirm whether this policy relates to all new residential development or just the sites allocated in the emerging Local Plan? Can the Forum clarify what the justification is for the density figures in the Design Code relating to the seven sites? Are they based on any technical analysis of the sites or surroundings?**

*Council/Forum Response: Policy SNPP9 and the Design Code relates to all new residential development in the Neighbourhood Plan Area. The main objective of the design code being to "provide an appreciation of Sowerby's existing town character in order to create a set of design codes which will apply to any new housing development. This will help to ensure that as new development comes forward, it supports and enhances the quality of the town's existing character." (Design Code Objective Page 4). The density figures are based on the indicative density as set out in [Appendix 1](#) of the draft [Calderdale Local Plan](#). These were derived in line with the Council's [Site Allocation Assessment Methodology](#).*

3. **I share the Council's concern that policy SNPP14 relating to housing mix requires a threshold for the number of dwellings which will trigger the policy. Can the Council and the Forum clarify that there is no objection to the use of 10 dwellings as referred to in the emerging draft Local Plan policy H3?**

*Council/Forum Response: The Council and the Forum can clarify that there is no objection to the use of 10 dwellings as referred to in the emerging draft Local Plan Policy H3.*

4. Plan policy SNPP15 contains supporting text (paragraph 15.5) which advises that 40% of the development on housing sites of 11 units or more shall be for affordable housing. This is not consistent with the emerging Calderdale Local Plan policy HS6 which for Zone C sites (I am assuming most, if not all of the Plan area is in zone C) sets a threshold of 15 dwellings and a requirement of 25%.

I note the "Housing Needs Assessment", prepared by AECOM 2018 in support of the proposed Neighbourhood Plan housing policies does not contain detailed viability assessment with respect to levels of proposed affordable housing. However, in the case of the Local Plan there is a viability assessment in the supporting Calderdale Economic Viability Assessment (2011) and the SHMA 2018. **I further note the emerging Local Plan is at a relatively late stage in the process and I need the Council to clarify that the evidence put forward to support Local Plan policy is still considered valid and it supports the draft policy HS6, in particular the 15 dwellings and 25% thresholds.**

**Furthermore, has any contradictory evidence been put forward in these respects and if so what is the Council's reaction to it?** This is important in weighting the respective evidence and the difference in policy approaches between the two Plans. I note that the Council and another objector have raised concerns to the 11 unit and 40% thresholds in its formal responses to the Plan.

*Council/Forum Response:* The Council considers that the evidence put forward to support the Local Plan policy is still considered valid and it supports the draft policy HS6. There have been further viability assessments on the housing allocations (see [Local Plan and Preferred Sites for Allocation Viability Assessment \(2018\)](#) and [Local Plan and Preferred Sites for Allocation Viability Assessment Addendum \(2019\)](#)) the findings of the reports were used by the Council to inform the policies included within the Calderdale Local Plan Publication Draft 2018. Since the 2018 assessment and 2019 Addendum were published, some of the assumptions have changed which required an update/refresh of the evidence. The Calderdale Housing Allocations Viability Assessment 2020 (EV61.3) therefore provides an update to the previous assessments of viability to reflect the proposed housing allocations, (and the most recent information available with regards to site capacities), and also to take account changes in market circumstances, the inclusion of Policy IM4 and change in emphasis of affordable housing tenures. It has also considered the viability implications of the forthcoming changes to Part L and Part F of the Building Regulations. (see [Modelling the economic implications of proposed housing requirement](#) and [Draft Sites for Housing Allocation – Viability Assessment August 2020](#)).

During the course of the Local Plan Examination, under 'Matter 10 – Other housing needs', a number of interested parties submitted Hearing Statements (which can be found here: <https://www.calderdale.gov.uk/v2/residents/environment-planning-and-building/planning/planning-policy/local-plan/examination-library#hs10>) including some evidence objecting to the affordable housing requirement percentages and thresholds. However, the Inspector heard arguments for and against at a Hearing session on 'Matter 10 – Other Housing Needs' in October 2020 and has at this stage accepted the Council's evidence and has not requested any further work to be undertaken in relation to policy HS6 apart from a couple of modifications to the policy which can be found here: <https://www.calderdale.gov.uk/v2/sites/default/files/CC57-List-of-Proposed-Modifications.pdf>. These modifications do not relate to the site size threshold or proportion of affordable housing.

The Council's main concern was in relation to the wording of the policy and recommended that some of the supporting text should actually form part of the policy including the unit threshold, affordable housing percentage and where viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal a lower percentage is appropriate. The latest viability assessment of housing sites demonstrates that sites located in the Sowerby Neighbourhood Plan Area all exceed the Minimum Land Value Benchmark The Council could potentially provide further evidence as to whether the sites would still be viable using a 40% affordable housing proportion. This could be achieved by using the viability assessment model used for the Local Plan sites and adjusting the affordable housing proportion for the sites located in Sowerby.

**5. Regarding policy SNPP16, can the Council confirm that there are no listed buildings in the proposed list of non-designated heritage assets in Appendix B?**

I note that there are discrepancies between the map in appendix B showing the assets and the list. There are 12 stiles on the map and only 11 listed. Only 3 water troughs are shown on the map but 9 are listed. Furthermore, although there are grid references in the list, the map does not have any form of reference to the individual items shown.

**Can the Forum attend to these issues by producing a map which clearly displays all the assets listed and has a key or form of reference, whereby it is possible to identify the individual assets in the list, by name on the map ?**

*Council/Forum Response: The Council can confirm that there are no listed buildings in the proposed list of non designated heritage assets in Appendix B.*

*The Council and the Forum have reviewed the map in appendix B and concur with the discrepancies. These have been rectified and reissued the map in Appendix B of the Sowerby Neighbourhood Plan which lists the Non Designated Heritage Assets and includes references to each of the assets. (The reference relates to Policy 16 and the asset number in appendix B)*

**6. In policy SNPP18 is the intention that the figure of 18 metres for the height of the turbines relates to blade-tip? if not, what is the dimension?**

*Council/Forum Response: The intention that the figure of 18 meters for the height of the wind turbines does relate to the blade tip. This is in line with Policy CC6 of the draft Calderdale Local Plan.*