

Time Not Before: 1500

Application No: 18/00948/FUL

Ward: Calder

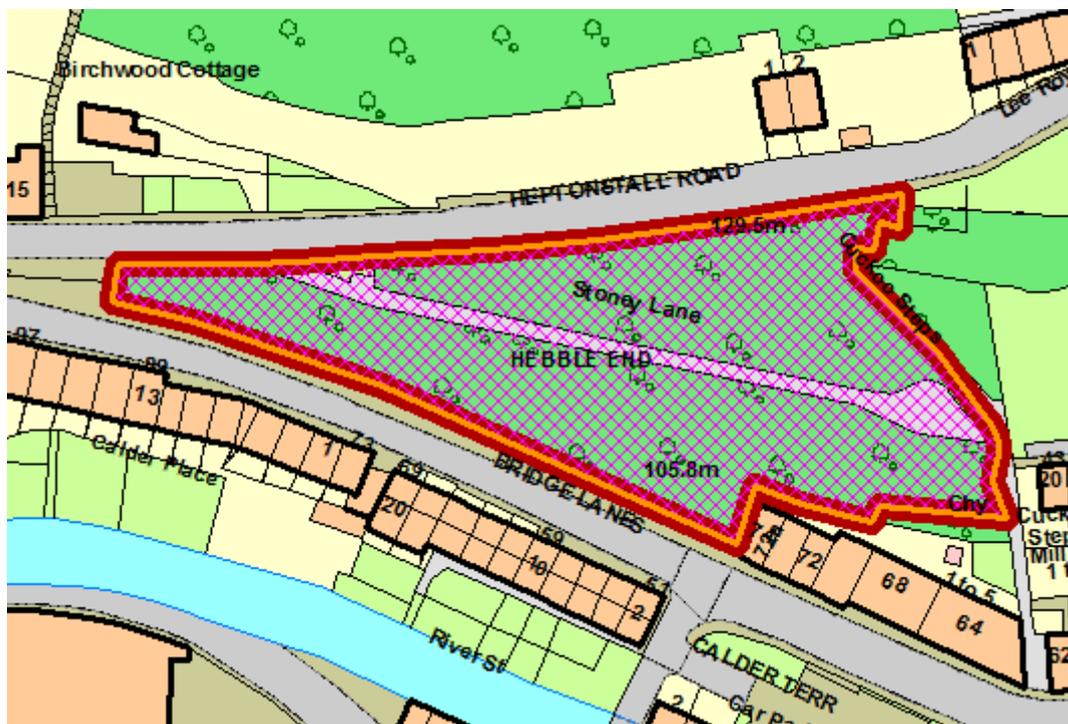
Area Team: North Team

Proposal:

20 new build homes, comprising 6No 1 bed apartments, 4No 2 bed duplexes, 7No 3 bed triplexes, 3No 3 bed townhouses.

Location:

Land Between Heptonstall Road And Bridge Lanes Heptonstall Road Hebden Bridge Calderdale



Applicant:

Calder Valley Community Land Trust Ltd

Recommendation: **PERMIT**

Parish Council Representations:	N/A
Representations:	Yes
Departure from Development Plan:	No

Consultations:

Highways Section

Environmental Health Services - Pollution Section (E)
Yorkshire Water Services Ltd
Education Services
Hebden Royd Town Council
Lead Local Flood Authority
Tree Officer
West Yorkshire Police ALO
Community Engagement
Housing Services
Countryside Services (E)
Mr Colin Blackburn
Historic England
Highways Section

Description of Site and Proposal

The site is located on a sloping area of land between Heptonstall Road and Bridge Lanes, Hebden Bridge. Heptonstall Road runs to the north of the site, there are a small number of dwellings immediately adjacent to Heptonstall Road, beyond which the land continues to rise steeply. To the east of the site there are residential properties, whilst to the south of the site, on both sides of the A646 are properties along Bridge Lanes. At the western end of the site is the junction between the A646 and Heptonstall Road, alongside the Fox and Goose Public House and dwelling numbers 11-15 Heptonstall Road.

The site is within the Hebden Bridge Conservation Area.

The application seeks planning permission for 20 new build homes, comprising 6 No. 1 bed apartments, 4 No. 2 bed duplexes, 7 No. 3 bed triplexes, 3 No. 3 bed townhouses.

The application has been referred to Planning Committee due to the sensitive nature of the proposal.

The application is accompanied by the following supporting documents:

- Arboricultural Impact Assessment
- Design and Access Statement (including Heritage Statement)
- FRA and Drainage Impact Assessment
- Geoassist Stability Assessment
- Ecological Impact Assessment
- Ecology Report Update
- Phase 1 Site Investigation Report
- Phase 2 Site Investigation Report
- Slope Stability Summary Mark Up

Relevant Planning History

None

Key Policy Context:

<p>Replacement Calderdale Unitary Development Plan Designation</p>	<p>Conservation Area Open Space in Urban Area Primary Housing Area Town Centre Wildlife Corridor</p>
<p>Replacement Calderdale Unitary Development Plan policies</p>	<p>H2 Primary Housing Area H9 Non Allocated Sites OS1 Protected Open Spaces BE1 general design Criteria BE2 Privacy, Daylighting and Amenity Space BE3 Landscaping BE4 Safety and Security Considerations BE5 The Design and Layout of Highways and Accesses BE15 Setting of a Listed Building BE18 Development within Conservation Areas T18 Maximum Parking Allowances NE15 Development in Wildlife Corridors NE16 Protection of Protected Species NE17 Biodiversity Enhancement EP1 Protection of Air Quality EP11 Development on Potentially Unstable Land EP14 Protection of Groundwater EP20 Protection from Flood Risk EP22 Sustainable Drainage System</p>
<p>National Planning Policy Framework Paragraphs</p>	<p>5. Delivering a sufficient supply of homes 7. Ensuring the vitality of town centres 8. Promoting healthy and safe communities 9. Promoting sustainable transport 11. Making effective use of land 12. Achieving well-designed places 14. Meeting the challenge of climate change, flooding and coastal change 15. Conserving and enhancing the natural environment 16. Conserving and enhancing the historic environment.</p>
<p>Other relevant planning Constraints</p>	<p>Air Quality Action Boundaries Bat Alert Within 50m of Listed Buildings Public Right of Way (Heb 009)</p>

Publicity/ Representations:

The application was publicised with site and press notices. In addition fifty nine neighbour notification letters were sent.

Sixty nine letters of objection and sixty six letters of support were received.

Summary of points raised:

Objection

- Development to the west of Rose Villas was refused due to impact on Conservation Area
- Concern over Timber Cladding
- All the supporting letters who use the need for social housing as justification for the development of this site should be dismissed.
- Site is inappropriate compared to others
- Site was previously developed but reverted back to nature
- Site contains many mature trees
- Impact on Air Quality and health
- Asbestos likely to be present from now demolished Acre Mill
- Unstable Land which is full of contaminated materials
- Removal of contaminated soils would impact on land stability
- Traffic congestion
- Highway Safety
- Limited visibility from the site's access / exit
- Mitigation measures would not address the pollution
- Impact on heritage
- Historic England objected to the sites inclusion in the Local Plan.
- Noise pollution will increase due to the built development
- Rainwater runoff will increase when the site is developed, increasing risk of flooding
- Ecological impact of the development would be severe
- Reports seem to consider a development of 7 houses
- Character and heritage value of the area would be lost were this development to go ahead
- Loss of privacy and light for residents of Bridge Lanes
- Impact on existing residents during construction
- Where are residents going to park their cars
- Green areas close to centre of Hebden should be preserved
- Term affordable would be loosely applied
- Hebden Bridge does not need these houses
- Proposed height and scale totally overshadows the surrounding area
- Is the site brownfield

- Loss of trees will have a negative impact on flood risk, ecological issues, pollution, and on visual amenity.
- Projecting walkway to the front elevation onto the A646 seems over bearing and unnecessary
- Land investigation reports are not detailed enough
- Ecological impact assessment was carried out in January, another one is required
- Applicant has ignored advice of Historic England
- Impact on town's economy due to negative effects of construction and impact on character.
- Previous development on the site does not make it a present day 'ideal place to build'
- How will the drainage, sewers and retaining wall be affected from increased run off
- Historical Impact Assessment should be prepared
- No comments from Environment Agency
- concerns regarding the impact on a 20 foot high retaining wall and remnants of a mill chimney
- Homes only affordable if people have means to pay for them
- Decisions regarding this site should not be made until the Neighbourhood Plan is adopted
- Design and Access Statement misrepresents how the terrace will affect pollution in relation to its position opposite Bridge Lanes
- Who will be responsible for the proposed building and grounds maintenance

Support

- Development would enhance this corner of Hebden Bridge
- Most of the trees will be retained
- The development would provide much needed affordable housing
- Long term affordable rental properties in short supply
- Concerns over the impact on Air Quality would apply wherever the development took place in the area
- Air Quality issues need to be addressed strategically
- Residents will be within walking distance of the town centre
- Development is imaginative and ethical
- Community have been involved throughout the process
- Elements of the proposal that the wider housing sector can learn from
- Need a diverse mix of people
- Will hopefully prevent some younger people from moving away to more affordable towns
- Site is on two bus routes
- Arguably no site is ideal
- Site is not ancient woodland, no different from much of the habitat in the area
- Particularly welcome the proposal to include excellent access features for people with disabilities
- Almost impossible to find affordable housing in Hebden Bridge
- Avoid gentrifying the town any more

- Environment Agency would be occupying nearby Vale site for next few years due to flood works
- Development will enhance a 'dead end' of the Town centre
- Design is appropriate and sympathetic in terms of density and materials
- Development be an exemplar in the town in terms of energy efficiency
- Scheme is an exemplar scheme
- Other sites should be investigated in addition to High Street not as alternatives
- Please that the north half of the site will not be developed on
- The development will add an interesting, attractive and sustainable gateway to Hebden Bridge from the Todmorden direction.
- Opening up the profile of the site and planting new vegetation will help alleviate Air Pollution issues
- Some of the site will remain as an important green space
- Landscaping designed so as to reduce surface water run off
- Materials chosen for energy efficiency, lighter foundations, reduce run off
- Design will shorten the construction phase
- Scale of scheme reduce following public consultations
- Housing supply crisis and lack of affordable homes is even worse for disabled people
- Draft Local Plan identified the site for housing

Ward Councillor Comments

Councillor Courtney provided the following comments:

I am really heartened to see a development that is truly not-for-profit and will provide much needed social rental accommodation for younger people in central Hebden Bridge.

I was really pleased to read that the north 'half' of the site, where most of the mature (ie since the old houses were demolished) woodland is situated will not be cut down and there are careful plans for appropriate and considerate landscaping on the rest of the site, taking factors of surface water run off and air pollution into consideration. I also think there is a great deal of forward thinking, for example planning a shared car scheme to reduce the need for individual car ownership, particularly as the public transport links are so easily accessible given the proximity to the town centre. This is exactly the sort of measure that can help reduce traffic and thus help with air quality.

I value our planning system and am glad there is a place for people to raise objections and for all aspects of a scheme such as this to be properly and thoroughly scrutinised. I'm sure that planning officers and members of the planning committee will take seriously any issues regarding safety of the site and slope, as well as flooding risk, air quality issues and any other issues relating to planning law.

Councillor Patient provided the following comments:

“Hebden Bridge sorely needs more affordable housing options for its young people, who are being consistently priced out of the area, although this is good for surrounding Mytholmroyd and Todmorden in terms of economic growth Hebden Bridge must remember to appeal to those who live here already and not just continue in its gentrification. This application is the result of extensive community consultations with the town's young people, would make good use of currently unexploited but previously used brownfield land in the town, and is very well thought out in terms of accessibility for disabled individuals and environmental impact. This ticks the boxes in terms of being away from the flood zone and also does not build upon greenfield so therefore fits well within both Local and Neighbourhood plans. We need more thinking like this, small infill developments in means tested areas with socially affordable housing for those young people that want to stay here and continue to contribute to the local economy.”

Councillor Young provided the following comments:

“This Planning Application has caused a great amount of interest on the Planning Portal with over 100 submissions so far. Hebden Bridge is in dire need of Affordable Social Housing and in my opinion this small scale proposed development of 20 units will help in a small way to address the situation. The site is not ideal but Calder Valley Community Land Trust could not afford to purchase a flatter site from a Private Developer and therefore on balance I am in favour of this proposed development. If the Planning Officers recommend approval then that is OK but if the Planning Officer recommend refusal then please can this application be referred to the Planning Committee for a decision following a site visit. Please can you also ask the Case Officer to post my comments on the Calderdale Planning Portal.”

Parish/Town Council Comments

The development is located with the boundaries of Hebden Royd Town Council

The Parish Council make the following comments:

“NO OBJECTION with a comment that the Town Council eagerly looks forward to the social housing elements of this development.”

Assessment of Proposal

Principle of Development

The National Planning Policy Framework was first published on 27 March 2012 and revised on 24 July 2018. The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 of the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the NPPF, the greater the weight they may be given.

At the heart of the NPPF is a presumption in favour of sustainable development. For decision taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; [*for example...land designated as Green Belt...designated heritage asset*] or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The proposal seeks permission for 20 new build homes, comprising 6 No. 1 bed apartments, 4 No. 2 bed duplexes, 7 No. 3 bed triplexes, 3 No. 3 bed townhouses.

As the site lies within the Hebden Bridge Conservation Area, the presumption in favour of sustainable development does not apply.

The site is within the Primary Housing Area and as such and subject to an assessment of all other relevant planning policies also has to take place and this is detailed below.

Impact on heritage assets

A number of the objections centre around the impact on the Conservation Area and the Listed properties adjacent and opposite the site.

The site lies within the Hebden Bridge Conservation Area, and in addition a number of Listed Buildings are adjacent to the site. The closest Listed Building on the north side of Bridge Lanes (A646) is the Grade II Listed no.74 Bridge Lanes. To the south of Bridge Lanes (A646), no.'s 51 to 93 Bridge Lanes are all Grade II Listed. In addition, no.'s 60-62 Bridge Lane which lies to the east of the Cuckoo Steps is also Grade II Listed.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting special regard must be given to the desirability of preserving the building and its setting or any features of special architectural/historic interest.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising functions with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Decision makers must give importance and weight to the desirability of avoiding any harm to designated heritage assets, to give effect to the LPA's statutory duties under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The finding of harm to a heritage asset gives rise to a strong presumption against planning permission being granted.

The requirements of Sections 66 and 72 are set out legislation and as such they are legal duties rather than policy requirements that the Council can choose to attach limited weight to. This is reflected in paragraph 193 of the NPPF, which states that:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 190 of the NPPF states

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 194 of the NPPF states

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

In addition, paragraph 196 of the NPPF states

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

With regards to the RCUDP, policies BE15 and BE18 are of relevance.

BE15 'Setting of a Listed Building' states that *"Development will not be permitted, where through its siting, scale, design or nature it would harm the setting of a Listed Building."*

Policy BE18 refers to 'Development Within Conservation Areas'. This states that *"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."*

Historic England were consulted on the proposal and provided the following comments

Hebden Bridge is a characteristic Pennine valley town which developed as a commercial and industrial centre around the confluence of the River Calder and Hebden Water. The dramatic topography of the intersecting valleys has influenced a distinctive pattern of stone-built, primarily terraced development which follows the contours of the valley sides. This topography also allows long-reaching views along and across the valleys. The town is most densely developed along the valley bottom and development gradually gets more sparse up the valley sides. The result of this is that the heavily wooded valley sides, fields and moorland above are prominent in many views within the

conservation area and the built form of Hebden Bridge is strongly linked with its landscape setting.

The application site is located at the western end of the conservation area, on steeply rising ground between Bridge Lanes and Heptonstall Road. The site was densely developed with characteristic terraces at upper and lower levels. The survival of the alignment of High Street, the Cuckoo Steps and remnants of external walls from previous houses indicate the extent of previous development. There are also archive photographs which have been reproduced in the application's Design and Access Statement.

The site is located at a key gateway to the town from the west and is highly visible from the opposite side of the valley on New Road and Horsehold Road. It is also within the setting of a number of Grade II listed terraces.

In our response to the allocation of this site for residential use in the emerging Calderdale Local Plan we highlighted the positive contribution the site makes to the character and appearance of the conservation area and consequently the potential for this contribution to be compromised by redevelopment of the site.

The development will be very prominent in views north from the opposite side of the valley (from New Road and Horsehold Road). It will also be very prominent in closer views, particularly north from Stubbing Holme Road and the listed buildings at Bridge Lanes. The development will also impact on dynamic views travelling east and west along Bridge Lanes.

The Design and Access Statement indicates that the proposed designs are the culmination of several years of design development and local consultation. The alignment of the proposed housing respects the historic pattern of development and references the terraced forms which are characteristic of Hebden Bridge. Four-storey buildings are not unheard of in Hebden Bridge, but are often composed of under- and over-dwellings which 'hug' the valley sides meaning that they appear shorter at the higher levels. The proposed development is up to four-storeys, but on both the north and south elevations, which increases its impact, particularly on High Street.

There is a strong homogeneity of building materials in Hebden Bridge, which the development departs from most extensively in terms of the elevation treatment and the proposed use of timber. This would be a large and very visible development to utilise an uncharacteristic material and we are not aware of any other developments of this scale to do so within the conservation area.

We welcome the approach that has been taken to understanding the characteristics of built development in Hebden Bridge and consider the proposals are an interesting response. Nevertheless we do have concerns about the height of the four-storey sections of the development and the resulting increase in visual impact the development will have in views from the south (both close- and long-range). We also do not accept the proposed use of timber for the entire southern elevation, notwithstanding the environmental and construction benefits put forward by the applicants.

Overall, we consider the proposed development would cause some harm to the character and appearance of the conservation area as a result of the loss of some vegetation and the prominent visual impact resulting from the combination of height and materials. At present the built form of Hebden Bridge is a coherent and harmonious combination of green valley and stone buildings, both in views from within and towards the conservation area. We consider new development of a terraced form could complement this character, but for the reasons stated above (i.e. height and materials) the proposed development would still stand out too much within the panorama of the town.

The applicants have put forward several public benefits which could result from the scheme and these would need to be weighed against the harm the proposals would cause, in accordance with paragraph 196 of the National Planning Policy Framework.

However, before this weighing exercise can be undertaken it is necessary to consider whether the harm has been reduced to its fullest extent, to "avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal" and ensure that any resulting harm has a "clear and convincing justification" (NPPF, paragraphs 190 and 194). It appears to us that the harm could be reduced further by reducing the height of the terrace and altering the materials and we would therefore question the justification for the harm, notwithstanding any public benefits of the proposal. If your authority considers

the principle of development on this site could be acceptable we would be happy to provide further advice on reducing the impact on the conservation area.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 189, 190, 193, 194 and 196 of the NPPF.

The Council's Heritage Officer was also consulted and provided the following comments:

This site is very sensitive, situated on a prominent sloping hillside within the Hebden Bridge Conservation Area, being highly visible in both near and far-reaching views, and forming an important gateway site into the Conservation Area and the town centre. In addition and importantly, the terraced properties close to the site on the south side of Bridge Lanes are Grade II listed buildings, as is number 74 Bridge Lanes which is the last property before the site on the north side of Bridge Lanes. The site forms part of the settings of those listed buildings.

The Hebden Bridge Conservation Area Appraisal identifies the site as open / green space. The recent 'Local Plan: Heritage Impact Assessments' (part of the evidence base for the Local Plan, currently in production) has assessed the site and its heritage significance, and notes the "steep wooded green spaces on the hillside", and identifies the interaction of the built form and green spaces within and around the Conservation Area as being particularly important and substantially contributing to the area's significance. It also notes the use of stone as being "vastly predominant and an important characteristic".

Thus it is considered that the loss of this green space to development will have an impact on the character and appearance of the Conservation Area, by encroaching into its important and characteristic landscape setting, and impacting on views across and into the Conservation Area. The development will also impact directly on the settings of the nearby listed buildings. It is however recognised that elements of the green hillside will be retained including the existing wooded area between Heptonstall Road and High Street. Additionally there are of course clear benefits associated with the development in the form of the provision of much needed social housing which may be considered to be some justification for harm to the significance of the Conservation Area.

The proposed scale and massing of the development generally reflects the existing built form of the town, the context of the site and the topography of the steeply sided valley. However the proposal introduces the large-scale use of timber across every elevation, departing entirely from the traditional predominance of stone within the Conservation Area. Whilst the exploration

of alternative materials is to be welcomed, the examples and precedents illustrated in the Design & Access Statement show timber being used in smaller discrete and subservient areas, generally providing a contrast to the homogeneity of stone. The proposed considerable horizontal expanse, emphasised further by the horizontal laying of the timbers to echo the coursing of stone, and the apparent lack of any vertical separation, is of concern in terms of the visual impact this will have on the character and appearance of the Conservation Area and the settings of the nearby listed buildings.

The highly characteristic terrace of listed buildings to the south on Bridge Lanes is of a comparable scale but manages to appear more vertical in emphasis due partly to the introduction of staggered vertical edges and corners which demarcate the various blocks along the terrace. Whilst this kind of approach appears to have been sought in terms of the roof scape of the new development, with the regular staggering of the roofs, this does not appear to be the case with the elevations. It may be possible to lessen the potential impact of the timber expanse by the introduction of some form of vertical demarcation either in terms of the structure itself or through the careful use of other materials, details and treatment.

The application proposes the use of either natural or artificial slates - it is considered that on a development of this scale and prominence, and in such proximity to a number of listed buildings, that a good quality natural roofing material should be used.

The concerns therefore are raised in respect of the location of the site being a gateway to the town centre, the prominence of the site, the height of the development, proposed use of timber, and the loss of the green space and the effect this will have on the character and appearance of the Conservation Area.

The positive aspects of the site are the alignment of the development respects the historic pattern of development and references the terraced forms which are characteristic of Hebden Bridge.

The Council's heritage officer comments echoed many of these views, but also highlighted the lack of staggered vertical edges between dwellings which would help lessen the potential impact of the timber expanse.

Following the comments by Historic England and the Council's Heritage Officer the applicant provided more justification for the proposed design.

The applicant considered that development on the site historically was very dense and tall, more so than the proposed development. The application seeks permission for a less dense development, and more in keeping with existing housing nearby. With regards to the height, again the proposals are the same or less than that which occupied the site previously, and in keeping with the adjacent buildings. The applicant acknowledges that the use of timber is a departure from Yorkshire Sandstone, however by taking care in the selection of timber species to be used, along with careful detailing; the applicant considers there would not be a stark

difference. The form and texture of the building designs and the frequency and type of openings in the elevations are consistent with both residential and non residential buildings locally.

The applicant also stated that there is a strong historical precedent and existing current precedent locally for the form, height and mass of the proposals; the density is in keeping with local examples which similarly hug the hillside on the same contour lines; and the proposed wall cladding – while different to some local materials has been thoughtfully designed to complement the setting.

Historic England were reconsulted following the additional justification for the design, although they repeated their concerns set out in their original response.

It is therefore the case that Historic England, whilst not objecting, remains concerned with regards to the proposals.

In respect of considering whether the harm has been reduced to its fullest extent, the two specific issues of height and materials require assessment. In respect of the height, the applicant maintains that the height is lower at the western end of the site, the initial proposal of 27 dwellings has been reduced to 20, the roofline is varied with the inclusion of set-backs and mansard roofs. The topography of the site does not allow the under- and over-dwellings arrangement that is evident elsewhere in the town, but the inclusion of the walkway at ground level on the southern elevation does offer some relief from the four storey southern elevation.

The proposal has made use of the existing access road, and development is only proposed on the southern part of the site and therefore a significant amount of the existing green space is retained.

With regards to the proposed use of materials, specifically timber, the applicant maintains that this will be treated and arranged so as to reflect the local context which is predominantly stone.

The Council's Heritage Officer also added a concern over the lack of vertical separation between dwellings. The applicant has used a number of methods in order to achieve visual separations which are using rainwater pipes at a similar frequency as used in other existing terraces to the south and east, stepped rooflines, and a varied depth to the roofline.

It is therefore considered that the proposal has sought to minimise the harm to its fullest extent in relation to the development proposed.

In terms of BE18, and criteria (i) whilst the materials are not traditional, the form, design and scale of the proposed dwellings reflect the traditional pattern of development seen elsewhere in Hebden Bridge. The proposed use of timber in this instance is considered as an appropriate contemporary intervention that in connection with the design pays homage to the character of the area.

In relation to criteria (ii) of BE18, the siting of the proposal retains a large part of the open space, and is designed so as to reflect other townscape / roof scape features.

With regards to criteria (iii) of BE18 the siting of the development is such that a significant element of the open space is retained, and therefore overall, it is considered that the proposal does not result in the loss of open space which makes an *important* contribution to the character of the Conservation Area, and with regards to views and criteria (iv), the applicant has sought to reduce the impact of the development when viewed from the west.

It is important to acknowledge that in relation to BE18 criteria (iii) and (iv) the development site was historically home to terraced housing at a much higher density than is proposed, and as such it is considered the development is appropriate in a historical context.

Therefore, on balance the proposal is considered to accord with policy BE18.

With regards to paragraph 196 of the NPPF, the public benefits that the proposal would bring are focused around the provision of 20 low cost homes for rent within an area that is lacking in such provision.

It is considered that the proposal accords with policies BE15 and BE18 of the RCUDP, and also with NPPF paragraph 196.

Open Space

The site is designated as Public Open Space in the Urban Area. Therefore policy OS1 'Protected Open Spaces' applies. This states that *"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 open space is surplus to present and future community needs; and*
- iv. is consistent with all other relevant UDP policies.*

Section 8 of the NPPF deals with promoting healthy communities and paragraph 97 states that:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- (a) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- (b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- (c) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

The area was not assessed as part of the 2015 Open Space update with the last review being in 2006. This study treated the whole Open Space Site as one area (Ref 455). The subject site currently has a listed typology of Amenity Greenspace and had a quality score of 58% and a below average value score of 24%.

The site is classed as Amenity greenspace and is heavily covered in self seeded trees, and is a steeply sloping site from Heptonstall Road to Bridge Lanes. The main use of the site is at the eastern end of the site (the cuckoo steps) and these are being retained.

The Assistant Director – Neighbourhoods (Open Spaces) was consulted on the proposal and stated that *“the land is 4,507m² amenity green space site, and consists of unmown grass, semi-mature trees and shrubs An analysis of open space in the area compared to Calderdale’s standards, reveals that there is other amenity green space and semi-natural/natural areas of this size in the catchment area. There is a deficit of allotments but due to its topography the site is not suitable for this use. The site links in with surrounding green space however since the wooded area is to be retained the impact of the development on this will be small.*

In summary I have no objection to the development with regards to open space.”

It is considered therefore that the site does not perform as quality open space area and does not function as such. It is not necessary for the continuation or enhancement of established uses for recreation, leisure or nature in relation to OS1. Furthermore, in relation to paragraph 97 of the NPPF and the comments above it is considered that the land is surplus to requirements. The proposal therefore complies with OS1 and the NPPF.

Housing Issues

The requirement to maintain a rolling 5-year supply of deliverable land for housing is set out in the National Planning Policy Framework (NPPF) and the accompanying Planning Practice Guidance (PPG). The current position is that Calderdale has 2 years housing supply.

Paragraph 11, footnote 7 of the NPPF establishes that, for applications involving the provision of housing, the policies which are most important for determining the application should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The weight attributed to not having a five year supply should reflect paragraph 11 of the NPPF taking forward the “presumption in favour of sustainable development” and decisions based on whether a proposal is consistent with the policies set out in the NPPF when taken as a whole.

The references in policies H2 and H9 to green field sites are not up-to-date because they are inconsistent with the NPPF (the NPPF encourages the effective use of land by reusing land that has been previously developed; however it does not prohibit the development of green field sites), and the Council does not currently have a five year supply of housing.

The nature of the proposal is such that it qualifies as a major development, in that it is proposing 10 dwellings or more. Paragraph 64 of the NPPF is as follows:

64. Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

- a) provides solely for Build to Rent homes;*
- b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);*
- c) is proposed to be developed by people who wish to build or commission their own homes; or*
- d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.*

The Council's Housing Services Manager has been consulted and provided the following comments:

Affordable housing is a key priority for Calderdale Council. The Council is currently in the process of adopting its 15 year Local Plan, the plan has identified a need of 840 new residential units per annum in Calderdale. The Strategic Housing Market Assessment (SHMA) 2018 identifies a need for 182 affordable homes per annum.

The proposed 20 units will contribute to Calderdale reaching this target. The residential

development is in Zone A, the threshold is 10+ units and therefore the Council will be seeking a 35% on-site contribution from the development for affordable homes but in this case as the site is all for social housing we would not be asking for a contribution.

According to KeyChoice, which is the choice based lettings system for Calderdale run by Together Housing Association, there are just over 3,100 active applicants currently on the waiting list and seeking affordable housing and with just over 300 of them wanting to live in the Hebden Bridge area.

Given the nature of the proposal, and the Housing Service Manager's comments, in this instance a contribution towards affordable housing is not required.

Residential Amenity

A number of objections were received regarding the loss of privacy and light with regards to residents of Bridge Lanes opposite the development site.

Policy BE2 establishes that development should not significantly affect the privacy, daylighting or amenity space of existing and prospective residents and other occupants. Annex A sets out guidelines to help assess whether such impacts arise. Policy EP8 refers to other incompatible uses.

In terms of separation distances, the western end of the site is approximately 15m from the Bridge Lanes dwellings, towards the centre of the site the distance increases to approximately 22m, whilst at the eastern end of the site the distance increases to between 26 and 30m.

Also at the eastern end, the gable end is 7m from no.74 Bridge Lanes. The smaller block of dwellings to the north east of the main block is approximately 23m from the closest properties along the north side of Bridge Lanes.

There are a number of shortfalls therefore in respect of the guidelines set out in Annex A.

At ground floor level there are six 1 bed apartments with windows to the southern elevation. The windows to the southern elevation include windows to the open plan kitchen / living area and the bedroom. However the loss of privacy in relation to Bridge Lanes would be minimised by the external ramped walkway which partially screens the ground floor level accommodation. This would be at its most acute at the western end where distances are approximately 15m. However, due to height difference between the site and the existing dwellings, and the road, it is not considered there would be such a loss of privacy between the existing and proposed dwellings so as to result in a conflict with RCUDP policy BE2.

To the first floor, the western part of the block is host to the bedrooms of two - two bedroom dwellings. Again, although the separation is approximately 15m from the properties on the opposite side of Bridge Lanes, the difference in height would reduce the level of direct overlooking between the existing and proposed properties, as the first floor height is equivalent to the eaves height of the highest part of the bridge Lanes Terrace.

As the site is in excess of Annex A guidelines from the centre of the site across to the eastern part of the site in relation to Bridge Lanes it is considered to accord with policy BE2.

In terms of the gable end of the main block and its relationship with no.74 Bridge Lanes, the proposed dwelling includes living room windows in the gable elevation; however the difference in heights would again lessen any potential loss of privacy, since the ground floor level is higher than the maximum ridge height of no. 74, as would the angle of the two elevations.

Although there are shortfalls at the western end the difference in heights and the fact that the facing elevations are the 'public facing' elevations which are intersected by the A646 the shortfalls are not considered to represent a conflict with policy BE2 of the RCUDP.

In terms of the separate 'east terrace' block of three dwellings, this is positioned so as to avoid any overlooking impact on the central terrace and is in excess of the guidelines set out in Annex A in relation to the nearest existing dwellings.

Policy EP8 refers to other incompatible uses. The site is in close proximity to the A646 and Heptonstall Road. The Environmental Health officer was consulted and provided the following comments:

The proposed development would be exposed to road traffic noise from the busy A646, and potential for noise transmission between adjoining units would need to be addressed. The acoustic design would have to allow for residential spaces to meet the applicable criteria, and any external spaces appear be at risk of exceeding the outdoor ambient sound level of 55dB. The applicant has not submitted any sound level measurements to demonstrate the likely levels. reflection from the new façade would contribute.

The Environmental Health officer requested that a condition relating to noise levels be attached to any planning permission.

Subject to the above condition, the proposal is considered to accord with policies BE2 and EP8 of the RCUDP.

Layout, Design & Materials

A number of objections centred around the scale, height and materials of the proposed development.

RCUDP Policy BE1 calls for development to 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.

This is also reflected in Section 12 of the NPPF, which states that *"the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*

RCUDP policy BE3 is concerned with landscaping.

The proposal seeks permission for 20 new build homes, comprising 6 No. 1 bed apartments, 4 No. 2 bed duplexes, 7 No. 3 bed triplexes, 3 No. 3 bed townhouses.

The site is split between two blocks of accommodation; the main central block which runs along the central part of the site to the south of High Street, and the eastern terrace, which sits in the north east of the site. The proposals retain the trees to the north of High Street, with additional planting along the southern slope and at the book end of the central terrace.

The car parking is provided at the eastern end of the central terrace and two further spaces are provided alongside the eastern terrace.

With regards to the accommodation within the central block, to the ground floor there are six one bed apartments, consisting of entrance hall, open plan living / kitchen area, bathroom and bedroom.

To the first floor, there are four two bed duplex apartments, and seven three bed triplexes. In terms of the two bed duplex apartments, there are two bedrooms and a bathroom. Of the seven 3 bed triplexes, six have three bedrooms and a bathroom at this floor level. The other triplex apartment has an open plan living room and kitchen area, a WC, and a outdoor terrace area.

At the second floor level, the four two bed duplexes have an open plan living / kitchen area and a external outside terrace area. Six of the seven triplex apartments have an open plan kitchen / dining room area, as well as an outdoor terrace area. The other triplex apartment has two bedrooms and a bathroom.

Finally at third floor level, six of the seven triplex apartments have a bedroom and bathroom, with an outdoor terrace area; the other triplex apartment has a bedroom and bathroom.

The eastern terrace accommodation consists of three – three bed townhouses. At ground floor they each have an entrance hall, bedroom and bathroom. At first floor level, the townhouses all have an open plan kitchen / living room area and a garden area. The accommodation is completed at second floor level with two bedrooms and a bathroom.

Externally, there is a shallow gradient pedestrian link to the southern elevation that becomes a terrace walkway which provides access to the ground floor of dwellings. A bike and bin store is located at the western end of the central terrace. The ground floor properties have small front garden / external spaces off the terrace walkway. The parking area is provided at the eastern end of the High Street.

In relation to the design, the proposal includes stepped and varied depth rooflines. The highest point to the eaves along the central terrace is 10.1m, with a maximum ridge height of 12m. the depth of the dwellings is approximately 6m.

In terms of the eastern terrace of the three town houses, these have a height to eaves of 5.2m and a maximum ridge height of m.

The impact on the properties opposite along Bridge Lanes is mitigated somewhat by the location of the central terrace which is set back in the site; the proposed dwellings are of a shallow depth which also limits the projection out over the slope, and therefore reduces the potential dominance of the central terrace. Additional planting on the southern slope closest to Bridge Lanes will also help mitigate any potential overlooking issues.

With regards to materials, the proposal is for timber clad facing and slate roofs. The proposed materials are discussed in the impact on heritage section; these will be controlled by conditions.

Subject to conditions, the proposal accords with policies BE1 and BE3 of the RCUDP and section 12 of the NPPF.

Highway Considerations

A number of objections referred to the impact of the development on traffic levels, parking, and highway safety.

Policy BE5 seeks to ensure the safe and free flow of traffic in the interest of highways safety. Policy T18 sets out maximum parking allowances for new development.

The Assistant Director – Strategic Infrastructure (Highways) was consulted on the proposals and provided the initial comments:

The site is in a sustainable location given the walking distance to the centre of Hebden Bridge and the associated facilities and services in the town centre. Within 400m there is a foodstore, primary school and bus stops.

The obvious shortcoming for pedestrians is the steep gradient on part of the route, whether using the footway along the highway or via the more direct stepped route. The applicant has addressed this internally with the ramped internal routes and the ramped 1 in 20 access to the bus stop. There is an existing controlled crossing of the A646 to allow pedestrian access to the bus stop on the south side that serves westbound services. The applicant will need to fund the provision of a bus shelter at the stop on the site frontage.

The existing High Street access is not ideal as it meets Heptonstall Road at an acute angle. Visibility splays need to be indicated on a drawing, at a distance 2.4m back from the give-way line, to demonstrate that safe egress is available. This needs to take account of the vertical profile. The level of the road on the immediate approach to the give-way should be raised to provide an initial length of at least 6m where the gradient is no greater than 2.5%. This will also assist visibility at the give-way. Proposed spot levels or a long section of the centreline should be provided to demonstrate that suitable gradients and visibility can be achieved. Details of the retaining structure and features to protect pedestrians given the level difference on the south side should also be provided.

Whilst the majority of vehicular movements will be to/ from the A646, the left turn into the site and the right turn out of the site will need to be prohibited by a Traffic Regulation Order for safety reasons. Those manoeuvres would require the full width of the carriageway and the regular on-street parking restricts this.

The Traffic Regulation Order may also need to extend into the site so protect the pull-in area from car parking. The TRO would to restrict the pull -in area for refuse and unloading vehicles only with all other vehicles prohibited including disabled drivers. If the applicant wishes this length to remain as a private road then a condition requiring a management regime would be required.

A short section of double yellow lines will be required on Heptonstall Road opposite the High Street access and also on the east side to protect the visibility splay from parked vehicles.

The applicant will be required to fund the costs of the new TRO and any changes to the existing TRO on Heptonstall Road. It should be noted that the exact details of the restriction will be dependent upon a public consultation exercise.

Traffic calming may be needed to reduce speeds on the downhill approach on Heptonstall Road depending upon the visibility splay distance and vehicle speeds. The applicant should arrange for an off-peak speed survey at a distance 43m north of the access and provide a calculation of the 85th percentile wet weather vehicle speed.

The internal road width is only 3.9m wide over a 70m length which is insufficient for 2 cars to pass. Whilst the passing place is helpful it will occasionally be occupied by refuse or delivery vehicles meaning that vehicles may have to stop on the highway. A 4.1m width would allow 2 cars to pass albeit slowly. The layout should therefore be revised accordingly. The surface will need to be block paved as High Street will be shared with pedestrians and cyclists. This can be controlled by condition.

The parking provision is less than 1 space per dwelling which is low for the type of housing, which includes 2 and 3 bed dwellings. However, on balance the number of parking spaces is acceptable given the location near to the town centre, the cycle parking provision and the fact that potential residents will be aware of restricted availability of local on-street parking.

The parking layout needs amending as there is insufficient visibility for reversing vehicles at the Car Club space in terms of pedestrians on the shared road. This could be addressed by off-setting the spaces by 1.7m to the east.

Various conditions will be required for items such as contractor parking, the site compound details and electric vehicle charging. These will be provided when the items raised above have been addressed.

Following these comments, the applicant submitted some amendments to the plans and the Highways Officer was reconsulted, and provided additional comments in relation to the left turn out of the site. *“As the access will be angled the exiting vehicle will be positioned so that the driver has sufficient visibility (the 2.4m is the proxy for this when the access is square but I am prepared to accept a shorter distance given the right turn ban will mean vehicles will be positioned at an angle).”*

They considered that the amended plans had addressed their concerns, and subject to conditions the proposal was acceptable in relation to BE5 and T18 of the RCUDP.

Flooding and drainage

Some objectors raised concerns over increased flood risk as a result of the proposed development removing tree cover which assists with reducing run off rates.

RCUDP Policies EP14 and EP20 establish that ground and surface water will be protected and development will not be permitted if it would increase the risk of flooding due to surface water run-off or obstruction.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) paragraph 163 of the NPPF seeks to ensure flood risk is not increased elsewhere.

For major developments the Secretary of State's Written Ministerial Statement, dated 18 December 2014, establishes that sustainable drainage systems for the management of run-off should be put in place, unless demonstrated to be inappropriate. RCUDP Policy EP22 also establishes that sustainable drainage systems should be incorporated where appropriate.

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.

The applicant in this instance is proposing to dispose of foul sewage via a mains sewer, whilst surface water is proposed to be dealt with by a mix of sustainable drainage systems, soakaway, and mains sewer.

Yorkshire Water were consulted on the application and provided the following comments:

“Thank you for consulting Yorkshire Water regarding the above proposed development. If planning permission is to be granted, the following conditions should be attached in order to protect the local aquatic environment and YW infrastructure: The development shall be carried out in accordance with the details shown on the submitted drawing 00.17282 - ACE-00-XX-DR-C-50-0101 (revision P2) dated 22/05/2018 that has been prepared by Adept Consulting Engineers and FRA and Drainage Impact Assessment prepared by Adept Consulting Engineers (Report dated 23/05/2018), unless otherwise agreed in writing with the Local Planning Authority.”

The Lead Local Flood Authority were also consulted and requested three conditions in relation to provision of full details of drainage, disposal of surface water and a survey of existing site drainage.

Subject to the above conditions the proposal accords with policies EP14, EP20 and EP22 of the RCUDP.

Ground conditions

A number of objections referred to land stability issues on the site and contamination.

RCUDP policy EP10 refers to development of sites with potential contamination

RCUDP policy EP11 discusses development on potentially unstable land. The land in question does not fall within the RCUDP designation that refers to potentially unstable land. The applicant included supporting information in relation to the stability of the site. In summary the initial stability assessment states that *“the ground investigation undertaken to date by others indicates that the existing slopes are essentially stable under the present conditions. The currently proposed development will have a low impact on the overall stability of the slopes as it is understood that there is very little amendment to the slopes apart from the removal of surface vegetation and construction of minor, at contour access tracks for mobilisation of lightweight plant. All parties to the development process should be made aware that major remodelling of the existing slopes must not be undertaken on this site under any circumstances”*

Paragraph 179 of the NPPF establishes that *where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.*

In relation to land contamination the applicant submitted a phase 1 and phase 2 ground investigation report, which concluded that *“based on historic land uses and its current usage, the overall risk from land contamination at the site is considered to be moderate”*.

The Phase 2 report recommended a number of mitigation measures and the adherence to these will be subject to a condition. The Environmental Health Officer was consulted in regards to land contamination but did not comment.

Overall subject to the recommendations in the phase 2 ground investigation report the proposal accords with policies EP10 and EP11.

Wildlife Conservation

A number of objections were raised in relation to the ecological impact arising from the development and the fact the ecological survey was carried out in winter.

The proposed development lies within a Wildlife Corridor and Bat Alert Area. Policy NE15 ‘Development in Wildlife Corridor’, NE16 ‘Protection of Protected Species and NE17 Biodiversity Enhancement’ apply.

The Assistant Director – Neighbourhoods (Conservation) was consulted on the proposals and commented

I am satisfied with the conclusion of the Ecological Impact Assessment that the proposals are unlikely to have an overall adverse ecological impact, providing mitigation and enhancement measures are implemented. (The updated botanical survey was conducted outside the optimal season but confirmed that the main ecological value of the site is in that part which is largely unaffected by the proposed development.) Such measures should aim to maintain the functioning of the Wildlife Corridor through the retention of locally native trees and vegetation where possible and delivery of a programme of woodland management. The proposed footpath through the woodland should not be constructed; this would result in further disturbance and loss of trees/ground flora. Planting should use locally native species, with the exception of the proposed orchard area. Bird nesting and bat roosting features should be incorporated into the fabric of the buildings. Lighting should avoid spillage on the woodland and other retained trees and shrubs to avoid adverse impacts on foraging and commuting bats. Landscaping proposals should enable the safe passage of hedgehogs through the site. Holes of approximately 13x13cm should be cut into fences.

Subject to a number of conditions the proposal was considered to be acceptable in relation to policies NE15, NE16 and NE17 of the RCUDP.

Trees and Landscaping

Objections referred to the impact the loss of trees may have on the site, including visual, flood risk and pollution impacts.

RCUDP policy NE20 establishes that development will not be permitted where it would result in the removal or damage of protected trees unless it is in the interests of good arboricultural practice or the benefits of the development outweigh the harm. Policy NE21 refers to Trees and Development sites.

The Council's Tree Officer was consulted on the proposal and stated that "Due to the number of trees on site only a general walk round has taken place rather than inspections of individual trees. Little or no management appears to have been undertaken of the trees resulting in many trees competing for space and light. Having walked round the site and read the submitted tree report I have no reason to disagree with the comments in the tree survey. The trees do create an attractive amenity feature when viewed from the adjacent highways and any significant loss will have an impact on the area however it is noted that the trees between the old access road and Heptonstall Road are to be retained and new landscaping is to be undertaken adjacent to Bridge Lanes. Should development be considered acceptable suitable long term management of the retained trees should be undertaken in order to reduce competing and poor specimen trees so that the tree cover improves over time.

Subject to a condition regarding the protection of retained trees the proposal is considered to accord with policy NE20 and NE21 of the RCUDP.

Public health

A number of the objections to the development related to the impact on Air Quality the proposed development would have.

The site lies within the Hebden Bridge Air Quality Management Area. Policy EP1 of the RCUDP states that *“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 air quality is maintained”

Policy EP8 refers to ‘Other Incompatible Uses’.

Paragraph 92 of the NPPF states:

“To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: ...

b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;”

Paragraph 181 of the NPPF states that:

Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

The Council’s Environmental Health Officer was consulted on the proposal and provided the following comments

“The proposed development would be effectively situated in Calderdale No.3 Hebden Bridge Air Quality Management Area, an area known to be affected by high levels of traffic related pollution. The diffusion tube HQ1 is located on

the terrace of properties opposite the proposed site and has consistently measured concentrations of nitrogen dioxide above the annual mean objective (40micrograms per cubic metre). The concentrations for 2016 and 2017 were 52 and 50 micrograms per cubic metre respectively. Environmental Health believes that key factors in this include the effect of the buildings on the south side of Bridge Lanes, the steep ground rising to the north of the road and the slow-moving, often queueing, traffic which is a feature of this stretch of signal controlled road.

The applicant has not provided any information about the impact of the development on air quality, and no additional monitoring appears to have been carried out.

Environmental Health believes that the proposed development would have several impacts in terms of air quality. It would build up the northern embankment and further restrict dispersion of traffic related emissions, effectively making the likelihood of meeting the annual mean objective for nitrogen dioxide more remote and potentially threatening the hourly mean objective.

It would also introduce additional residential exposure to the traffic pollution. A properly designed ventilation scheme for the residential spaces may address the indoor concentrations, but people using any outdoor areas in the development would be exposed to potentially high levels of pollution, particularly if the dispersion is poor.

Environmental Health therefore considers that the proposal should be refused permission on the grounds that it would put existing and future residents at risk of harm due to air pollution, contrary to Calderdale's Replacement UDP policy EP8 and paragraph 170(e) of the National Planning Policy Framework."

Given the above, the proposal is considered to be contrary to policy EP8 and paragraph 170 of the NPPF. However, this is considered further in the Balance of Considerations section below.

Other Issues Raised

Crime Prevention

RCUDP policy BE4 'Safety and Security Considerations' explains that *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.*

Paragraph 127 (f) of the NPPF seeks to ensure developments create places that are safe, inclusive an accessible and which promote health and well being with a high

standard of amenity for existing future users and where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion and resilience.

The West Yorkshire Police ALO has been consulted and has provided details of crime prevention measures. Whilst they have no objections to the proposals, they recommend the site should be built to "secured by design" standards to keep the calls for service to a minimum.

Subject to a condition requiring the development is built to agreed standards, the proposal accords with RCUDP policy BE4.

Balance of Considerations

The application has raised objections in relation to the impact on heritage grounds and air quality.

In terms of the heritage aspect, concerns were raised in respect of the location of the site being a gateway to the town centre, the prominence of the site, the proposed height of the development and lack of a vertical separation between dwellings, proposed use of timber, and the loss of the green space and the effect this will have on the character and appearance of the Conservation Area.

The positive aspects of the site are the alignment of the development respects the historic pattern of development and references the terraced forms which are characteristic of Hebden Bridge.

As discussed under the 'Impact on Heritage assets' section, it is considered the applicant has amended the design through early engagement with the community, lowering the height at the western end of the site and reducing the number of dwellings and varying the roofline. The development is only taking place on part of the overall site and therefore a significant amount of tree cover is retained.

With regards to the proposed use of materials, specifically timber, the applicant maintains that this will be treated and arranged so as to reflect the local context which is predominantly stone.

The applicant has used a number of methods in order to achieve visual separations which are using rainwater pipes at a similar frequency as used in other existing terraces to the south and east, stepped rooflines, and a varied depth to the roofline.

It is therefore considered that the proposal has sought to minimise the harm to its fullest extent in relation to the development proposed.

With regards to paragraph 196 of the NPPF, the public benefits that the proposal would bring are focused around the provision of 20 low cost homes for rent within an area that is lacking in such provision.

In terms of BE18, and criteria (i) whilst the materials are not traditional, the form, design and scale of the proposed dwellings reflect the traditional pattern of

development seen elsewhere in Hebden Bridge. The proposed use of timber in this instance is considered as an appropriate contemporary intervention that in connection with the design pays homage to the character of the area.

In relation to criteria (ii) of BE18, the siting of the proposal retains a large part of the open space, and is designed so as to reflect other townscape / roof scape features.

With regards to criteria (iii) of BE18 the siting of the development is such that a significant element of the open space is retained, and therefore overall, it is considered that the proposal does not result in the significant loss of open space which makes an *important* contribution to the character of the Conservation Area, and with regards to views and criteria (iv), the applicant has sought to reduce the impact of the development when viewed from the west.

It is important to acknowledge that in relation to BE18 criteria (iii) and (iv) the development site was historically home to terraced housing at a much higher density than is proposed, and as such it is considered the development is appropriate in a historical context.

Therefore, on balance the proposal is considered to accord with policy BE18.

In terms of air quality, it is noted that Environmental Health consider the proposal should be refused on Air Quality grounds. The applicant has referred to mitigation measures in the Design and Access Statement in response to Air Quality concerns. They state that a very early decision was taken not to rebuild the terraced housing on the north side of Bridge Lanes in order to avoid a 'canyon' effect, instead the applicant designed the layout so as to position the new homes higher up the hillside and to deliver a landscape design that integrated with the building design, with planting proposals for the grass bank on the lower side of the development site helping to mitigate the effect of air pollution.

The site is allocated as a Housing Site in the submission version of the Draft Local Plan, and although it is recognised that there are air quality issues, the refusal of this site based on air quality grounds would not on its own address these. Instead, the matter requires a strategic approach to address the air quality issues in Hebden Bridge.

The proposal seeks to deliver twenty social housing units, in an area that has 300 applicants on the waiting list for accommodation of this kind. The location of the site also performs well in relation to sustainable development, due to its proximity to the town centre.

Overall, on balance of considerations, the delivery of social housing is considered to outweigh the impact on heritage issues and air quality issues.

CONCLUSION

The proposal is considered to be acceptable subject to the conditions specified below. The recommendation to grant planning permission has been

made because the development is in accordance with the policies and proposals in the Replacement Calderdale Unitary Development Plan and National Planning Policy Framework set out in the 'Key Policy Context' section above, with the exception of EP8; However, in this instance the conflict is outweighed by other material considerations namely the Public Benefit of the delivery of Affordable Housing in a Sustainable location.

Richard Seaman
For and on behalf of
Director of Regeneration and Strategy

Date: 21 January 2019

Further Information

Should you have any queries in respect of this application report, please contact in the first instance:-

Paul Copeland Case Officer) on 01422 392195 or Anne Markwell (Lead Officer) on 01422 392257.

