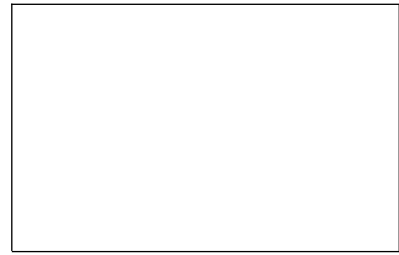


Calderdale MBC

**Wards Affected: Brighouse
and Rastrick Wards**

Cabinet: 15 January 2024



Garden Communities Masterplan Supplementary Planning Documents and Design Code Supplementary Planning Documents

Report of Director of Regeneration and Strategy

1. Purpose of Report

- 1.1 The purpose of this report is to inform members of the outcomes of the consultation on the draft Garden Communities Masterplan Supplementary Planning Documents and Design Code Supplementary Planning Documents, and to request Cabinet to recommend to Full Council that the Supplementary Planning Documents (SPDs) are adopted.
- 1.2 The Local Plan was adopted on 22nd March 2023 by Full Council and a suite of SPDs are in preparation and will be brought to Cabinet in due course.
- 1.3 The two Garden Communities sites are a key element of the Local Plan's housing delivery. In order to ensure that both sites deliver high quality development, both are to be supported by a Masterplan SPD and associated Design Code SPD. Therefore, there are four SPDs in total.
- 1.4 Delivery of the two Garden Communities will contribute to the achievement of the Council's Vision 2024 by delivering two distinctive Garden Communities. The Garden Communities Masterplan SPDs and Design Code SPDs set out a detailed Masterplan and design framework that is fundamental to all three of the Council's Corporate priorities to 'Tackle the Climate Emergency', 'Reduce Inequalities' and 'Create Strong, Thriving Towns'.
- 1.5 The concept of a 'Garden Community' has its roots in the 'Garden City Movement' of the early 1900s. Engrained in Britain's urban development history, Garden Cities represent principles of good physical planning, quality architecture, plentiful open space, and inclusive community involvement and self-management.
- 1.6 The principle of allocating the two Garden Community sites was subject to an extensive consultation process through the preparation of the Local Plan and further scrutiny through the Local Plan Examination in Public.

- 1.7 The purpose of this report is to provide members with a summary of the consultation on the draft SPDs and to seek approval for the final versions of the SPDs to be presented to full Council with a recommendation for their adoption.

2.Need for a decision.

- 2.1 Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing Supplementary Planning Documents.
- 2.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 require a Local Planning Authority to undertake public consultation on draft SPDs for a minimum of four weeks, and to take account of any comments received in preparing the final documents.
- 2.3 The Garden Communities SPDs were subject to public consultation from 25th August 2023 until 25th September 2023. In terms of the individuals that commented on the documents, 33 people commented on the Draft Thornhills Masterplan, 20 people commented on the Draft Thornhills Design Code, 53 people commented on the Draft Woodhouse Masterplan, and 27 people commented on the Draft Woodhouse Design Code.
- 2.4 Once adopted by the Council these SPDs become a material consideration which will be taken into account when determining planning applications.

3.Recommendation

- 3.1 It is recommended that Cabinet notes the comments received during the consultation alongside officer responses (as set out in the consultation statements, Appendices 5,6,7,8) and revised SPDs and recommends to Council that the following Supplementary Planning Documents are adopted:
- Thornhills Garden Community Masterplan Supplementary Planning Document (Appendix 1)
 - Thornhills Garden Community Design Code Supplementary Planning Document (Appendix 2)
 - Woodhouse Garden Community Masterplan Supplementary Planning Document (Appendix 3)
 - Woodhouse Garden Community Design Code Supplementary Planning Document (Appendix 4)

Reason – The Garden Communities Masterplan SPDs and Design Code SPDs are required to be adopted by Full Council in order for them to be a material consideration in the determination of planning applications.

4. Background

- 4.1 Calderdale's Local Plan (adopted March 22nd, 2023) provides the framework for determining planning applications. Supplementary Planning Documents (SPDs) provide additional detail and guidance to support Local Plan policies. Once adopted by the Council, The Garden Communities Masterplan SPDs and associated Design Code SPDs become a material consideration which will be taken into account when determining planning applications.
- 4.2 The role of SPDs is clearly set out in the Planning Practice Guidance as follows (Paragraph: 008 Reference ID: 61-008-20190315):

What is the role of supplementary planning documents?

Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.

- 4.3 The Planning Practice Guidance referred to above also provides details on whether SPDs require a Sustainability Appraisal or a Strategic Environmental assessment (SEA). The guidance states that

"Supplementary planning documents do not require a sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already have been assessed during the preparation of the relevant strategic policies".

- 4.4 Given the Local Plan policy IM7 was subject to the Local Plan Sustainability Appraisal that incorporated the relevant requirements of the SEA Directive and both Garden Community Site Allocations were also subject to the same assessment there is no further requirement to carry out SEA against these SPDs.
- 4.5 The Local Plan includes two Garden Community site allocations that when developed, will provide a significant element of the overall housing requirement of the Local Plan.
- 4.6 The sites will be delivered over a long period of time, during which planning policies at a national and local level are likely to be updated. The Masterplan SPDs and associated Design Code SPDs are worded specifically to ensure

they are adaptable to future policy changes in order to remain relevant throughout the delivery of both sites.

- 4.7 All four SPDs were developed by the Council alongside the consultants, JTP, and also involved a number of stakeholders including landowners, and developers.

Consultation

- 4.8 The Garden Communities SPDs were subject to public consultation from 25th August 2023 until 25th September 2023. In terms of the individuals that commented on the documents, 33 people commented on the Draft Thornhills Masterplan, 20 people commented on the Draft Thornhills Design Code, 53 people commented on the Draft Woodhouse Masterplan, and 27 people commented on the Draft Woodhouse Design Code.
- 4.9 The Consultation Statements (Appendices 5,6,7,8) document the comments made, the Officer's response and how the SPD was amended (if applicable).
- 4.10 The nature of the comments received result in lengthy consultation statement documents and the following section of this covering Cabinet report is a summary and not an exhaustive list of comments received.
- 4.11 In terms of general comments, a number of comments received were connected to objecting to the principle of development on both sites. Both Garden Communities site allocations were established through the Local Plan, therefore the principle of development is not up for debate.
- 4.12 Some representations stated that the SPDs should enforce rather than encourage certain elements of design and development by changing the wording in certain elements from a 'should' to a 'must'. SPDs provide additional guidance on adopted Local Plan policies and are unable by themselves to introduce new policy that goes further than the Local Plan.
- 4.13 A number of comments were concerned with the impacts on existing residents during the construction phase of both sites. Regarding this matter, a Construction Phase Management Plan would be likely to be conditioned upon planning approval.
- 4.14 There were comments made in relation to a buffer between the existing settlement and new development. The Local Plan includes a policy (BT2) that addresses privacy concerns between dwellings.
- 4.15 Other matters that were a common theme included infrastructure. Within this topic, a number of comments referred to the lack of an up-to-date Infrastructure Delivery Plan and commented on uncertainties in relation to the A641. The emerging nature of the A641 scheme and Infrastructure Delivery Plan (IDP) were commented on at the Local Plan Examination, the Inspector acknowledging that the IDP is a provisional list and is subject to change as both the Masterplanning and A641 business case continues to develop.

- 4.16 Linked to the concerns over Infrastructure is viability. Throughout the Masterplanning process, the Council commissioned an Infrastructure Delivery Cost Plan and numerous viability assessments.
- 4.17 In relation to drainage concerns, the Lead Local Flood Authority (LLFA) will require a Construction Surface Water Management Plan to be provided and implemented to protect the site from pollution and flooding during the construction phase, this is usually requested as a planning condition for large developments during the planning consultation.
- 4.18 Some comments received considered the Stewardship Strategy was introducing a new policy, something beyond the scope of the SPD. However, the approach is set out in the Local Plan, policy IM7.
- 4.19 Some representations were concerned that not all landowners had been involved in the development of the SPDs. However, there was a presentation given by the Council and the consultants preparing the SPDs in August 2022, and subsequently a meeting in October 2022. Furthermore, in January 2023, the Council officers provided all landowners and their representatives with a copy of the draft Masterplan and provided an opportunity for parties to make comment, prior to formal consultation.
- 4.20 Many of the representations were critical of the length of the consultation, although the Council met the legislative requirements in this regard. Other general comments related to the way the SPDs had been drafted, how different parts of the SPDs fit together to become one, coherent document, a lack of community engagement, alongside the technical nature of the documents which resulted in comments on their accessibility.
- 4.21 Another recurring concern was the timing of the SPDs, when other SPDs proposed by the Council have not yet been adopted or consulted upon. However, it is not feasible or considered necessary to prepare all other SPDs prior to the Garden Community Masterplan SPDs. Local Plan policies will apply to all planning applications determined prior to adoption of the other SPDs.
- 4.22 The following is a summary list of comments against each individual SPD. Again, the summary is not exhaustive.

Thornhills Design Code

- Desperate need for retirement housing but the Garden Community misses this opportunity.
- Issue over viability re materials
- Materials and cladding not typical of this area.
- Objection to reduced road and access provision.
- Building heights must be limited to 2 storeys especially adjacent to existing properties.
- Access to bus travel – how will this be managed?
- Development must be sensitive to existing settlement boundaries and green belt.
- Not all stakeholders have been involved in the drafting of the SPD.

- A643 scheme hasn't been subject to detailed scrutiny yet.
- Open Space needs to be accessible and safe for all.
- How will service vehicles be accommodated without dominating the design?
- Lack of provision for advancement in building materials or technology.
- The Design Code favours identikit housing.
- Self and Custom Build plots are too close to existing properties.
- Impact on Wildlife Habitat Network
- The Council are proposing a large scale housing development, not a Garden Suburb.

Thornhills Masterplan

- Question as to why the Spine Road is no longer proposed?
- The proposal will have all traffic exiting onto Clifton Common, this proposal is unsafe.
- Uncertainties over A641 and Infrastructure not addressed.
- Impact on Air Quality resulting from development.
- Phasing plan is unclear and meaningless.
- Local Centre and school must be constructed at the start of the development.
- Housing mix should be determined before the start of development.
- The proposed density does not reflect Garden Community principles.
- Climate change and energy efficiency measures are insufficient.
- Object to a lack of developer contributions for secondary school funding
- The Stewardship Strategy is a new policy and outside scope of SPD.
- Impact on community as a result of loss of green space and public rights of way.
- Design principles should be amended to make active travel the preferred choice.
- Concerned that the Masterplan does not require on site provision of new playing fields within the proposed development.
- Support the inclusion of a community hall within the proposed Local Centre.
- Development guidelines make no reference to meeting the needs for indoor sports provision.
- Concern over viability of development.
- Housing mix and density is too prescriptive.
- Calderdale Council have excluded some landowners from the process.
- Arrangements must be made to compensate landowners within the allocation whose land is identified as Amenity Land.
- Support the approach to delivering biodiversity net gain through the development.
- Different approach to self and custom build housing across the two sites
- Support the intention that a Collaboration Agreement will be pursued.

Woodhouse Design Code

- Lack of community involvement in developing the SPD.
- Failure to understand the context of the site.
- Not all constraints have been identified and/or considered.

- Images need to be selected that show the uniqueness of the Woodhouse area.
- Request that densities reflect the existing settlement pattern.
- Concern over secondary access to Woodhouse
- Need to ensure Affordable Housing is fully integrated and tenure blind.
- Issues over the demand and needs of Local Centres.
- Availability of sports facilities in School
- Difficulties of delivering a Garden Community in relation to Topography
- Masterplan of Green Infrastructure is required from initial phase onwards.
- Concerns over access from and to the Woodhouse development and Brighouse Town Centre
- Unclear as to how through traffic will be managed.
- How is the local levy connected with the Stewardship Strategy to be collected?
- Issue with surface water flooding around Ryecroft Lane
- Support the inclusion of SUDS across the development.
- More reference should be made to the water environment within the BNG section.

- Further information required on 'Pocket Parks'.
- Most residents whilst benefiting from active travel will still need access to a car.
- Given emphasis on climate change and active travel, there is a lot of room given to parking.
- No specific section of Design Code dealing specifically with heritage considerations.
- Welcome that the Design Code recognises the contribution non-designated heritage assets make to area.
- The lack of focus on the infrastructure and access to site
- Proposals and phasing shows no understanding or consideration of the impact on the existing community.
- Query over who will be responsible for providing the Local Centre
- Concerns over the practicalities of the Community Stewardship approach – responsibility for proper management and maintenance of assets and public space should be the Council's responsibility.

Woodhouse Masterplan

- Concern over impacts on existing residents during construction phase
- Impact on existing services / utilities.
- Lack of information re infrastructure and cumulative impacts.
- Lack of community involvement.
- Failure to understand the context of the site.
- Not all constraints have been identified and or considered.
- Impact on Ryecroft Lane and Woodhouse Gardens during construction phase.
- Object to density as this does not reflect Garden Community principles.
- Landscape Visual Impact Assessment should be done as part of the Masterplanning process.
- Location of community orchards not appropriate due to topography.
- Access and movement –how will active travel routes link to existing routes outside of the site?
- Impact on Shepherds Thorn Lane and Access for existing residents.
- Impact on Stratton Road
- Access to a bus service unclear.
- Education –need for secondary provision has not been addressed.
- Will there be a Drainage Strategy?
- No up-to-date transport assessment is available to verify trigger points for infrastructure and address the traffic impacts.
- Local Centre should be delivered at the start of the development.
- Stewardship Strategy is a new policy and outside scope of SPD.

- What mitigation is there for existing communities?
- Impacts on biodiversity – need for ecological and privacy barrier between new housing and existing settlements.
- Phasing strategy appears to contradict the hierarchy of access, phasing table inadequate.
- There is already a lack of GP surgeries in the area and the developments will impact this further.
- Lack of a definitive timeline for the delivery of the Local Centre

4.23 In terms of the officer responses to the comments made, these can be viewed in the consultation statements appended to this report. A significant number of the concerns and objections expressed by those who commented on the draft SPDs will be addressed at the planning application stage and addressed through the Local Plan policies and are outside of the scope of the SPDs.

Changes to the Draft SPDs

4.24 The majority of changes to the SPDs have been changes to the text to address the comments made.

4.25 In terms of changes to the Woodhouse Masterplan and accompanying Design Code, the key amendment involves the removal of a parcel of land (excluding the access) reference R2b from the Masterplan. This meant that the capacity was slightly reduced by 34 dwellings as a result.

4.26 Other amendments include the following:

- A Landscape and Visual Impact Assessment (LVIA) will be required to demonstrate a design proposal's wider visual impact.
- The shared use of the school sports facilities with the community outside of school hours will now be required.
- Air Quality – the SPDs have been updated to include more emphasis on this matter.
- SPDs have been updated in relation to the setting of heritage assets.
- Several the plans were updated to address inconsistencies and errors.
- Phasing plans are updated to provide greater clarity.
- Removal of reference to Amenity Greenspace in the Stewardship Section.
- Stronger reference to Climate Change in the vision.

Thornhills and Woodhouse Garden Community Masterplan SPDs

4.27 The Masterplan SPDs are set out in three sections. The first section provides the background to the Masterplan and the local and national policy context. The second section is the actual Masterplan and sets out the site's constraints and opportunities, the Masterplan framework, and development guidelines. The third section is concerned with the implementation of the Masterplan, and

considers phasing and delivery, stewardship and maintenance, and planning application requirements.

Woodhouse Garden Community (site ref LP1451)

4.28 Site LP1451 is the Garden Community allocation on land between Bradley Wood and Woodhouse Lane in Rastrick. The 63-hectare site has capacity for 1037 new homes, a Local Centre, and a primary school.



Thornhills Garden Community (Local Plan site Ref LP 1463)

4.29 Site LP 1463 is the Garden Community allocation on land between Highmoor Lane and Bradford Road Brighouse. The 140-hectare site has capacity for 1,927 new homes, a Local Centre, and a primary school.



Masterplan SPDs – Part A: Background

4.30 This section sets out the background to the SPD and the policy context. In terms of Local Policy context, both SPDs provide additional detail on the sites and in particular, help interpret and articulate the requirements of the Local Plan Policy IM7, 'Masterplanning' by setting out the Council's expectations for ensuring the high-quality comprehensive development of both the Garden Community sites.

4.31 Other policies that provide an overarching framework for the SPDs are as follows:

- CC1 Climate Change
- BT1 – High Quality Inclusive Design
- GN3 – Natural Environment
- IM4 - Sustainable Travel

4.32 In relation to Design Guidance, the SPDs provide a summary of National Design Guidance that has informed the development of the Masterplan SPDs and Design Code SPDs. Principally, the National Design Guide and the National Model Design Codes are referenced. In terms of Local Design Policy, the

Masterplan SPD provides commentary of the Local Plan policy BT1 and the forthcoming Placemaking and Design Guide SPD.

- 4.33 The second element of the background to the SPD is a section on the Vision and Core Objectives of the SPDs. The Vision for both Garden Communities is as follows:

“The Vision for Thornhills and Woodhouse Garden Communities is of a Place in Balance. A place to live and work alongside nature, one that integrates the natural landscape within every neighbourhood. A Place that is in harmony with its surroundings”.

- 4.34 This section of the SPD then provides a summary in regard to the ethos of the Calderdale Garden Communities (based on the Town and Country Planning Association Garden City Principles); and how they are centred around the following themes:

- Green, Blue and Wild Infrastructure
- Inclusive Neighbourhoods
- Pro-Active Community
- Circular Economy
- Active Travel, Enhanced Connections

Part B: Masterplan

- 4.35 The first section of the Masterplan element of the SPD looks at each site's constraints and opportunities. The SPDs provide plans of both sites which illustrate the constraints (e.g., heritage assets, Ancient Woodland) and then opportunities (e.g., upgrading existing Rights of Way, enhancing sports facilities).
- 4.36 This section then continues by expressing the 'Key Design Principles' behind the Masterplan. The Masterplan's are landscape led, seeking to retain and enhance the best aspects of the existing landscape and ecology through a network of open spaces with a variety of uses. Another principle is to work with the topography of the sites.
- 4.37 There are four key layers of the Masterplan, which are the rationale for the distribution of land uses, heights and density, landscape and open space, and access and movement. The SPDs explain the distribution of residential land alongside the other land uses of each of the Garden Community sites.
- 4.38 In terms of building heights and density the SPDs explain the approaches to setting out the preferred heights and densities in different parts of each site. The Landscape and Open Space theme considers how the landscape strategy would create a range of varied and attractive environments to new and existing residents in the area. Alongside these, there is reference to playing fields, sports facilities, alongside semi formal parks. Remaining with this theme, the

SPD includes commentary on community growing areas, green links, and incidental green spaces.

4.39 In connection with access and movement, there is a clear movement hierarchy expressed which prioritises Active travel in line with the Local Plan policy and the principles set out in LTN1/20¹.

4.40 The Development Guidelines section of the Masterplan sets out the key development requirements that need to be delivered to meet Local Plan Policy and achieve the overall vision for the sites. The following housing mix is set out in the Masterplans:

- One bedroom – 10-15%
- Two and three bedroom 60-80%
- Four bedroom plus – 10-15%

4.41 Other matters in relation to housing mix set out in the SPD include a requirement for developers to submit a housing need statement setting out how the mix of homes will help meet local need; a preference for homes to be built to the Nationally Described Space Standard or better; making all new homes adaptable and accessible in line with M4(2) or equivalent principles where conditions allow; and for smaller, local developers to develop parts of the residential parcels.

4.42 In terms of Affordable Housing, the Masterplan SPD provides details of the requirement for both sites, and this totals 741 affordable homes across both sites – for Woodhouse this translates to 259 units and for Thornhills the figure is 482. The Council's preferred approach is that the applicant builds and transfers the completed home to a Registered Providers for rent or shared ownership.

4.43 A number of principles are set out in relation to Affordable Housing, including, amongst others, that alongside 2, 3 and 4 bed houses development of affordable 1, 2, or 3 bed affordable bungalows will be encouraged. The

¹ Cycle Infrastructure Design [Cycle infrastructure design \(LTN 1/20\)](https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-1-20) - GOV.UK (www.gov.uk)

Affordable Housing should be integrated into the development and developers should submit an Affordable Housing Statement with applications.

- 4.44 Concerning Specialist Housing, the SPDs make it clear that the Garden Communities should be age and disabled friendly communities. Encouraging the development of Bungalows which are designed to 'HAPPI'² principles.
- 4.45 In relation to self-build and custom housebuilding the SPD highlights that any such plots are expected to be developed in accordance with the Self and Custom Build Housing SPD and policy HS5 of the Local Plan.
- 4.46 The Masterplan SPD for Thornhills has identified pockets of land that would be appropriate for SME³ construction firms, to be delivered in line with Local Plan policy and the Masterplan SPD and Design Code.
- 4.47 Policy IM7 of the Local Plan requires the Garden Communities to provide "appropriate community facilities and services to serve the new development". The Masterplan SPDs support this policy objective by identifying areas within both sites for a Local Centre. The Local Centre for Woodhouse includes:
- Local grocery store
 - Café
 - Community hall
 - Mobility hub
- 4.48 The Local Centre for Thornhills includes the following:
- Farm shop and café
 - Community hall
 - Nursery
 - Mobility hub
- 4.49 In relation to education provision, both sites will include land allocated for a Primary School.
- 4.50 Both Masterplan SPDs set out that each site will provide a network of multi-functional green spaces, including parks, amenity areas, community growing areas, hedgerows and other green links.
- 4.51 Each of the sites will deliver levels of open space that are higher than the minimum policy requirements stipulated by Local Plan policy GN1 (Securing

²Housing Our Ageing Population Panel for Innovations [HAPPI - Design - Topics - Resources - Housing LIN](#)

³ An SME is any organisation that has fewer than 250 employees and a turnover of less than £50 million or a balance sheet total less than £43 million.

Green Infrastructure Provision) in line with established Garden City principles and the wider vision for the allocation.

- 4.52 Biodiversity Net Gain is a key policy requirement and the Masterplan SPD sets out that each site will be required to achieve a 10% net gain in biodiversity.
- 4.53 In relation to the theme of connectivity, active travel principles are prioritised within the Garden Communities, with those walking, wheeling and cycling afforded the most direct route, with priority over and protection from motorised traffic where possible.
- 4.54 Other elements of travel in relation to the Garden Communities refer to public transport provision, alongside off-site highway improvements to mitigate the impact of the Garden Communities. Each Local Centre will include a mobility hub, that will incorporate features such as E-bike charging points, cycle parking, bus stop, mobility scooter parking with charging points.
- 4.55 A number of Public Rights of Way run throughout both sites, including sections of the long-distance routes (National Trails) Calderdale Way, Brighouse Boundary Walk, and Bronte Way. The SPD emphasises that these must be considered and incorporated into the developments.
- 4.56 Both Masterplan SPDs identify the heritage assets that existing within, and in the vicinity of, the Garden Community sites. The SPD comments that Development proposals must be informed by an understanding of the significance of the listed buildings and their setting.
- 4.57 Addressing the impacts of Climate Change is an integral part of the Garden Community principles in line with the Calderdale Local Plan and the Council's Climate Action Plan which includes a commitment to get to Net Zero by 2038.
- 4.58 Both Garden Communities will be delivered with features that will both mitigate the effect of development and adapt to the impacts of Climate Change. The SPDs set out these measures that will be implemented as part of the development. These documents are set against a national picture where planning policy and guidance is expected to be strengthened through changes to the planning system. Initiatives such as the Future Homes Standard and the ongoing strengthening of the Building Regulations will, for example, require greater levels of energy efficiency and renewable and low carbon energy to be utilised in new developments over the construction period of the Garden Communities.
- 4.59 Examples of specific measures include no gas boilers in dwellings, a LTN 1/20 standard highway network, adoption of Green and Healthy Street principles and mobility hubs. There will also be opportunities in the delivery of the primary schools and community buildings to strive for high levels of environmental sustainability.

- 4.60 The Masterplans include a section on drainage – and emphasise that the Garden Communities should implement drainage strategies that consider sustainable drainage techniques that work with the natural drainage of the sites to retain surface water within the site and manage the risk of flooding during severe storms.
- 4.61 An additional element of the Garden Community developments relates to social value and wellbeing. One of the key objectives of both Garden Communities is to be an exemplar of health and wellbeing for both residents and visitors and aim to provide a socially sustainable community. Both Garden Communities should also contribute to the social, economic, and environmental well-being of the area. Mechanisms to help achieve this are in place through both the Local Plan and the SPDs. For example, the Local Plan requires applications in relation to the Garden Communities sites to be accompanied by a Health Impact Assessment, whilst the improvement of education and skills is addressed through a requirement to provide employment and training opportunities through a s106 agreement or unilateral undertaking.

Part C: Implementation

- 4.62 The third element of the Masterplan SPDs relates to implementation. Phasing and Delivery, Stewardship and Maintenance, and Planning Application Requirements are all addressed.
- 4.63 In relation to Phasing and Delivery, it is assumed the Woodhouse Scheme will be delivered in three broad phases and these are illustrated in the Masterplan SPDs. With regards to delivery rates, it is assumed that the rates will be approximately 60 units per annum for the first two years, then approximately 120 units per annum subsequently.
- 4.64 With regards to Thornhills, it is envisaged that the development will be delivered in five broad phases. In terms of delivery rates, it is assumed that approximately 100 units per annum will be completed, followed by eight years of approximately 150 units per annum, with the remaining balance being delivered by 2039.
- 4.65 With regards to piecemeal applications, to ensure comprehensive and complementary development, it is expected that development proposals come forward for each parcel in their entirety. The SPD states that where applications are submitted relating to sections of larger parcels they will only be permitted where the applicant can demonstrate that schemes are in accordance with the site wide principles and the Masterplanning SPDs.
- 4.66 The SPDs provide a section on Infrastructure Delivery. The documents emphasise that successful delivery of the Garden Communities will be dependent on appropriate cooperation between the Council and the various landowners and developers. Such cooperation will be essential in relation to

aspects of the developments including transport, education community facilities and utility strategies.

- 4.67 The section on infrastructure delivery covers housing, healthcare, Local Centres, education, open space, and highways, which includes the A641 Corridor Improvement Scheme, the A643 scheme, alongside on and off-site highway improvements.
- 4.68 In regard to developer contributions and funding strategy the proposal is to fund infrastructure through a combination of a 'direct delivery' where infrastructure is delivered by developers through a Section 106 (S106) legal agreement/unilateral undertaking or planning conditions; and secondly, through a 'roof tariff' arrangement secured through S106 agreements/unilateral undertakings. This would cover the Council's costs in relation to infrastructure that has been forward funded. Such a roof tariff is intended to ensure the costs are shared equitably across the Garden Community and will be charged on a per dwelling contribution. The per dwelling contribution will be calculated by taking the total projected construction costs of the Roof Tax infrastructure package plus an appropriate allowance for finance and risk and dividing this by the number of homes that are proposed to be delivered.
- 4.69 The Roof Tax will be subject to indexation to take into account inflationary risk relating to the infrastructure items it will be forward funding. The roof tax will be secured via S106 agreement/unilateral undertaking with phased payments being made at appropriate intervals determined by the scope of individual planning permissions and will be subject to periodic review to ensure that the receipts generated are sufficient to meet the shared infrastructure costs.
- 4.70 In addition to the roof tax, it is anticipated that for each individual phase of development there would be additional requirements necessary to ensure its compliance with the Calderdale Local Plan policies and to mitigate the impacts of the development, both individually and cumulatively on the local social, physical and economic infrastructure. It is intended that these measures would be secured by means of a Section 106 Legal Agreement. Appendix 1 of the Masterplan SPD sets out the anticipated S106 requirements for each phase.
- 4.71 In order to 'forward fund' the infrastructure, a separate Cabinet report which sets out borrowing proposals is being prepared and will be presented to Cabinet separately. The Council will be required to fund by borrowing the cost of critical infrastructure necessary for the Garden Communities together with the cost of the land remediation and infrastructure needed to underpin the viability of the Clifton Business Park scheme. The relevant Cabinet Report will set out the mechanisms by which the borrowing can be repaid.
- 4.72 In relation to landowner and collaboration requirements, and to satisfy Local Plan policy IM7, a collaboration agreement will need to be entered into by all relevant landowners within the relevant phase of development. Such an agreement will reassure the Council that delivery of key parts of each of the Garden Community sites are capable of being brought forward in a

comprehensive manner. The SPDs provide more detail on the contents of the Collaboration Agreement.

4.73 The second part of the Delivery element of the SPDs is Stewardship and Placemaking. The purpose of this section of the SPD is to provide the framework for the Council and the developers to enable the implementation of long-term stewardship arrangements at both Thornhills and Woodhouse. The aim is to create a long-term independent Stewardship Trust on each Garden Community site. Such an approach will help establish a strong community, and one which is proactive, and based on a participatory governance structure and decision-making processes.

4.74 The Stewardship Strategy's objectives are expressed as being:

- Ensure open spaces and facilities are well maintained in perpetuity and for public benefit of all those who live, work in or visit the area including existing local residents from surrounding communities.
- Develop a sense of community, both within Thornhills and Woodhouse and between the surrounding settlements, through effective communication and community development activities from first occupation.

4.75 In terms of community assets and facilities the Council's preferred approach is for all highways, footpaths, cycle routes and associated surface water drainage to be adopted by the Council. It is anticipated that the Sports /MUGA pitches will be owned and or run by the school or local sports groups.

4.76 All other community assets including public open space, parks, play areas, community growing areas and community buildings along with their maintenance liabilities are to be owned and managed by the proposed Calderdale Garden Communities Trust.

4.77 In terms of governance and the Trust, it will be registered as a charitable company. A Board will be established with membership from the Council, Developers, and residents. Other forums would include residents sub committees and a community forum.

4.78 In relation to funding, the SPDs provide an explanation as to how the Trust will be funded, through a mix of grants, rental and service charges, and income from some of the on-site facilities managed by the Trust.

4.79 The final element of the Masterplan SPD delivery and implementation section relates to the planning application requirements. The SPDs provide information relating to pre application discussions, a design review, along with community and stakeholder engagement. In addition, there is reference to validation requirements of any future application. The SPDs highlight the fact that both

Woodhouse and Thornhills Garden Communities represent development that qualifies for an Environmental Impact Assessment.

- 4.80 Appendix 2 of the Masterplan SPDs provides a list of the reports and plans that would be necessary to be submitted in support of any planning application on the Garden Communities.

Design Code Supplementary Planning Documents

- 4.81 Both Garden Communities Masterplan SPDs are accompanied by a Design Code SPD. The Design Code SPDs provide detailed guidance in respect of the design principles that the Council expect to achieve on both Garden Community sites. The Design Code SPDs include reference to the National Design Guide and the National Model Design Codes that expands on the ten characteristics of good design set out in the National Design Guide.
- 4.82 In terms of the structure of both Design Code SPDs, this has been strongly influenced by the National Model Design Code guidance. The following is a summary of the contents in each chapter of the Design Code documents.
- 4.83 The Context section provides a summary of the site and its local and wider context, including an overview of local architectural and landscape characteristics and the importance of delivering a new place which responds positively to them.
- 4.84 The Design Codes include a 'Regulatory Plan' which is based on the Masterplan and sets out a framework of mandatory requirements and design fixes which all future detailed planning applications must comply with.
- 4.85 The Design Code then moves on to details concerning the different land uses and quantum of development across the site, including guidance on community facilities and services, house type, tenure and mix.
- 4.86 In relation to the natural environment, the Design Code sets out design principles concerning the multifunctional green and blue infrastructure, including sustainable drainage, play provision and biodiversity.
- 4.87 The Movement section provides guidance on the key principles of the access strategy and movement network, including street design, active travel, and parking and servicing strategies.
- 4.88 Each Design Code includes a section on built form, where a set of general urban design principles for block layout are explained and identifies controls on building height and density.
- 4.89 The Identity section provides guidance on how to deliver a real sense of place through the creation of local distinctiveness, including the identification of

distinct character areas within the Masterplan, key groupings, and use of materials and building detailing.

- 4.90 The Design Codes include a section on public spaces, where design principles are set out for the arrangement and use of such spaces. This includes detailed aspects of hard and soft landscape materials, street trees and street furniture.
- 4.91 In relation to the final two sections of the Design Codes, these relate to resources which focuses on the delivery of energy efficient buildings, and lifespan, which provides information about the ongoing management and maintenance of the Garden Communities.
- 4.92 A Design Compliance Checklist is provided as an Appendix which is to be used as a checklist for applicants to demonstrate their compliance with the Design Code.

5.Options considered.

Option 1 – Cabinet notes the comments received during the consultation alongside officer responses (as set out in the consultation statements at Appendices 5,6,7,8) and revised SPDs and recommends to Council that the following Supplementary Planning Documents are adopted:

- Thornhills Garden Community Masterplan Supplementary Planning Document (Appendix 1)
- Thornhills Garden Community Design Code Supplementary Planning Document (Appendix 2)
- Woodhouse Garden Community Masterplan Supplementary Planning Document (Appendix 3)
- Woodhouse Garden Community Design Code Supplementary Planning Document (Appendix 4)

Reason – The Garden Communities Masterplan SPDs and Design Code SPDs are required to be adopted by Full Council in order for them to be a material consideration in the determination of planning applications. This is the preferred option.

Option 2 – Cabinet do not agree to recommend to Full Council that they adopt the Garden Communities Masterplan SPDs and associated Design Code SPDs

- 5.1 The alternative is for Cabinet to determine not to recommend to full Council that they adopt Garden Communities Masterplan SPDs and associated Design Code SPDs.
- 5.2 Should this be the decision, then proposed developments would not be in line with the adopted Local Plan policy IM7 which requires that the Masterplans for the Garden Communities are adopted through a Supplementary Planning

Document. In the absence of an adopted SPD any future applications are at risk of refusal at the planning approval stage.

- 5.3 Option 1 is recommended to cabinet as this would enable the SPDs to be used by Officers in the determination of planning application within the Garden Community site allocations.

6. Financial Implications

- 6.1 There are no significant financial implications arising from an approval to adopt the SPDs in themselves.
- 6.2 Longer term, adoption of the Masterplan SPDs and associated Design Code SPDs will potentially bring a number of significant financial benefits to the Council. Improvements to offsite infrastructure, and an increased Council Tax base.
- 6.3 The SPDs would enable the introduction of a roof tax approach across both sites. The roof tax would be agreed through section 106 agreements, and the income would be used to repay the infrastructure costs that the Council has forward funded. The roof tax is intended to ensure the costs are shared equitably across the Garden Communities.

7. Legal Implications

- 7.1 As stated earlier in this report, the SPDs have been prepared in line with the Town and Country Planning (Local Planning) (England) Regulations 2012. An adoption statement will be prepared, and the relevant SPD will be made available for public inspection in line with Regulation 14 if the SPD is adopted by Full Council.
- 7.2 Regulation 12 of the aforesaid Regulations provides that, before a local planning authority can adopt an SPD, it must first to prepare a statement setting out the persons consulted during the preparation of the document, with a summary of the main issues raised and how they have been addressed in the SPD. Preceding paragraphs in this report summarised key themes from the consultation responses, which are addressed in more detail in the Consultation Statements forming appendices 5 to 8. The requirements of regulation 12 are therefore satisfied accordingly.

8. Human Resources and Organisation Development Implications

- 8.1 The delivery of the Garden Communities will require input from services across the Council given the complexity of development proposals that will be submitted to the Council. Services from across the Council will be required to support colleagues in Planning to provide technical expertise in the consideration of planning applications.

9. Consultation

- 9.1 The Local Plan Policies that the draft Garden Communities Masterplan SPDs and Design Code SPDs support were subject to a number of rounds of public consultation prior to the submission of the plan to the Secretary of State in 2019, as well as stakeholder and public engagement through the Examination process.
- 9.2 Specific consultation on the Draft SPDs was carried from 25th August 2023 until 25th September 2023.

10. Environment, Health and Economic Implications

- 10.1 Environment, health, and economic considerations are central themes to the Garden Communities. They have therefore had an important influence on the relevant Local Plan policies.
- 10.2 Implementation of the Masterplan SPDs and Design Code SPDs will help deliver development that is in line with the Council's Corporate Priorities to 'Tackle the Climate Emergency', 'Reduce Inequalities' and 'Create Strong, Thriving Towns

11. Equality and Diversity

- 11.1 It is considered that the Garden Communities will make an important contribution to the Council's priority to reduce inequality. In particular delivery of the sites will increase residents' access to suitable homes and employment. The SPDs includes details on matters such as different types of housing need, including older people, alongside policies relating to health and wellbeing, accessibility, and inclusive design.

12. Summary and Recommendations

- 12.1 It is recommended that Cabinet notes the comments received during the consultation alongside officer responses (as set out in the consultation statements, Appendices 5,6,7,8) and revised SPDs and recommends to Council that the following Supplementary Planning Documents are adopted:

- Thornhills Garden Community Masterplan Supplementary Planning Document (Appendix 1)
 - Thornhills Garden Community Design Code Supplementary Planning Document (Appendix 2)
 - Woodhouse Garden Community Masterplan Supplementary Planning Document (Appendix 3)
 - Woodhouse Garden Community Design Code Supplementary Planning Document (Appendix 4)
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Appendices:

Appendix 1 - Thornhills Garden Community Masterplan Supplementary Planning Document

Appendix 2 - Thornhills Garden Community Design Code Supplementary Planning Document

Appendix 3 - Woodhouse Garden Community Masterplan Supplementary Planning Document

Appendix 4 - Woodhouse Garden Community Design Code Supplementary Planning Document.

Appendix 5 – Consultation Statement – Thornhills Garden Community Masterplan Supplementary Planning Document

Appendix 6 – Consultation Statement - Thornhills Garden Community Design Code Supplementary Planning Document

Appendix 7 – Consultation Statement - Woodhouse Garden Community Masterplan Supplementary Planning Document

Appendix 8 – Consultation Statement - Woodhouse Garden Community Design Code Supplementary Planning Document.

Documents used in the preparation of this Report are:

1. Calderdale Local Plan, adopted March 2023
2. Report on the Examination of the Calderdale Local Plan, Planning Inspectorate, January 2023
3. Town and Country Planning (Local Planning) (England) Regulations 2012, Statutory Instrument 2012/No.767

The documents are available for inspection online at www.calderdale.gov.uk

