

The Neighbourhood Planning (General) Regulations 2012

Regulation 16 – Publicising a plan proposal

COMMENT FORM

For Office Use only:	
Date	
Ref	

**PUBLICATION OF THE ADDINGHAM NEIGHBOURHOOD DEVELOPMENT PLAN PROPOSAL
SUBMITTED TO BRADFORD METROPOLITAN DISTRICT COUNCIL FOR EXAMINATION
WEDNESDAY 14TH NOVEMBER TO 2018 TO 12PM WEDNESDAY 9TH JANUARY 2019**

The Addingham Neighbourhood Development Plan, prepared by Addingham Parish Council, has been submitted to Bradford Council for examination. The Council must now publicise the plan proposal and supporting documents and seek comments.

Please use this comment form to submit your views on the proposal. Details of how to view the proposed plan and supporting documents are available on the Council's website: <https://www.bradford.gov.uk/consultations>.

PART A: PERSONAL DETAILS

Response forms must include a name and address otherwise your comments will not be taken into account.

	PERSON / ORGANISATION DETAILS*	AGENT DETAILS (if applicable)
Title	Mr	
Full Name	[REDACTED]	
Job Title (where relevant)		
Organisation (where relevant)		
Address	[REDACTED]	
Post Code	[REDACTED]	
Email Address	[REDACTED]	
Telephone Number	[REDACTED]	

Please return completed comment forms by **12pm Wednesday 9th January 2019** to:

- **E-mail:** planning_policy@bradford.gov.uk
- **Post:** Local Plans Team, Bradford Council,
4th Floor Britannia House, Broadway, Bradford, BD1 5RW

Any comments received after this date will not be accepted.

How we will use your personal details

Bradford Metropolitan District Council has to process information in order to deliver and improve services to our citizens. The Data Protection Regulations 2018 says that any personal data we collect and hold about you has to be:

- processed lawfully, fairly and in a transparent manner, collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
- accurate and, where necessary, kept up to date, kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed
- processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures

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PART B – YOUR COMMENTS

Please use a separate Part B sheet for each comment. Additional forms can be downloaded from the web page.

1. To which document does your comment relate? Please place an 'X' in one box only

Submission Neighbourhood Development Plan	<input type="checkbox"/>	Basic Conditions Statement	<input type="checkbox"/>
Consultation Statement	<input checked="" type="checkbox"/>	Other (please specify)	<input type="checkbox"/>

2. To which part of the document does your comment relate?

Whole document	<input checked="" type="checkbox"/>	Section	<input type="checkbox"/>	Policy	<input type="checkbox"/>
Page Number	<input type="checkbox"/>	Appendix	<input type="checkbox"/>		

3. Do you wish to? Please place an 'X' in one box only

Support	<input type="checkbox"/>	Object	<input checked="" type="checkbox"/>	Make an observation	<input type="checkbox"/>
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4. Please use the box below to give reasons for your support / objection or to make your observation and give details of any suggested modifications.

COMMENTS ON THE CONSULTATION STATEMENT :-

Note: quotations taken from parish council reports/minutes and other documents are shown in *italics*.

Page 17

"To ensure that the changes to the Preferred Option draft and the decision not to proceed with housing site allocations were taken in a transparent and open manner, two Parish Council meetings were organised on 4 and 20 June respectively. Residents were notified of these meetings and their significance by using a leaflet, posters and articles in the local press."

This suggests that members of the parish were being invited to attend to discuss the issue of the removal of Housing Allocations as a consultation. However, the PC's Policy on the Conduct of Meetings states:

- 2. Anyone wishing to raise items during the public session must provide notice to the Clerk before the meeting starts and, if detailed issues are involved, questions/ concerns must be put in writing.....*
- 8. The public session will be expected to take no more than 15 minutes.*
- 9. Members of the public should expect to speak for no more than 2 minutes each.*

This level of restriction on involvement and discussion cannot be considered a 'consultation'.

No leaflet was produced notifying residents of the dates of these two meetings. The leaflet that was circulated to residents (shown on page 64 of the document) was only approved at the meeting on the 20th June – minute 110/18 refers:

Resolved: *That the Clerk be authorised to issue a press release and organise the distribution of flyers and display of posters around the village to publicise the preparation of a new draft of the Neighbourhood Plan and then to publish it for the purpose of Regulation 14 formal consultation, as determined in Resolution 104/18, and that funding of up to £300 be authorised for printing and distribution costs, as necessary.*

The leaflet shown on page 64 is titled "Keeping People Informed – of decision to remove housing sites".

There is no reference to it being to publicise any form of consultation.

It should be noted that the minutes of the council meeting on 4th June do not record the presence of any residents (Appendix 7 refers) and the minutes of 20th June record only 6 residents as being present (Appendix 8 refers). This demonstrates the effectiveness of the publicity.

The decision not to proceed with housing site allocations is not transparent. The parish council minute 90/18 (16th May 2018) states:

*"That the draft Neighbourhood Development Plan be adopted for the purpose of publicising it, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area, as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, in the form of the draft submitted to the meeting, or as later revised following receipt of comments made by the planning authority, and in particular as revised to exclude the policies for housing site allocations, **if considered necessary**, and that the Clerk be authorised to process any such amendments accordingly."*
(My bold emphasis).

There is no subsequent council resolution minuted to confirm the deletion of housing site allocations, only a general resolution (Minute 104/18 of the meeting June 4th 2018, see Appendix 7):

That the Clerk be authorised to work with planning consultants, Kirkwells, to produce an amended and simplified version of the Addingham Neighbourhood Development Plan for the purpose of submitting it for formal (Regulation 14) consultation, and with a view to completing the Plan for referendum in May 2019.

Note that no proposer or seconder is minuted for either Resolution 90/18 or 104/18.

The only negative CBMDC comments on the housing allocations that are published in the Consultation Statement (Appendix 5, 4th page – pages are not numbered) are "possible future objections":

"Policy ANDP1 Housing Allocations. Whilst the sites are likely to be suitable for Housing allocations at some level, the Plan and evidence, in its current form does not adequately justify these yields."

And:

"With regard to the housing allocation policy and its approach, there is a danger that if left following its current ideology, the Council would have to object at Regulation 16. This centres on the aim to use future below threshold windfall development to lower the Core Strategy housing apportionment for Addingham by 54, which is completely unacceptable and does not accord with the Core Strategy. Paragraphs 7.7 and 7.8 should be reworded or deleted."

On the basis of these comments the parish council state in the Consultation Statement:

"Housing allocation policy to be deleted"

There is some evidence that discussions took place outside the parish council on the matter but these are neither minuted nor were the meetings open to the public:

110/18 Addingham Neighbourhood Plan

Members had been briefed outside the meeting by Cllr Naylor. Detailed comments from BMDC had now been received and, following the decision of the Council taken at the meeting held on 4 June (Resolution 104/18), a redraft of the Plan was being prepared by consultants. Consideration was given to publicising recent developments as widely as possible.

(Appendix 8 refers)

The parish council have stated in writing that:

"If we were to continue work on a version of the Plan containing site allocations, even if we could deal with the specific issues and objections raised by planning officers, the process could be delayed for an indeterminate period, possibly for a couple of years"

The only evidence that has been released by the parish council that CBMDC planners have objected to the site allocations is that mentioned above. Any other objections by planners must therefore have been made informally and off the record since no records have been released.

Resident members of the Forum with professional planning experience considered these listed potential objections could be overcome. The parish council over-ruled them and deleted the housing allocations without further consultation.

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"In addition, there have been 2 meetings held in public at which the reasons for revising the previous Preferred Options draft, as stated in Section 1 1-5 above, were explained and advice was received from the Parish Council's planning consultants."

Once again this suggests there were two open consultation meetings when they were in fact normal parish council meetings at which the restrictions on resident involvement outlined above apply.

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The parish council continues to advise residents that they will be able to reinstate the housing allocations at a later date:

3. Specific comments relating to the housing site allocations may be reflected in later modifications of the Plan when it is possible to bring forward a policy for housing site allocations again.

In recent correspondence with a local MP, the Strategic Director Place at CBMDC wrote "It is not possible to do that".

Requests to the parish council for information on their proposed method of re-instating the housing site allocations have brought no response.

Page 45

None of the members of the Forum were working for the Council as "professionals" all were volunteers. The Council was provided with professional advice by planning consultants, Kirkwells

This statement is highly misleading. The Forum included a professional architect (FRIBA) and a town planner, both with a high level of planning experience, one of whom is also acting as a consultant to a regional city in producing their neighbourhood plan. To dismiss their knowledge and expertise in such a cavalier manner demonstrates a fundamental lack of understanding of the complexity of the issues by the parish council.

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Residents grouped comments from 24 individual (identical) responses

The responses are not identical. The subject matter (deletion of the Housing Allocations) may be the same but the content and the arguments are far from identical. This demonstrates a use of language to obfuscate the reality.

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From the terms of reference for the Forum:

All decisions made by the Parish Council shall be fully evidenced and supported through consultation with the local community.

- Regularly report back to the Parish Council with recommendations for any decisions which need to be taken; and*
- Agree, subject to ratification by the Parish Council, a final submission version of the Addingham Neighbourhood Development Plan. cross-section of volunteers from the community (stet)*

The decision to remove the housing allocation is not fully evidenced, discussions took place outside the parish council meetings that are not recorded (see above) and the local community were not properly consulted over the decision to remove the housing allocations. The Forum members did not agree the final submission version of the Plan. There is no documented record of this agreement before the Plan was modified by the arbitrary removal of the housing site allocations.

Page 10

13 July 2018: Formal consultation on draft Addingham Neighbourhood Development Plan for 6-week period to 24 August 2018

There are reports of meetings with a number of local groups:

Addingham Primary School on 21st September 2018
 Addingham Churches Together on 27th September 2018
 Addingham Environment Group on 30th September 2018
 Addingham Totally Locally on 9th October 2018

All of these dates are outside the time frame for the formal consultation period and cannot therefore be included in the Consultation Statement.

Regulation 16 consultation:

The CBMDC website:

<https://bradford.moderngov.co.uk/mgConsultationDisplay.aspx?ID=166>

did not include the Consultation Statement until after December 14th when they were notified that it was missing from their site by a resident. This date is one month from the start of the consultation period. Subsequently CBMDC extended the consultation time frame by a week from 9th January to 16th January 2019, although as of 3rd January 2019 the Addingham Parish Council website was still quoting the old date. No publicity has been seen regarding this time extension from either the Parish Council or CBMDC. This comment form still contains the old date.

5. Please place an 'X' in the box if you would like to be notified whether the plan proposal is made (adopted) by the Council or not:

X

6. Signature:

[Redacted Signature]

Date:

4th January
2019

Thank you for taking the time to complete this Comment Form.

Please contact Local Plans Team planning.policy@bradford.gov.uk or phone (01274) 433679.