

## **OXENHOPE NEIGHBOURHOOD DEVELOPMENT PLAN 2021 -2030**

### **PLANNING AND COMPULSORY PURCHASE ACT 2004**

### **THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 (AS AMENDED)**

### **REGULATION 18 DECISION STATEMENT (PROCEED TO REFERENDUM)**

#### **1.0 SUMMARY**

- 1.1 At its meeting of the Executive Committee on 1<sup>st</sup> March 2022, City of Bradford Metropolitan District Council considered the Independent Examiner's recommended modifications to the Oxenhope Neighbourhood Development Plan and accepted all of the proposed modifications in the Examiner's report. The modifications and reasons for acceptance are detailed in Table One below.
- 1.2 In accordance with legislation (Schedule 4B to the Town and County Planning Act 1990), the Local Planning Authority must decide what action to take in response to the examiner's recommendations, what modification to make to the Plan and whether the Plan should proceed to referendum.
- 1.3 The Council agreed that the Post Examination modified plan incorporating all of Examiner's recommended amendments does satisfactorily meet the required Basic Conditions and other relevant legal requirements and should proceed to referendum.

#### **2.0 BACKGROUND**

- 2.1 A formal Neighbourhood Area application was submitted to the CBMDC on 14<sup>th</sup> February 2013. The application which covered the entire Parish area was approved by Executive on 5<sup>th</sup> November 2013. Since then the Neighbourhood Plan has been subjected to extensive community consultation as well as benefiting from input and assistance from Council Officers.
- 2.2 The Council engaged Andrew Freeman of Intelligent Plans & Examinations (IPE) Ltd to undertake the Independent Examination of the Submission Draft of the Neighbourhood Plan as per Regulation 17 of the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 2.3 The final report, issued by the Examiner on 19<sup>th</sup> January 2022 recommended that, subject to a number of modifications, the plan should proceed to Referendum as, when modified, it would meet the basic conditions and comply with other relevant

legislation. The Examiner's report can be found on the [Council's Website](#). The recommended modifications together with the Council's actions and reasons can be found in Table 1 below.

- 2.4 Hard copies of the Decision Statement, the Examiner's Report and the Referendum Draft Plan will be made available for inspection shortly.

### **3.0 DECISION AND REASONS**

- 3.1 The Council accepts proposed modifications and reasons for them as set out in the Examiner's Report and Table 1.

### **4.0 NEXT STEPS**

- 4.1 The Council is satisfied that, subject to the modifications specified in Table 1, the Oxenhope Neighbourhood Development Plan meets the relevant Basic Conditions as set in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended), complies with matters prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) including Regulation 32, is compatible with the Human Rights Convention and is compliant with provisions made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended) and should proceed to Referendum.
- 4.2 In accordance with statutory requirements, the referendum question will ask "***Do you want City of Bradford Metropolitan District Council to use the Neighbourhood Plan for Oxenhope to help it decide planning applications in the neighbourhood area?***"

**THIS STATEMENT IS DATED: 9th March 2022**

**Table 1: Modifications to Meet Basic Conditions (and other legal requirements)**

<b>Proposed modification number</b>	<b>Page no./ other reference</b>	<b>Modification</b>	<b>CBMDC's Decision</b>
PM1	Page 42	At the end of Policy GP1, add "and the Homes and Neighbourhoods Design Guide Supplementary Planning Document. Regard should also be had to the National Design Guide and the National Model Design Code".	Agree to incorporate modification
PM2	Page 49	In Policy GP4, after "Oxenhope Design Guide", insert "and the Homes and Neighbourhoods Design Guide Supplementary Planning Document".  Add a final sentence: "Regard should also be had to the National Design Guide and the National Model Design Code".	Agree to incorporate modification
PM3	Page 50	Delete Policy GP5. Incorporate this statement of intent within the supporting text.	Agree to incorporate modification
PM4	Page 50	In Policy GP6, insert "electronic" before "communications infrastructure".	Agree to incorporate modification
PM5	Page 51	In the opening of Policy GP7, replace "for small-scale" with "incorporating small-scale".  At the end of the policy, add "...or such other assessment/demonstration that is commensurate with the size of the project."	Agree to incorporate modification

Proposed modification number	Page no./ other reference	Modification	CBMDC's Decision
PM6	Page 52	<p>Change the opening of Policy GP8 to read: "In order to conserve or enhance the character or appearance of the conservation areas in Oxenhope...".</p> <p>In the third bullet point, after "interest of the area", insert "(visual, architectural or historic)".</p> <p>In reference to "key open spaces and views", provide a link to the documents where these spaces and views are identified.</p>	Agree to incorporate modification
PM7	Page 55	<p>In the title of Policy H1, insert "Accessible" in place of "Lifetime".</p> <p>In the opening of the policy, replace "Lifetime Homes standards" with "the accessible and adaptable dwelling standards in Part M4(2) of the Building Regulations so as".</p> <p>Delete the final sentence of the policy.</p>	Agree to incorporate modification
PM8	Page 56	<p>End the first sentence of Policy H4 at "green buffers". Replace the rest of that sentence with the following: "Proposals shall demonstrate how measurable net gains for biodiversity of at least 10% will be secured."</p> <p>After "Bradford Wildlife Habitat Network", insert "(see figure on Page 57)".</p> <p>After "design and management" insert "of green infrastructure provision".</p> <p>Provide links to the documents National Pollution Strategy and Biodiversity Net Gain Good Practice Principles for Development.</p>	Agree to incorporate modification

Proposed modification number	Page no./ other reference	Modification	CBMDC's Decision
PM9	Page 59	Re-word Policy ED1 as follows: "Support will be given to retaining Parson's Mill for uses within Use Classes B2, B8 and E(g). Planning permission for uses outside these classes will be judged against the criteria in Policy EC4 of the Local Plan Core Strategy."	Agree to incorporate modification
PM10	Page 64	In Policy GS1, replace "unless in very special circumstances" with "unless the proposals are consistent with Green Belt policy". Delete Site A – Leeming Field.	Agree to incorporate modification
PM11	Page 67	In Policy MT1, replace "Core Strategy TR2" with "Core Strategy Policies TR2 and DS4". Replace "designated on-street visitor parking bays" with "dedicated visitor parking bays".	Agree to incorporate modification
PM12	Page 68	In Policy TM3, change "and cause no undue adverse effects" to "or cause any undue adverse effects".	Agree to incorporate modification