

## **WILSDEN NEIGHBOURHOOD DEVELOPMENT PLAN 2020 - 2038**

### **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 7<sup>th</sup> January 2025, the City of Bradford Metropolitan District Council considered the Independent Examiner's recommended modifications to the Wilsden 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 1 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 4<sup>th</sup> June 2014. The application which covered the entire Parish area of Wilsden was approved on 2<sup>nd</sup> December 2014.
- 2.2 Since then, the Neighbourhood Plan has been subjected to extensive community consultation as well as benefiting from input and assistance from Council Officers.
- 2.3 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).
- 2.4 The final report, issued by the Examiner on 14 November 2024 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.

- 2.5 Hard copies of the Decision Statement, the Examiner's Report and the Referendum Draft Plan, Policies Map and the Wilsden Design Code 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 Wilsden 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 Wilsden to help it decide planning applications in the neighbourhood area?"***

**THIS STATEMENT IS DATED: 14 January 2025**

**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	Pages 15 and 17	<p>In relation to Policy W/HO1 c), add a paragraph to the reasoned justification stating where details of the distinctive qualities and attractive landscape in Wilsden are to be found.</p> <p>Substitute the following for the final sentence of Paragraph 1.4.9:</p> <p>“Based upon available data, it is acknowledged that changes to the Green Belt boundary may be required. Two possible sites, as identified in the Preferred Options version of the emerging Local Plan (WI2/H and WI3/H), are illustrated on Figure 3. However, the final settlement boundary will depend on the outcome of the Local Plan process.”</p> <p>Change the title of Figure 3 so that it reads:</p> <p>“Wilsden Village Settlement Boundary showing sites WI2/H and WI3/H”.</p>	Agree to incorporate modification
PM2	Page 18	<p>Replace the second sentence of Policy W/HO2 with the following text:</p> <p>“The purposes of the Green Belt and its openness are matters of particular importance in Wilsden. Proposals affecting the Green Belt will be managed in accordance with national and local planning policy.”</p>	Agree to incorporate modification
PM3	Page 33	<p>In Policy W/HO5, remove the following text:</p> <p>“(typically less than 5 dwellings)”.</p>	Agree to incorporate modification

<b>Proposed modification number</b>	<b>Page no./ other reference</b>	<b>Modification</b>	<b>CBMDC's Decision</b>
PM4	Page 25	Delete the second sentence of Policy W/HO7.	Agree to incorporate modification
PM5	Pages 28 and 29	<p>Change the opening paragraph of Policy W/BH1 so that it reads:            "The Plan identifies the following buildings and structures (also shown on Figure 5 and on the Policies Map) as Wilsden Non-Designated Heritage Assets."</p> <p>Change the penultimate paragraph so that it reads:            "Development proposals that harm the significance or setting of the Non- Designated Heritage Assets identified in this policy will not be supported."</p> <p>Change the final paragraph so that it reads:            "Development proposals will be required to take into account the character, context and setting of these Non-Designated Heritage Assets including important views towards and from them. Development will be required to be designed appropriately taking account of local styles, materials and detail."</p>	Agree to incorporate modification
PM6	Page 30	<p>In Policy W/BH2 change "respect and enhance" so that it reads "conserve or enhance".</p> <p>Replace the final sentence of the policy with the following:            "Development that could be viewed from within the Conservation Area and that would be within a distance of 50 metres from the Conservation Area boundary will be appraised for its effect on the setting of the Conservation Area."</p>	Agree to incorporate modification

<b>Proposed modification number</b>	<b>Page no./ other reference</b>	<b>Modification</b>	<b>CBMDC's Decision</b>
PM7	Page 33	<p>In Policy W/BH3 change “conserve and enhance” so that it reads “conserve or enhance”.</p> <p>Replace the second sentence of the third paragraph with the following:  “Special attention will need to be given to the setting of the Hallas Bridge Special Character Area which at present is characterised by the open aspect of the fields to the south.”</p> <p>Replace the final paragraph with the following:  “Both special character areas are locations outside the Wilsden Conservation Area that illustrate how the area has developed since the start of the Industrial Revolution.”</p>	Agree to incorporate modification
PM8	Page 37	<p>In Policy W/NE1 (and elsewhere within the Plan) remove reference to site W/NE1-1 Fields to the East/Northeast of St Matthew’s Church.</p> <p>Replace the final paragraph of the policy with the following:  “Development shall be consistent with national and local policy for Green Belts.”</p>	Agree to incorporate modification
PM9	Page 38	<p>Substitute the following for the final sentence of Policy W/NE2:  “All development proposals should deliver biodiversity net gain in line with national planning policy and guidance. Where biodiversity net gain cannot be delivered on site, the Parish Council would be supportive of provision within the areas identified in this policy.”</p>	Agree to incorporate modification
PM10	Page 40	In Policy W/NE3, substitute “orchard species” for “productive species”.	Agree to incorporate modification

<b>Proposed modification number</b>	<b>Page no./ other reference</b>	<b>Modification</b>	<b>CBMDC's Decision</b>
		Replace “preserved and enhanced” with “preserved or enhanced”.	
PM11	Page 41	Substitute the following for the second sentence of Policy W/NE4: “Development proposals shall demonstrate how they have had regard to the details of key landscape characteristics as incorporated within the Wilsden Design Code and covered in Policy W/HO4.”	Agree to incorporate modification
PM12	Policies Map	Change the symbol used to depict views so that it matches those used in Figure 10. Use the description “Important Open Views and Vistas” in place of “Views” (and in the title of Figure 10).	Agree to incorporate modification
PM13	Figure 11	To Figure 11, use a symbol that distinguishes between community facilities and community sporting facilities.  Use labels that coincide with the numbering used in Policies W/CF1 and W/CF3.  Add labels for sites W/CF1-6 (Wilsden Community Post Office, Main Street) and W/CF3-3 (Wilsden Squash Club).  On the Policies Map, including in the key, use symbols that distinguish between Community Facilities and Community Sports Facilities.  Ensure that the labels for the Community Facilities and Community Sports Facilities are not obscured by other detail.	Agree to incorporate modification
PM14	Page 48	In Policy W/CF2, replace “parish need” with the following: “...a need that will clearly benefit residents of the Parish rather than those from a wider catchment area”.	Agree to incorporate modification

<b>Proposed modification number</b>	<b>Page no./ other reference</b>	<b>Modification</b>	<b>CBMDC's Decision</b>
PM15	Page 52	Change the penultimate paragraph of Policy W/SH1 so that it reads: "The residential use of the upper floors of properties will be supported subject to other development plan policies including parking and amenity considerations."	Agree to incorporate modification
PM16	Page 56	For all but the final sentence of Policy W/TA2, incorporate the text into the reasoned justification to the policy.	Agree to incorporate modification
PM17	Page 57	Delete the first sentence of Policy W/TA3.	Agree to incorporate modification
PM18	Page 57	Delete Policy W/DC1. Incorporate the text of the policy into the text under the heading of "Developer Contributions".	Agree to incorporate modification