

**HAWORTH, CROSS ROADS & STANBURY NEIGHBOURHOOD DEVELOPMENT
PLAN 2018 -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 6th October 2019, City of Bradford Metropolitan District Council considered the Independent Examiner's recommended modifications to the Haworth, Cross Road and Stanbury 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 The formal Neighbourhood Area application was submitted to the CBMDC on 12th March 2013. The application which covered the entire Parish area was approved by Executive on 5th 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 Rosemary Kidd 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 in August 2020 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 1 to 15 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 Haworth, Cross Roads and Stanbury 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 Due to the current COVID 19 pandemic the referendum will not take place before 6 May 2021.
- 4.3 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 Haworth, Cross Roads and Stanbury to help it decide planning applications in the neighbourhood area?***"

THIS STATEMENT IS DATED: 19th February 2021

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

Proposed modification number	Page no./ other reference	Modification	CBMDC's Decision
1	Page 13 (7 th Paragraph) Page 61 (1 st Paragraph)	<p>Add the following on page 13, 7th paragraph under Chapter 5: The Plan Policies and Community Actions: <i>"It should be noted that the Community Actions and Approaches do not form part of the statutory Development Plan."</i></p> <p>Add the following on page 61 under the first paragraph - Chapter 5 of this plan: <i>"It should be noted that the Community Actions and Approaches do not form part of the statutory Development Plan."</i></p>	Agree to incorporate modification
2	Plan Mapping	<p>Improve the mapping of the Plan by:</p> <p>Ensure that the Non-Designated Heritage Assets are shown in numeric order within each category in the key to the Policies Map and the assessment report.</p> <p>Delete the heading "Non Neighbourhood Plan Designations" from the key to the Policies Map. Place the notation under topic headings of Built Heritage, Housing and Highways and Travel. Ensure the colouring in the key for the South Pennines SPA/SAC is consistent with that on the map.</p> <p>Prepare a background evidence report for the Non Designated Heritage Assets to include the assessment details currently in Appendix 3 and include site location maps showing the boundaries of the properties designated and buildings referred to.</p>	Agree to incorporate modification
3	New Section	Include a new section in the Introductory section of the Plan to explain the Strategic Planning Context for the Plan and the timescales for preparing the emerging Core Strategy Review and Allocations DPD. Explain the status of the	Agree to incorporate modification

		<p>villages in the settlement hierarchy and the level of growth anticipated in the strategic plan to provide the context for the housing and employment policies in the HCR&SNP. Explain how it is intended that the requirements set out in Policies H1 – H4 are to be taken forward:</p> <p><i>“The adopted local plan for the area comprises</i></p> <ul style="list-style-type: none"> • <i>“the Bradford Core Strategy (CS) adopted in 2017 which sets out the broad scale and distribution of growth as well as policies to protect and enhance the natural and built environment, and guide/manage development across Bradford district for the period 2011 to 2030; and</i> • <i>“the saved policies of the Replacement Unitary Development Plan (RUDP), adopted in 2005 which includes a number of policies that are relevant to the neighbourhood plan, including the defined Green Belt boundaries.</i> <p><i>“CBMDC is currently undertaking a partial review of its Core Strategy. This review is due to various changes to national planning policy and local circumstances, and covers several subjects including a proposed new plan period (2020 to 2037), revised housing and employment land requirements and spatial distribution as well as various environment and transport policies. Work reached the Preferred Options stage in July 2019. Further consultation (a revised Preferred Options) is due to take place in 2020, with a submission draft being published in 2021.</i></p> <p><i>“Work is also on-going to prepare an Allocations DPD that will identify sites to meet the requirements of the Core Strategy Partial Review. The Allocations DPD is at an early stage of preparation: the Issues and Options paper was consulted on in 2016 and the Preferred Options is currently being prepared.”</i></p> <p><i>“Strategic Planning Context for the Neighbourhood Plan - Level of Growth & Development</i></p> <p><i>“For spatial planning purposes, CBMDC has split its area into four sub-areas (City of Bradford; Airedale; South Pennine Towns & Villages; and Wharfedale). The neighbourhood plan area is situated within the South Pennine Towns & Villages sub-area.</i></p>	
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4	Policy BHDD1	<p>Revise Policy BHDD1 as follows:</p> <p><i>“Revise the first paragraph of the policy to read: “..... Policies Map, development includinglocal characteristics and have regard to the following design principles:”.</i></p> <p><i>Revise the second bullet point to read: “The need to maintain and respect the views and vistas into, out of, and through the conservation area shown on the maps in Appendix 1 and demonstrate the impact of their proposal on any views.”</i></p> <p><i>Revise bullet point 3 to read: “Reflect, where possible,”</i></p>	Agree to incorporate modification

		<p>Revise bullet point 4 to read: "...that reflect the <i>architectural and/or historic</i> interest of the area....."</p> <p>Revise bullet point 9 to read: "...the reinstatement of traditional features of a <i>similar design to the original</i> should be....."</p> <p>Revise bullet point 10 to read: "<i>Retain</i> traditional shopfronts; any new or replacement shopfronts reflecting....."</p> <p>Revise bullet point 11 to read: "<i>Retain</i> important trees....."</p> <p>Revise bullet point 12 to read: "<i>Retain</i> key open spaces....."</p> <p>Revise the penultimate paragraph of the policy to read: "...respects the distinctiveness of the conservation area."</p> <p>Replace the fourth sentence from the first paragraph on page 17: "This appraisal however is now out of date.....development" with "<i>A review of this appraisal is due.</i>"</p> <p>Revise the second paragraph on page 17 to read: "<i>The designation of the conservation area recognises its historic and architectural importance. New development proposals within or adjacent to it should be designed to be sympathetic to the area's special character and avoid the destruction of....</i>"</p> <p>Add a new paragraph in the justification: "<i>The City of Bradford MDC Shop Front Design Guide and the Shopkeepers Guide to Securing the Premises SPDs set out detailed guidance on the design of shopfronts in historic areas.</i>"</p>	
5	<p>Policy BHDD2</p> <p>Page 21 (2nd Paragraph – 4th sentence)</p>	<p>Delete Policy BHDD2</p> <p>Retitle Policy BHDD1 as "Haworth and Stanbury Conservation Areas – Development and Design".</p> <p>Replace the fourth sentence of the second paragraph on page 21: "As with Haworth, this appraisal is now out of date.....development." with "<i>A review of this appraisal is due.</i>"</p> <p>Correct the typographical error in the 6th bullet point on page 21 to "dependent".</p>	<p>Agree to incorporate modification</p>

		Amalgamate the duplicated text on pages 17 and 21.	
6	Policy BHDD3	<p>Revise Policy BHDD3 as follows:</p> <p>Revise the final line of the policy to read: “The <i>conservation</i> and sympathetic enhancement of these areas <i>to better reveal their significance</i> will be encouraged <i>in accordance with the design principles set out in Policy BHDDX.</i>”</p>	Agree to incorporate modification
7	Policies BHDD4 to BHDD7	Amalgamate Policies BHDD4 – BHDD7 and entitle the new policy Local Heritage Areas – Development and Design.	Agree to incorporate modification
8	Policy BHDD8	<p>Revise Policy BHDD8 as follows:</p> <p>Revise the first paragraph and amalgamate with the last paragraph of the policy to read “.....Policies Map <i>and described in the Non Designated Heritage Asset Assessment Report</i>, will be taken.....such an asset. <i>A balanced judgement will be made having regard to the scale of any harm or loss caused by any development and the asset's significance. Their conservation and sympathetic enhancement will be supported.</i></p> <p>Prepare a more detailed assessment report of the non-designated heritage assets including the assessment contained in Appendix 3 and include full details of the process of identifying and the criteria for assessing the properties, plans showing the location of each property and its curtilage. Photographs would also be helpful.</p> <p>Revise the assessment on the former Mill pond at Ebor Mill to refer to the Local Wildlife Site designation.</p>	Agree to incorporate modification
9	Policy GE1	<p>Revise Policy GE1 as follows:</p> <p>Add the following to the end of the final paragraph of the policy: “....in accordance with the Core Strategy policies.”</p> <p>Revise the final sentence of the third paragraph under the sub-heading Landscape, Biodiversity/Geodiversity and Green Infrastructure (page 30) to read: “Further designated sites of regional or local interest include <i>the four</i></p>	Agree to incorporate modification

		<p><i>Local Wildlife Sites (LWS) of Airedale Spring Mill Pond, Baden Street (Haworth), Brow Moor with Sugden End, and Penistone Hill. The last of these is also a Country Park</i>". These sites should be identified on the Policies Map.</p> <p>Revise the second paragraph of the justification on page 31 to read: "<i>The Core Strategy sets out a comprehensive suite of policies on national and strategic green infrastructure. The neighbourhood plan can build on this by.....</i>"</p> <p>Update the third paragraph on page 31 to refer to the Bradford Ecological Habitat Network and the sites identified.</p> <p>Update the Plan, SEA and background documents to refer to the four following sites as Local Wildlife Sites and to consider and acknowledge the potential conflicts that may occur with other designations and possible proposals on the sites.</p> <ul style="list-style-type: none"> • Brow Moor with Sugden End • Penistone Hill • Airedale Spring Mill Pond • Baden Street, Haworth. 	
10	Policy GE2	<p>Revise Policy GE2 as follows:</p> <p>Revise the second sentence of the first paragraph of the policy to read: "<i>Development on these areas will not be supported except in very special circumstances that justify the development.</i>"</p> <p>Correct the numbering of the sites at West Lane Methodist Chapel Burial Grounds and West Lane Baptist Church Burial Grounds in the Policy, Appendix 5 and the Policies Map.</p> <p>Delete "(NB proposed LGS 137)" from the LGS assessment for site LGS133.</p>	Agree to incorporate modification
11	Policy GE3	<p>Revise the wording of Policy GE3 to read: "<i>The enhancement of a designated Local Green Space to improve the quality or usability of the open space will be supported.</i>"</p>	Agree to incorporate modification

		Amalgamate the policy with Policy GE2 by adding the above paragraph to the end of Policy GE2 and deleting Policy GE3.	
12	Policy GE4	<p>Revise Policy GE4 as follows:</p> <p>Revise the first paragraph of the policy to read: “The provision of new open space in the following categories will be <i>supported</i>.”</p> <p>Revise the second paragraph of the policy to read: “.....north Haworth <i>will be supported</i>.”</p>	Agree to incorporate modification
13	Policy GE5 Page 35 (2 nd Paragraph)	<p>Revise Policy GE5 as follows:</p> <p>Add the word “and” at the end of the penultimate criterion in Policy GE5.</p> <p>Revise the last sentence of the 2nd paragraph on page 35 to read: “....Sugden End Local Wildlife Site, details of which are included in Appendix 6.”</p>	Agree to incorporate modification
14	Policy CF1	<p>Revise Policy CF1 as follows:</p> <p>Revise the first paragraph of the policy to read: “....Policies Map, will only be supported, where:”</p> <p>Create a third bullet point: “that it is financially unviable.”</p> <p>Revise the second paragraph of the policy to read: “The <i>improvement</i> of these facilities for the benefit of Haworth, Cross Roads or Stanbury communities will be supported.”</p> <p>Add the following after the third paragraph on page 37: <i>“Where proposals involve the loss of a community facility, developers will be expected to demonstrate that the facility, and its continued use, is no longer economically viable, and that all reasonable efforts have been made to market the site/facility for its current use without success.”</i></p> <p>In Appendix 7 add the numbers to the Community Facilities as shown on the Policies Map. Include site locations plans in the Appendix.</p>	Agree to incorporate modification

15	Policy CF2	<p>Revise Policy CF2 as follows:</p> <p>Revise the first paragraph of the policy to read: “...will be <i>supported</i>, in particular:”</p>	Agree to incorporate modification
16	Policies H1 to H4	<p>Revise Policies H1 to H4 as follows:</p> <p>Revise the first paragraph of each policy to read: “..... Policies Map, <i>should be laid out and designed in accordance with the following design principles:</i>”</p> <p>Add the word “<i>and</i>” to the end of the penultimate criterion in Policies H1 – H4.</p> <p>Add the following at the end of each policy: “<i>Where it is not possible to satisfy any of the design principles, developers will be required to demonstrate the reasons for non-compliance in their Design and Access Statement.</i>”</p> <p>Add the following to the fourth bullet point in Policy H1: “<i>in accordance with the strategic policy</i>”.</p> <p>Revise the first bullet point of Policy H2 to read: “<i>Trees that are subject to a Tree Preservation Order and other mature trees shall be safeguarded and protected during development, in accordance with Core Strategy Policy EN5.</i>”</p> <p>Revise bullet points 3 and 4 of Policy H3 to read “<i>Bradford Local Wildlife Site</i>”.</p> <p>Revise the sixth bullet point in Policy H3 to read: “<i>Provision of off-road parking in accordance with section 2.15 of the Bradford Homes and Neighbourhoods Design Guide 2020.</i>”</p> <p>Delete the first paragraph of Policy H4: “<i>The site of Ebor Mills....new housing.</i>”</p> <p>Add the following to the justification on page 42 before Policy H1: “<i>Developers should take account of the guidance set out in the Bradford Homes and Neighbourhoods Design Guide 2020.</i>”</p> <p>Delete “<i>This Neighbourhood Plan cannot influence the outcome or vary from whatever is finally decided</i>” from the paragraph in the justification under Policy H4.</p>	Agree to incorporate modification

17	Policy H5	<p>Revise Policy H5 as follows:</p> <p>Revise the first and second criteria to read: “The avoidance of <i>significant</i> adverse impacts...”</p> <p>Revise the third criterion to read: “The avoidance of unacceptable adverse impacts...”</p> <p>Add “<i>and their settings</i>” at the end of the second criterion.</p> <p>Revise criterion 4 to read: “<i>The programme of highway improvements shall be clearly set out in a planning condition before development commences on the site</i>”.</p> <p>Combine the fifth and eight criteria and revise to read: “<i>Accessibility to the public transport network and local community facilities, including educational and health facilities, should be in accordance with the Accessibility Standards set out in Appendix 3 of the Core Strategy;</i>”</p> <p>Revise criterion 6 to read: “<i>The protection of existing Public Rights of Way and cycle paths on the site, where possible, and their integration into the development. Where this is not feasible, the diverted route should not be substantially less convenient for the public to use than the existing route.</i>”</p> <p>Revise the ninth criterion to read: “<i>Adequate in-curtilage off street parking shall be provided in accordance with, or in excess of, the indicative standard of 1.5 spaces per dwelling for non-town/city centres (as set out in Core Strategy policy TR2 and Appendix 4)</i>”</p> <p>Revise criterion 10 as follows: “<i>Trees that are subject to a Tree Preservation Order and other mature trees shall be safeguarded and protected during development, in accordance with Core Strategy Policy EN5.</i>”</p> <p>Add “<i>and</i>” at the end of the penultimate criterion.</p> <p>Add the following to the justification on page 45 before Policy H5: “<i>Policy H5 will be taken into account in considering all housing development whether on allocated or non-allocated sites. Developers should take account of the</i></p>	Agree to incorporate modification
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		<i>guidance set out in the Bradford Homes and Neighbourhoods Design Guide 2020.</i>	
18	Policy H6	<p>Revise Policy H6 as follows:</p> <p>Revise the first paragraph of the policy to read: “.....<i>acceptable in principle in locations within the settlement boundary of Haworth and Cross Roads and where the national and strategic policy exceptions for development in the countryside are satisfied, providing that:</i>”</p> <p>Revise the third paragraph of the policy to read: “For developments of 5 or more dwellings, <i>a location which accords with the applicable Core Strategy Accessibility Standards will be preferred.</i>”</p> <p>Add a new paragraph in the justification: “<i>The Core Strategy Accessibility Standards are set out in Appendix 3 of the Core Strategy.</i>” Further advice may also be included in the justification on the application of these Accessibility Standards to windfall housing development to assist plan users.</p> <p>Add a new paragraph in the justification to explain how the capacity of infrastructure will be assessed and the mechanisms for delivering improvements to infrastructure eg through Community Infrastructure Levy.</p> <p>Add a new paragraph to the justification to make reference to relevant strategic design policies.</p> <p>In the 3rd para on page 47, delete “unexpectedly proposed sites” and replace with “<i>windfall sites</i>”.</p>	Agree to incorporate modification
19	Policy H8	<p>Amalgamate first four paragraphs of Policy H8 to read: “Subject to the findings of the latest housing needs assessment, development of larger housing sites (of 0.4ha or above or 10 or more dwellings) will be expected to provide a mix of market and affordable housing of: two bullet points.”</p> <p><i>“The development of Build to Rent housing will also be encouraged.”</i></p> <p><i>“The development of sites consisting primarily of large dwellings (4 or more bedrooms) will not be supported.”</i></p>	

		<p>Final paragraph not changed.</p> <p>Revise the first bullet point on page 49 of the justification to read “2-3” bedrooms.</p> <p>Add a new bullet point on page 49 “Supporting the provision of Build for Rent housing.”</p>	
20	<p>Page 51</p> <p>Page 52</p>	<p>Replace the last two sentences on page 51 with: “These policies will provide the framework for considering proposals for new employment development or the diversification of existing rural businesses in the plan area. No employment land allocations are proposed in the Plan.”</p> <p>Revise the second sentence of the first paragraph on page 52 to read: “...during consultation, and the Plan supports the development of appropriate hotel and visitor accommodation within the Neighbourhood Area.”</p>	Agree to incorporate modification
21	Policy E1	<p>Revise Policy E1 as follows: Revise the first paragraph to read: “Hotel development will be supported in the Plan area. Any such...”</p> <p>Revise the final bullet point to read: “It should not have an unacceptable adverse impact on residential amenity, including noise and light intrusion.”</p> <p>Add a new bullet point: “Where applicable, the development shall be laid out and designed taking into account the principles of Policy BHDD1.”</p>	Agree to incorporate modification
22	Policy E2	<p>Revise Policy E2 to read:</p> <p><i>“The development of visitor accommodation will be supported where it respects the character of the local landscape of the South Pennines and conserves and enhances the heritage of Haworth and the conservation areas.</i></p> <p><i>“New accommodation should be well designed to reflect the built character of the area and have regard to the principles set out in Policy BHDD1 and relevant development plan policies.”</i></p> <p>Delete the second paragraph of the policy.</p>	Agree to incorporate modification
23	Policy HT1	Revise Policy HT1 as follows:	Agree to incorporate modification

		<p>Revise the first sentence of the policy to read: “...public car parking areas, as listed below and shown on the Neighbourhood Plan Policies Map <i>should not result in the loss of car parking capacity.</i>”</p> <p>Revise the second sentence of the policy to read: “...capacity will be <i>required</i> within Haworth centre.”</p> <p>Include the numbered list of public car parks in the policy.</p> <p>Revise the second paragraph of the policy to read: “Development which would provide for additional centre public car parking capacity, will be <i>supported.</i>”</p>	
24	Policy HT2	<p>Revise Policy HT2 as follows:</p> <p>Revise the first paragraph of the policy to read: “.....Policies Map, <i>should demonstrate.</i>”</p> <p>Revise criterion i) to read “that the loss will not have an adverse impact on parking issues in the nearby area; or”</p> <p>Correct the location of Car Park 7 Damside Mill on the Policies Map.</p>	Agree to incorporate modification
25	Policy HT3	<p>Revise Policy HT3 as follows:</p> <p>Replace “will be encouraged” with “will be <i>supported</i>”.</p>	Agree to incorporate modification
26	Policy HT4	Delete Policy HT4	Agree to incorporate modification
28	Policy HT5	<p>“<i>Major</i> developments should contribute to improving <i>public transport</i> services, and associated infrastructure, <i>where necessary to serve the development.</i>”</p> <p>“New <i>bus</i> routes between the Neighbourhood Area and Bradford Royal Infirmary and Halifax <i>will be supported.</i>”</p>	
28	Policy HT6	<p>Revise Policy HT6 as follows:</p> <p>In the first paragraph, replace “will be expected to” with “must”.</p>	Agree to incorporate modification

		<p>Revise the second paragraph to read: “Development likely to <i>significantly</i> increase pedestrian footfall and or horse/cycle usage within the network <i>should</i> contribute to the improvements to the <i>cycle routes and rights of way network listed in the Community Actions</i> and shown on the Neighbourhood Plan Policies Map,</p> <p>Replace the third paragraph with: “<i>The improvement of the rights of way, bridleway and cycle network will be supported.</i>”</p>	
29	Policy HT7	<p>Revise Policy HT7 as follows:</p> <p>Revise the first paragraph to read: “...Neighbourhood Area, shown on the Neighbourhood Plan Policies Map is safeguarded. Development should not prevent or harm the development of a cycle route along the identified route. <i>The delivery and improvement of the safeguarded route as a cycle way will be supported.</i>”</p>	Agree to incorporate modification