



## **ILKLEY NEIGHBOURHOOD DEVELOPMENT PLAN 2020 to 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 March 2022, City of Bradford Metropolitan District Council considered the Independent Examiner's recommended modifications to the Ilkley 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 Country Planning Act 1990), the Local Planning Authority must decide what action to take in response to the Examiner's recommendations, what modifications 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 the 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 18<sup>th</sup> June 2012. The application which covered the entire Parish area was approved by Executive on 9<sup>th</sup> October 2012.
- 2.2 A minor error with approved neighbourhood area boundary came to light in April 2013. A revised formal application from Ilkley Parish Council (now known as Ilkley Town Council) clarifying the extent of the boundary was submitted to CBMDC on 15 May 2013. This revised application was subject to an eight-week public consultation (22 July to 16 September 2013). The revised application was approved by CBMDC's Executive on 5 November 2013.
- 2.3 Since then the Neighbourhood Plan has been subjected to extensive community consultation as well as benefiting from input and assistance from Council Officers.

- 2.4 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).
- 2.5 The final report, issued by the Examiner on 19 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.
- 2.6 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 Ilkley 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 Ilkley 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)**

Proposed modification number	Page no./ other reference	Modification	CBMDC's Decision
PM1	20	<p>In Policy INDP1:            Insert "(Figure 4)" after "Green Belt" in the opening paragraph.            In Criterion a), substitute "or" for "and".            Regarding Criterion b), add text to the Background/Justification to explain what are the protected open spaces.            At the end of Criterion c), insert "(Policy INDP2)".            In Criterion d), substitute "heritage asset" for "listed building and/or Conservation Area".            Change the end of Criterion e) so that it reads "...Core Strategy, the Ilkley Design Statement 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;".            In Criterion f)i), add "(Figure 13)" after "town centre".            Substitute the following for Criterion g): "This mix should include affordable housing and dwellings that would create downsizing opportunities. Development heavily favouring houses of one size or type will not be supported."</p>	Agree to incorporate modification

Proposed modification number	Page no./ other reference	Modification	CBMDC's Decision
PM2	25	Delete from Policy INDP2 and from the Policies Map the NHS sites 2/18 and 2/19; also, Craiglands Hotel (2/39).	Agree to incorporate modification
PM3	28	In Policy INDP3 c), change "sports and recreation" to "sports or recreation".  Add to the policy and the Policies Map "INDP3/13 East Holmes Field and Skateboard Park"	Agree to incorporate modification
PM4	29	In Policy INDP4, replace "redevelopment" with "partial or complete loss".  Replace "accessible for existing and future plot holders" with "convenient for plot holders".	Agree to incorporate modification
PM5	31	In Policy INDP5 Criterion b), change the text to read "street scene or impact" and "topography or layout".  In Criterion d), change "quality or character" to "quality and character".  Delete the final sentence of Criterion k).  Give the second sentence of Criterion n) a separate criterion number.  Delete the second sentence of Criterion r).	Agree to incorporate modification
PM6	34	In Policy INDP6 and in reference to key views, provide a link to the relevant Conservation Area Appraisals.	Agree to incorporate modification

Proposed modification number	Page no./ other reference	Modification	CBMDC's Decision
PM7	37	In the opening sentence of Policy INDP7, replace “preserved and enhanced” with “preserved or enhanced”.	Agree to incorporate modification
PM8	39	In the opening sentence of Policy INDP8, replace “preserved and enhanced” with “preserved or enhanced”.	Agree to incorporate modification
PM9	42	<p>In the opening sentence of Policy INDP9, replace “preserved and enhanced” with “preserved or enhanced”.</p> <p>In reference to significant views and vistas, provide a link to the Middleton Conservation Area Appraisal.</p>	Agree to incorporate modification
PM10	45	<p>In Policy INDP10, delete the sites that are in the Green Belt (10/2 and 10/15).</p> <p>Delete sites 10/4, 10/7, 10/13, 10/14, 10/15 and 10/18.</p> <p>On the Policies Map, re-draw the western boundary of site 10/16 to omit land in the occupation of Ashlands Primary School.</p>	Agree to incorporate modification
PM11	61	In Policy INDP14, replace the usages of “sustainable multi-modal transport” with “sustainable, diverse transport modes”.	Agree to incorporate modification
PM12	74	Replace the opening sentence of Policy INDP20 with the following: “The following existing employment areas, falling within Use Classes B2, B8 and E(g), will be protected for employment uses. Planning permission for uses outside these classes will only be supported when the criteria in Policy EC4 of the Local Plan Core Strategy are met.”	Agree to incorporate modification

<b>Proposed modification number</b>	<b>Page no./ other reference</b>	<b>Modification</b>	<b>CBMDC's Decision</b>
PM13	76	In Criterion f) of Policy INDP21, delete the second sentence and all following text. Incorporate the gist of the text within the Background/Justification.	Agree to incorporate modification