

**STEETON WITH EASTBURN & SILSDEN NEIGHBOURHOOD DEVELOPMENT  
PLAN 2019 -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 5<sup>th</sup> January 2021, City of Bradford Metropolitan District Council (CBMDC) considered the Independent Examiner's recommended modifications to the Steeton with Eastburn and Silsden 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 CBMDC on 11<sup>th</sup> June 2014. The application which covered the Steeton with Eastburn Parish Council and Silsden Town Council areas was approved by Executive on 2<sup>nd</sup> December 2014. 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 Robert Bryan 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 30<sup>th</sup> November 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 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 Steeton with Eastburn and Silsden 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 Steeton with Eastburn and Silsden to help it decide planning applications in the neighbourhood area?***"

**THIS STATEMENT IS DATED: 24<sup>th</sup> February 2021**

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

Recommendation Number	Page no./ other reference	Modification	CBMDC's Decision
1	-	Update the Plan to omit references to it as a draft and a consultative document.	Agree to incorporate modification
2	Introduction	Delete the Introduction	Agree to incorporate modification
3	Paragraph 2.2	Amend 2.2 as follows; <i>“Neighbourhood Development Plans (NDPs) are a relatively new part of the statutory development planning system. Just as local authorities, such as City of Bradford Metropolitan District Council (CBMDC), produce development plans to promote, guide and control development of houses, businesses, open spaces and other uses of land for their areas, now, parish and town councils can also do so by preparing a NDP.”</i>	Agree to incorporate modification
4	Chapter 4; Paragraphs 4.11, 4.30 & 4.38	Update the factual information in this chapter where necessary with regard to the to the type and number of facilities available. In 4.11, first sentence delete <i>“large”</i> , replace with <i>“significant”</i> . Delete the second sentence. In 4.30, replace the fifth sentence with the following: <i>“There are proposals to build a brand new school in Silsden, granted planning permission in June 2018, to accommodate the combined schools.”</i> In 4.38, second sentence after <i>“concerns”</i> begin a new sentence prior to the list as follows;	Agree to incorporate modification

		<p>“Some of these issues do not relate directly to planning and cannot form statutory policies in this Plan although they can be aspirations for the Councils to consider alternative action.”</p>	
5	Section 5; Paragraph 5.8	<p>Introduce a new first paragraph:  <i>“The Plan has to have regard to national planning policy guidance issued by the Secretary of State. This includes the National Planning Policy Framework. July 2018 (NPPF) and other guidance such as the National Planning Practice Guidance (NPPG).”</i></p> <p>In 5.8 first sentence delete “recently”, insert, “at the time of writing “. Delete the second sentence.</p>	Agree to incorporate modification
6	Section 6; Policy SWES1; Policies Map	<p>Amend the text of policy SWES1 as follows;  <i>“New housing development will be supported on sites within the settlement boundary (see Policies Map) allocated in the Local Plan and other sites subject to conformity with other statutory policies including those in this Plan.”</i></p> <p>Add settlement boundary to Policies map</p>	Agree to incorporate modification
7	Section 6; Policy SWES2; Paragraphs 6.8 & 6.9	<p>In criterion f) remove the quotation marks.  In criterion j) delete “suitable” after “should be”.  In 6.8 second sentence after “achieve” delete hyphen, insert “well-” before “designed”.  Add a final sentence in 6.9 as follows;  <i>“CBMDC has further adopted supplementary planning documents which provide design guidelines. “Homes and Neighbourhoods: A Guide to Designing in Bradford” is particularly relevant”.</i></p>	Agree to incorporate modification
8	Section 6; Policy SWES3	<p>In the policy text after “30 dwellings per hectare” insert a footnote as follows:</p>	Agree to incorporate modification

		<p>9“For the purposes of clarity, the targets set out within the policy relate to net densities.Net density is usually determined by measuring the number of dwellings against the net developable area of the site. The net developable area would include only those site areas, which will be developed for housing and directly associated uses, including local access roads within the site, private garden space, car parking areas, incidental open space and children’s play areas, where these are provided.”</p>	
9	<p>Section 6; Policy SWES4; Appendix 1; Policies Map 1 &amp; 7</p>	<p>Add to Appendix 1 the list describing and justifying the non-designated heritage assets submitted by the Parishes as an attachment to the CBMDC email of the 18/9/2020.</p> <p>Delete the following items from this list:</p> <p>Silsden 58 - 61 St John’s Street, Old Cinema, The School on Elliott Street, Hothfield Street School, Wesley Place - the original Methodist Chapel.</p> <p>Add to the description of the SWES4/18 Former Library Building/Board school the following extract from Michael O’Dwyer’s response of 23/9/20 to my questions:</p> <p><i>“The Library building was the original chapel and is in the Conservation area and has now been converted into housing.”</i></p> <p>Add SWES4/17 1,3,5,18a and 18c North Street: <i>“The buildings are significant historical buildings in the Conservation area on Sykes Lane”</i></p> <p>Add a reference to the age and qualities of Silsden New Methodist Church.</p> <p>In Appendix 1, policies Map 7 amend the boundary of SWS4/15 Sykes Lane such that it is the same as shown on Policies Map 1.</p>	<p>Agree to incorporate modification</p>

10	Section 6; Policy SWES5; Paragraphs 6.20 & 6.21	<p>Delete the text of policy SWES5.</p> <p>Retain the supporting text subject to the following alterations;</p> <p>Amend the list of designated sites listed in 6.20 as follows:</p> <p><b><u>“Special Protection Area/Special Area of Conservations/Site of Special Scientific Interest</u></b></p> <ul style="list-style-type: none"> <li>• <b>South Pennine Moors</b></li> </ul> <p><b><u>Local Geological Sites (LGS)</u></b></p> <ul style="list-style-type: none"> <li>• Addingham Edge Millstone Quarry</li> <li>• Doubler Stones</li> <li>• Throstle Nest, Silsden</li> </ul> <p><b><u>Local Wildlife Sites</u></b></p> <p><u>Silsden Town Area</u></p> <ul style="list-style-type: none"> <li>• Brackenhill Ghyll*</li> <li>• Brown Bank Marsh**</li> <li>• Elam Wood*</li> <li>• Gillgrange Wood Great Gill*</li> <li>• Jacobs Beck/Holden Wood*</li> <li>• Leeds &amp; Liverpool Canal</li> <li>• Low Wood*</li> <li>• Silsden Reservoir Woodland*</li> <li>• Spring Crag &amp; Alder Wood*</li> <li>• Swartha Wood*</li> </ul> <p><u>Steeton with Eastburn Parish Area</u></p> <ul style="list-style-type: none"> <li>• Curren Wood*</li> <li>• Hawkcliffe Wood*</li> <li>• Steeton Reservoir**</li> </ul> <p>Put the following as a footnote:</p>	Agree to incorporate modification
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		<p>* Site previously identified in RUDP as a Bradford Wildlife Area</p> <p>** Site previously identified in RUDP as a Site of Ecological &amp; Geological Importance.</p> <p>In 6.21 delete the first two sentences and replace with;</p> <p>“The Local Plan Core Strategy policy EN2 Biodiversity and Geodiversity offers protection to the above designated sites and also to important valued non-designated sites subject to various criteria.”</p>	
11	Section 6; Policy SWES7	Delete policy SWES7 and supportive text.	Agree to incorporate modification
12	Section 6; Policy SWES8	<p>Delete the introductory sentence in the policy text and replace with the following;</p> <p><i>“To support access to the countryside, countryside sport and countryside recreation the following development of appropriate scale will be supported provided there are no detrimental impacts due to noise, visual impact, landscape impact or traffic generation.”</i></p> <p>In the policy text, amend criterion b) by deletion of <i>“that would not have a detrimental impact due to noise, visual impact, landscape impact or excessive traffic generation.”</i></p>	Agree to incorporate modification
13	Section 6; Policy SWES9	<p>Add a new paragraph as follows after 6.32:</p> <p><i>“CBMDC has policies and guidance which relates to investment in infrastructure and planning obligations. These will be applied to the assessment of development proposals and the need for and extent of developer contributions to provision of infrastructure. These policies are based on central government guidance in the NPPF and are as follows:</i></p> <p><i>Core Strategy policies: AD2 Investment Priorities for Airedale:ID2 Viability and ID3 Developer Contributions. The adopted supplementary planning document “Planning Obligations”.</i></p>	Agree to incorporate modification

		Amend the policy text as follows; In criterion e) delete sentences 2 and 3.	
14	Section 6; Policy SWES10; Paragraph 6.34	Amend the policy text such that it is a different format to that of the other planning policies. Alter the title to <i>"Priorities for spending of Community Infrastructure Levy (CIL) monies"</i>  In 6.34 amend the sixth sentence as follows; delete <i>"Policy SWES10"</i> and insert <i>"The list below...sets out etc."</i>	Agree to incorporate modification
15	Section 6; Policy SWES11	Delete policy SWES11 and the supporting text.  The final paragraph of the policy can be retained as aspirations which the Plan wishes to support. This should be presented in a format distinct from that of the planning policies and it made clear that these are aspirations not planning policies.	Agree to incorporate modification
16	Section 6; Policy SWES12	Delete policy SWES12 and the supporting text.	Agree to incorporate modification
17	Section 6; Policy SWES13; Policies Map	Amend the site boundaries of the following sites on the Policies Map as follows:  SWES13/4: Howden Road (Waterloo Mills), Silsden to omit that part of the site which has been redeveloped for residential purposes,  SWES13/12: Old Goods Yard, Old Station Road, Steeton to take account of the identification of the site as amenity green space as shown on the RUDP proposals map in relation to saved policy E1.	Agree to incorporate modification
18	Section 6; Policy SWES14; Paragraph 6.45	Delete paragraph 6.45 and the text to Policy SWES 14.  Add new paragraphs of supporting text to policy SWES13 as follows;  <i>"Current national guidance in the NPPF seeks to create conditions to foster sustainable business development in urban and rural areas. Core Strategy policy EC4 Sustainable Economic Growth promotes business development by</i>	Agree to incorporate modification

		<p><i>supporting tourism culture and leisure-based activities. Furthermore, it promotes rural industries by reuse of existing buildings, farm diversification and support for live – work opportunities. Core Strategy policy EC5 Town District and Local Centres encourages business development in the local centres.</i></p> <p><i>Other proposals to develop in the urban parts of the Plan area are considered on their merits particularly in relation to impact on residential amenities, parking and traffic impacts.”</i></p>	
19	Section 6; Policy SWES15	<p>In criterion a of the policy text delete the second sentence beginning with “Such sites”. Replace with “Such sites should be acceptable in terms of other planning policies and in particular be accessible by public transport, walking and cycling and provide adequate car parking; or”</p> <p>In criterion b insert a further sentence as follows;</p> <p><i>“To demonstrate this, applicants should submit evidence that the for a period of 12 months there has been a level of acceptable active marketing by a Chartered Surveyor of the building as a community facility and there has been no demand for the facility.”</i></p>	Agree to incorporate modification
20	Section 6; Policy SWES16	<p>In the policy text delete “SWES16/2 Bolton Road Allotments” and “Eastburn Playing Fields” and list them under Policy SWES17.</p> <p>Amend the Policies Map 1 to annotate the location of SWES16/1 Memorial Gardens.</p>	Agree to incorporate modification
21	Section 6; Policy SWES17	<p>Add “Bolton Road Allotments” and “Eastburn Playing Fields” to the list of facilities.</p> <p>Add “SWES17/16 Keighley Road Allotments” to the list of sites in the policy text.</p> <p>Delete “SWES 17/5 Jackson’s Field, SWES 17/7 Airedale Hospital Sports Ground and SES17/8 Airedale Mews Garden” from the policy.</p> <p>Add “SWES 17/8 Airedale Mews Garden” to the list of sites policy SWES 16.</p>	Agree to incorporate modification

		<p>The Carter Royd allotments should be added as SWES 17/17 to the list of sites in the policy text.</p> <p>Amend the Policies Map 1 to reflect all the above amendments and add all site references to the Policies Map 1 as indicated on the annotated policies maps forwarded during the examination by the Parishes.</p> <p>Add the following to the end of the text to the policy;</p> <p><i>“or an assessment has been undertaken which has clearly shown the recreational use of the buildings or land to be surplus to requirements or unsuitable for such use.”</i></p>	
22	Section 6; Policy SWES18; Paragraphs 6.57, 6.58	<p>Alter paragraph 6.57 as follows:</p> <p><i>“This section of the plan contains aspirations to support tourism. This is not a policy but a significant objective of the Parish Councils.”</i></p> <p>In 6.58 second sentence delete “NDP” insert “Parish Councils”. At the end of this sentence add “and conform to the range of national planning guidance local policies and site-specific development management considerations.</p> <p>There is scope for tourism of the appropriate scale in the urban areas, particularly within the Local Centres and in green belt and other rural locations.”</p> <p>Delete the text of the policy.</p> <p>Add the following as a new paragraph after 6.58;</p> <p><i>“In particular, the Parish Councils wish to encourage</i></p> <ul style="list-style-type: none"> <li>• <i>Further hotel (Use Class C1) development</i></li> <li>• <i>Bed and breakfast accommodation and tourist related diversification of existing rural enterprises</i></li> <li>• <i>Development of the canal area in Silsden to encourage and support growth in tourism</i></li> <li>• <i>Promotion of walking and cycling by improvements to footpaths and rights of way</i></li> </ul>	Agree to incorporate modification

		<ul style="list-style-type: none"><li>• <i>Creation of new links to tourism assets in the wider area"</i></li></ul>	
23	Section 7	Delete this section.	Agree to incorporate modification