

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Shipley Area Committee to be held on 26 November 2014.

Subject:

AH

Neighbourhood Planning – Neighbourhood Area Applications

Summary statement:

The Council's Executive Committee has resolved the governance arrangements for discharging the Council's new duties in relation to neighbourhood planning in respect of the Localism Act 2011. The Area Committees are identified as a consultation body to consider any Neighbourhood Area Applications which have been submitted to the Council, prior to a final decision at Executive.

This report sets out details of a Neighbourhood Area Application submitted to the Council by Cullingworth Village Council. The Area Committee is invited to comment on the application.

The Area Committee is recommended to take note of the Executive decision, as a decision to approve the Neighbourhood Area may require a level of support from Neighbourhood Services.

Julian Jackson
Assistant Director (Planning,
Transportation & Highways)

Portfolio:
**Change Programme, Housing, Planning &
Transport**

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Planning & Transport Strategy
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Overview & Scrutiny Area:
Regeneration & Economy



1. SUMMARY

- 1.1 The Council's Executive Committee has resolved the governance arrangements for discharging the Council's new duties in relation to neighbourhood planning in respect of the Localism Act 2011. The Area Committees are identified as a consultation body to consider any Neighbourhood Area Applications which have been submitted to the Council, prior to a final decision at Executive.
- 1.2 This report sets out details of the Neighbourhood Area Application submitted to the Council by Cullingworth Village Council. The Area Committee is invited to comment on the application.
- 1.3 The Area Committee is recommended to take note of the Executive decision as a decision to approve the Neighbourhood Area may require a level of support from Neighbourhood Services.

2. BACKGROUND

- 2.1 The Localism Act 2011 devolves planning powers to Town and Parish Councils or Neighbourhood Forums to lead on the preparation of Neighbourhood Development Plans (NDPs) for their area. These powers provide local communities with the opportunity to take responsibility and accountability to shape development and growth in their areas.
- 2.2 Neighbourhood planning is one of the five key measures in the Localism Act. There is now a package of non mandatory neighbourhood planning tools which are available for use by local communities through qualifying bodies should they choose to use them. These relate to the production of:
- Neighbourhood Development Plans (NDP)
 - Neighbourhood Development Orders (NDO)
 - Community Right to Build Order (CRTBO)
- 2.3 The Neighbourhood Planning (General) Regulations 2012 came into force on 6th April 2012. The Regulations outline seven key roles and responsibilities for the Council:
1. Designation of a neighbourhood plan area
 2. Designation of Neighbourhood Forums
 3. Consider compliance with statutory and EU requirements
 4. Organise and fund independent examination
 5. Organise and fund a referendum
 6. General 'duty to support'
 7. Duty to adopt
- 2.4 A report entitled '*Localism Act Neighbourhood Planning Provisions*' was considered and approved by the Executive Committee on 9th October 2012 setting out the legal provisions, regulatory procedures, financial and resource implications for both the Council and communities and also the implications for the Council in terms of duties



(resource and financial) and legal compliance. The report sets out the Council's approved governance arrangements for neighbourhood planning.

Neighbourhood Planning

2.5 Neighbourhood planning provides an opportunity for local communities to be fully engaged in the future of their communities and the local ownership that comes from neighbourhood planning is an opportunity to assist the Council in improving equality, diversity, cohesion and integration in our communities. Through neighbourhood planning communities can:

- have say on where they want new homes, shops and offices to be built;
- have their say on what those new buildings should look like;
- include any other planning matters that are important to them in their Plan.

2.6 The neighbourhood planning powers are non mandatory and it is up to each local community to consider the issues in their locality and whether the neighbourhood planning tools are the right mechanism for them. It will then be a community decision whether or not to prepare a Neighbourhood Development Plan given the issues, resources and timescales available.

Neighbourhood Development Plans

2.7 Neighbourhood Development Plans are required to be 'pro-development'. They cannot be used as a means to stop development from taking place within an area, or propose less development than is set out in the Local Plan (Core Strategy and the Allocations Development Plan Documents). They can, however, propose more development than set out in the Local Plan.

2.8 The National Planning Policy Framework (NPPF) sets out guidance on Neighbourhood Development Plans which makes clear that they should be positive planning documents which need to confirm with the strategic policies in the Local Plan which relate to:

1. The homes and jobs needed in the area;
2. The provision of retail, leisure and other commercial development;
3. The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change;
4. Management, and the provision of minerals and energy (including heat);
5. The provision of health, security, community and cultural infrastructure and other local facilities; and
6. Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

2.9 The content of the plan will be decided by local communities, as will the decision to prepare the plan. The plan can be a means of setting out more detailed policies for their community over and above the Local Plan, to start to shape the choices over the use of land and the designation of land for housing, employment, community uses. Neighbourhood Development Plan should cover land use planning issues;



however non-planning related issues could be included as a separate / supplementary part of the plan.

Neighbourhood Planning – The Process

- 2.10 The key stages in the preparation of a Neighbourhood Development Plan are set out in Appendix 1. This also identifies some of the key roles and duties.
- 2.11 The first step in producing the Neighbourhood Development Plan is the submission of an application to the Council for a Neighbourhood Area (i.e. an area to which a Neighbourhood Development Plan will relate) by a relevant body (parish/town council or body designated as a neighbourhood forum for the discharge of neighbourhood planning). In fully parished areas the application can only be submitted by a qualifying body, i.e. a town or parish council. The application is published by the Council and comments are invited from members of the public and other interested bodies and organisations. Following public consultation the Council must formally decide whether or not to approve the neighbourhood Area Application. The Council's decision must then be published.
- 2.12 If a Neighbourhood Area Application is approved by the Executive the qualifying body can then commence work on their Neighbourhood Development Plan.
- 2.13 Once a Neighbourhood Development Plan has been prepared by the qualifying body, it will be submitted to the Council who will then publish the Plan for formal representations. The Council will appoint an independent examiner to check that the Plan meets the basic conditions, including compliance with the Local Plan for the Bradford District. If the plan does not meet the required standards, the examiner could recommend changes. The planning authority will then need to consider the examiner's views and decide whether to make those proposed changes.
- 2.14 If the examiner recommends significant changes, then the qualifying body may decide to re-consult the local community before proceeding any further.
- 2.15 If the plan is deemed acceptable following the examination by an independent inspector a referendum will be held and with a simple majority in favour, the Plan can become part of the statutory development plan for the District.

The level of interest in Neighbourhood Plans

- 2.16 To date the Executive has approved four Neighbourhoods Area Applications for the following areas:
- Burley-in-Wharfedale
 - Haworth
 - Ilkley
 - Oxenhope

These Parish Councils have now commenced work preparing their Neighbourhood Development Plans.



2.17 The Council has received, and is in the process of considering, four new Neighbourhood Area Applications, as listed below

- Menston Parish Council
- Steeton-with-Eastburn Parish Council, in conjunction with Silsden Town Council
- Wilsden Parish Council and
- Cullingworth Village Council

2.18 The views of the Area Committee regarding the Cullingworth application will be presented to the Executive at its meeting on 13th January 2015.

Local Authority roles and responsibilities

2.19 The Local Planning Authority has the primary responsibility for determining applications for neighbourhood areas and designating neighbourhood forums. This includes carrying out public consultations on any Neighbourhood Area Applications and on the final Neighbourhood Development Plan prior to an examination.

2.20 Support from other Council services including Democratic Services, Strategic Policy and Research, Consultation and Engagement, Neighbourhood Services and Legal Services may be required as and when appropriate.

2.21 The Council has a general 'duty to support' local communities through the provision of advice and assistance to qualifying bodies in developing proposals for plans and plan preparation.

2.22 There is no requirement on the Local Planning Authority to provide financial assistance but it is not prohibited. However, the Council has a duty to pay for and organise the examination and referendum on the Neighbourhood Development Plan.

The Role of the Area Committee

2.23 It was agreed at the Executive meeting on 9th October 2012 (see Appendix 2 to this report) that Area Committees will have a consultative role to play in all aspects of neighbourhood planning.

2.24 In addition to the role outlined above it is envisaged that Area Committees and local members, through their Area Co-ordinators, will have the opportunity to play an important role in adding value through advising, signposting, empowering, resolving any conflict and partnership working with qualifying Town and Parish Councils and Neighbourhood Forums to aid delivery of a plan.

2.25 Neighbourhood Development Plans could include 'non-planning' related issues and opportunities; however this must be a separate / supplementary part of the Plan. This is something that Area Committees could take a lead on and link to with their



own Ward plans.

Neighbourhood Area Applications

- 2.26 The Council is responsible for receiving and determining applications for the designation of a neighbourhood area (i.e. an area to which a neighbourhood plan relates). Part 2, Section 5 of the Neighbourhood Planning (General) Regulations 2012 states that application for designation of a neighbourhood area must include:
- a. a map which identifies the area to which the area application applies;
 - b. a statement explaining why the area is considered appropriate to be designated as a neighbourhood area; and
 - c. a statement that the organisation or body making the area application is the relevant body for the purpose of section 61G of the 1990 Act.
- 2.27 As soon as practicable after receiving an area application, the Council must formally publish it on its website for a statutory period of 6 weeks. This must include a copy of the area application, details of how to make representations and a date by which those representations must be received. The Council is then required to consider any representations received.
- 2.28 At this stage, it is only the **principle** of becoming a neighbourhood area and the extent of the proposed boundary which is being requested for consideration and approval. The application does not consider the content or approach of the proposed Neighbourhood Development Plan.
- 2.29 The Neighbourhood Area Application for Cullingworth has met the requirements of the Neighbourhood Planning regulations.
- 2.30 The Shipley Area Committee is requested to consider and provide comment on the Cullingworth Neighbourhood Area Applications:

Cullingworth Village Council

- 2.31 The Council received a formal application from Cullingworth Village Council on 14th August 2014 requesting to become designated a neighbourhood area for the purpose of producing a Neighbourhood Development Plan. The application covers the parish of Cullingworth.
- 2.32 The application was reviewed by the Assistant Director to ensure it included the key requirements under the relevant regulations. The accepted application was then published by the Council on its website and formal representations invited over a 6 week period from 22nd September to 3rd November 2014. A press release was issued to raise the awareness of those living and working in the area. The Council also notified relevant parties on the Local Plan consultation database.
- 2.33 The Neighbourhood Area Application for Cullingworth is contained in Appendix 3. In line with the regulations it is made up of a map showing the extent of the proposed area, a statement confirming that they are a qualifying body and outlining why the



proposed area is appropriate. It also includes a list of the aims of any resultant Neighbourhood Plan. The Village Council propose that the Neighbourhood Area boundary matches the extent of the existing Parish boundary of Cullingworth.

- 2.34 The Council received a total of 9 representations within the formal consultation period and 1 after. There was general support in principle for the designation of a neighbourhood area covering the parish of Cullingworth. A summary of the representations and the Council's response to the issues raised by those making representations is set out in Appendix 4.
- 2.35 There was general support for the designation of a Neighbourhood Area from organisations and a member of the public. Several respondents raised a number of considerations for the Village Council to bear in mind should they gain Neighbourhood Area status from the Council and begin work on a Neighbourhood Development Plan.
- 2.36 The Area Committee is invited to make comments on the principle of approving the neighbourhood area covering the extent of the Cullingworth Parish boundaries, (see Section 4.2 and 4.3). Any comments will then be reported to the Executive Committee alongside the initial applications and public comments. The Executive Committee will then make a formal decision on the designation of the neighbourhood area.

Neighbourhood Area Application - Considerations for the Area Committee

- 2.37 There are two considerations in relation to neighbourhood area applications, these are:
- 1) Whether the extent of the area proposed is considered appropriate for the purpose of producing a Neighbourhood Development Plan.
 - 2) Whether the body submitting the application is a relevant qualifying body for the purposes of the Localism Act to pursue neighbourhood planning functions.
- 2.38 In addition to the above considerations, the Area Committee is also requested to consider the two options as set out in Section 4 of this report along with the recommendations set out in section 10.

3. OTHER CONSIDERATIONS

Funding and Support

- 3.1 There are several sources of advice and support for Councils and communities that are interested in neighbourhood planning.
- 3.2 From April 2013 Local Planning Authorities could claim for up to 20 area designations (£100,000) in each financial year 2013 to 2014 and 2014 to 2015. This money recognised the duties that local authorities have in relation to neighbourhood planning.



- 3.3 The payments are broken down into three stages to reflect the work involved in getting a plan to the point of being published prior to an examination. The payments are broken down as follows:
- 1) First payment of £5,000 is payable to the LPA upon designation of a neighbourhood area in recognition of officer time supporting and advising the community in taking the Neighbourhood Development Plan forward.
 - 2) Second payment of £5,000 is made to the LPA once it publicises the Neighbourhood Development Plan prior to examination. This will contribute towards the costs of the examination as well as other staff costs incurred at this stage.
 - 3) Third payment of £20,000 is made upon successful completion of a Neighbourhood Development Plan examination. This fund will, in part, pay for the examination and any other further steps that maybe needed for the Neighbourhood Development Plan to come into legal forces, including a local referendum.
- 3.4 These monies can only be claimed on applications within set claim periods.
- 3.5 The Department for Communities and Local Government has established separate support for communities. From May 2013 the Government ran a £10.5 million, 2-year rolling programme to provide support and grants to communities to progress their Neighbourhood Development Plans. Communities could apply for direct support and / or grants of up to £7,000 to help them develop a Neighbourhood Development Plan.
- 3.6 The Government has pledged funding along with support to communities directly through organisations such as Locality, mycommunityrights.org, RTP1 and Planning Aid England. There is an array of support networks available to communities should they wish to request assistance.
- 3.7 With effect from 20th August 2014 the Government were no longer accepting any new expressions of interest of grants. However Government Ministers announced on 31st Oct 2014 that they will make available £22.5 million over 2015 to 2018 to provide community groups with advice and grant funding to help get their neighbourhood plans into force following a local referendum. They will also provide £100,000 so community groups can organise neighbourhood planning workshops.

Community Infrastructure Levy

- 3.8 The Government has announced that Local Planning Authorities operating a Community Infrastructure Levy (CIL) will pass on 25% of the money raised from development within a neighbourhood plan area to the community itself, so that they can decide how the money is to be spent. The Localism Act sets out what neighbourhood CIL can be spent on: the provision, improvement, replacement, operation or maintenance of infrastructure - or anything else that is concerned with



addressing demands that development places on an area. Communities without a Neighbourhood Development Plan would only be entitled to 15% of any CIL monies received. To qualify, a Neighbourhood Development Plan must have been through a referendum and brought into force and the local authority needs to have introduced CIL.

- 3.9 The Council is currently investigating the potential of a Community Infrastructure Levy for the Bradford District. This will be the subject of a future report to the Executive Committee.

Bradford's Local Plan

- 3.10 Progress in putting in place an up to date development plan, now known as the Local Plan, to replace the Replacement Unitary Development Plan (RUDP) is critical to support the take up of the new neighbourhood planning provisions. The Core Strategy Development Plan Document (DPD) will provide the key strategic planning policies against which Neighbourhood Development Plans will be tested against to ensure conformity. At present it is anticipated that the Core Strategy will be adopted in 2015 following an independent examination. Work on identifying sites via the Allocations DPD as well as the two area Action Plans for the City Centre and Shipley Canal Road Corridor will follow on from the Core Strategy.
- 3.11 Details of the timetable of the Local Plan are contained within the Local Development Scheme (LDS) 2014-2017. The Executive, at its meeting on 22nd July 2014, approved the revised Local Development Scheme. The LDS also sets out the anticipated programme for CIL.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 There are potentially significant financial and resource implications from the discharge of the duties under the Localism Act. The full scope of the financial and resource implications from the discharge of the new duties are documented in the 9 October 2012 report to the Executive (see background document 12.4).
- 4.2 These burdens will depend upon the overall take up by communities of these non mandatory activities. The government has made available resources to cover these additional burdens; however as this is a relatively new process the implications are unknown for Bradford. The impact on resources of the council will need to be carefully monitored and may need to be subject to prioritisation.
- 4.3 For the year 2014/2015, the Government pledged further financial support to councils with neighbourhood planning. The Council is able to claim for up to £30,000 per area designation. For further information please refer to paragraph 3.3 of this report.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 5.1 The portfolio holder for Change Programme, Planning and Housing will take the lead for neighbourhood planning.



- 5.2 The Assistant Director for Planning, Transportation and Highways will coordinate and manage the Council's neighbourhood planning role and responsibilities.
- 5.3 Appendix 2 sets out the governance arrangements for the key decisions within the respective processes for neighbourhood planning, as approved by the Executive.

6. LEGAL APPRAISAL

- 6.1 The legal requirements related to neighbourhood planning are set out in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012.
- 6.2 The Neighbourhood Area Application is considered to have met the relevant regulations at this stage in the process.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

- 7.1.1 Any Neighbourhood Development Plan which is produced by a Village/ Parish/Town Council must be in line with the policies and plans contained within the Local Plan which has been subjected to its own Equality Impact Assessment.
- 7.1.2 Good practice would suggest that the Village Council should seek to ensure compliance with equality legislation in preparation of a Neighbourhood Development Plan, including the production of an Equality Impact Assessment, where relevant and appropriate.

7.2 SUSTAINABILITY IMPLICATIONS

- 7.2.1 Neighbourhood Development Plans are required to conform to national and local policy which is supported by sustainability appraisals. However, depending on the nature of the Neighbourhood Development Plan, the Plan may need to be supported by its own Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA).

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

- 7.3.1 Any Neighbourhood Development Plan would need to ensure compliance with national and local policy which promote sustainable development and seek to minimise impact on climate change.

7.4 COMMUNITY SAFETY IMPLICATIONS

- 7.4.1 There are no community safety issues.



7.5 HUMAN RIGHTS ACT

7.5.1 All neighbourhood planning tools are subject to consultation and engagement. There is a third party right to be heard at the independent examination.

7.6 TRADE UNION

7.6.1 There are no trade union implications.

7.7 WARD IMPLICATIONS

7.7.1 The neighbourhood planning tools can be picked up by communities and can relate to small areas within and across wards. At present within the Committee's area there is one Village Council who is taking forward a Neighbourhood Development Plan, which relates to the following ward:

- Bingley Rural Ward – Cullingworth

7.8 WARD PLAN IMPLICATIONS

7.8.1 The Area Committee is requested to take note of this Neighbourhood Area Application and the decision of the Executive Committee on 13th January 2015. The potential decision to approve the application for designation of a Neighbourhood Area by Executive will require the Area Committee to note this in any future Ward Plans.

7.8.2 There is a potential opportunity for the preparation of Neighbourhood Development Plans to link to Ward Plans and their implementation.

8. NOT FOR PUBLICATION DOCUMENTS

8.1 None.

9. OPTIONS

9.1 The Area Committee is invited to respond to three consultation questions and make any additional comments regarding the principle of designating a Neighbourhood Areas for Cullingworth.

9.2 The three consultation questions consist of the following:

1) Do you support or object this proposal for a Neighbourhood Area?
2) Do you think the area identified is suitable for the basis of a Neighbourhood Plan?
3) Is the proposed boundary appropriate? (Please consider if the proposed boundary is drawn too tight or too wide)



- 9.3 For the neighbourhood area application there are two general options:-
- Option 1 expresses general *support* for the proposal of designating a neighbourhood area for the purpose of producing a Neighbourhood Plan and the appropriateness of the proposed boundary.
 - Option 2 expresses *objections* towards the proposal to designate a neighbourhood area and the appropriateness of the proposed boundary.
- 9.4 The option to support the designation of a Neighbourhood Area (Option 1) will be reported to the Executive Committee to inform their final decision. Should the Executive approve the designation of the Neighbourhood Area then the Village Council may then commence work to prepare and produce a Neighbourhood Development Plan for the extent of the area indicated in their application.
- 9.5 The production of a Neighbourhood Development Plan by the Village Council may require a level of support and assistance by the Council. At this stage it is not possible to outline the extent of support which may be required as this is dependant upon the needs of the Village Council and the nature of the Neighbourhood Development Plan. Good practice from elsewhere suggests this should be dealt with by the qualifying body producing a project plan for discussion with the Council. A Service Level Agreement (SLA) could be put in place to manage the support the Council can offer in discharge of its duties if considered appropriate.
- 9.6 The option to object to the designation of a Neighbourhood Area (Option 2) will be reported to the Executive Committee to inform their final decision. Should the Executive take on board all comments received during the consultation process and decide not to approve the application the Village Council may not commence work on a Neighbourhood Development Plan. Instead the future development of the area will be primarily guided by the policies and plans set out within the Council's Local Plan (Core Strategy and Allocations Development Plan Documents). There will be no further implications for the Area Committee.
- 9.7 The final recommendations of the Area Committee regarding the Cullingworth Neighbourhood Area Application will be reported to the Executive Committee at the meeting on 13th January 2015.

10. RECOMMENDATIONS

- 10.1 The views of Members to the three questions contained at Paragraph 4.2 and the two options at paragraph 4.3 are requested for the Neighbourhood Area Application. Those views will be referred to the Executive for consideration at its meeting on 13th January 2015.

11. APPENDICES

- 11.1 Neighbourhood Plans Process
- 11.2 The governance arrangements for the key decisions within the respective processes for neighbourhood planning.



- 11.3 Cullingworth Neighbourhood Area Application
- 11.4 Summary of representations to Cullingworth Neighbourhood Area Application

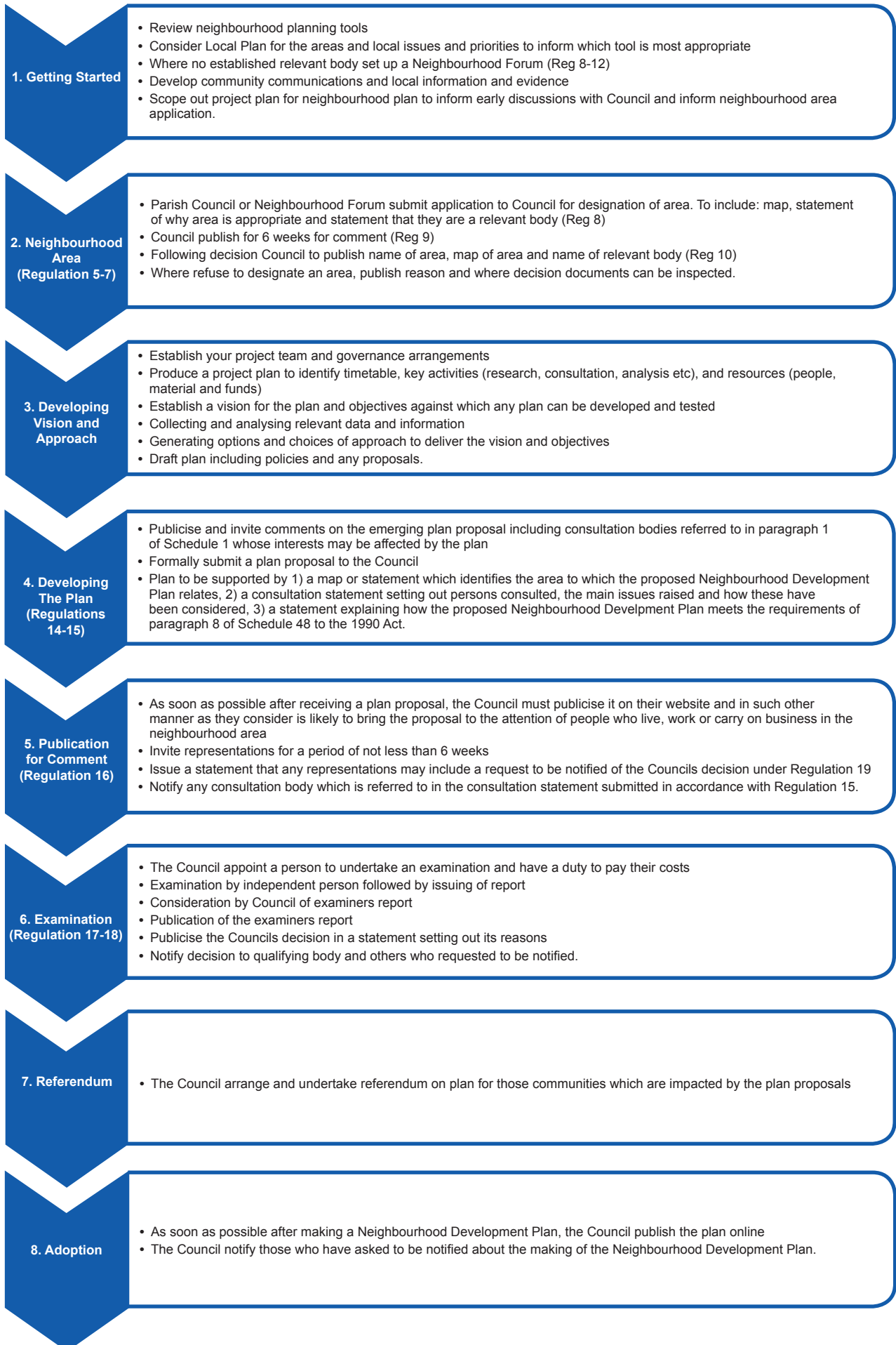
12. BACKGROUND DOCUMENTS

- 12.1 The Localism Act 2011
<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>
- 12.2 The Neighbourhood Planning (General) Regulations 2012
<http://www.legislation.gov.uk/uksi/2012/637/made>
- 12.3 National Planning Policy Framework (March 2012)
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2115939.pdf>
- 12.4 Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Executive to be held on 9 October 2012. (Document AE)



Appendix 1

Neighbourhood Plan Process

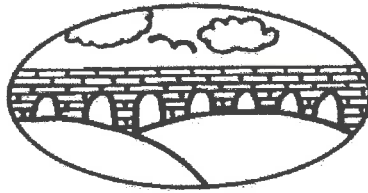


Appendix 2

The approved governance arrangements for the key decisions within the respective processes for neighbourhood planning.

Neighbourhood Planning Decision Making			
Activity	Stage	Consultation	Decision
Application to set up Neighbourhood forum	Application received and published for comment Application decision	Portfolio holder Area Committee	Assistant Director PTH Executive
Neighbourhood Area Application	Application received and published for comment Application decision	Portfolio holder Area Committee	Assistant Director PTH Executive
Neighbourhood Plan	Draft received by Council and published for representations Submit for independent examination Receipt of independent persons report and decision on plan and move to referendum Adoption	Portfolio holder Portfolio holder Portfolio holder Area Committee Portfolio holder	Assistant Director PTH Assistant Director PTH Assistant Director PTH Executive Assistant Director PTH
Neighbourhood Development Order/Community Right To Build Order	Draft received by Council and published for representations Submit for independent examination Receipt of independent persons report and decision on plan and move to referendum Adoption	Portfolio holder Portfolio holder Area Committee Portfolio holder	Assistant Director PTH Assistant Director PTH Executive Assistant Director PTH

CULLINGWORTH VILLAGE COUNCIL



Clerk to the Village Council: Mrs A Holmes,
The Haven, 9 Keighley Road Cullingworth BD13 5JA Tel: 01535 273265
Email: angela9haven@hotmail.com

Mr A Marshall
Planning & Transport Strategic Manager
Bradford Metropolitan District Council
Floor 2 South
Jacob's Well
Bradford
BD1 5RW



9 August 2014

Dear Mr Marshall

Please find attached an application for designated area status by Cullingworth Village Council for the purposes of preparing a Neighbourhood Plan comprising:

- 1 Statement to confirm status as a qualifying body
- 2 Map showing area for the proposed neighbourhood plan
- 3 Statement explaining why the area is appropriate and what the plan will address

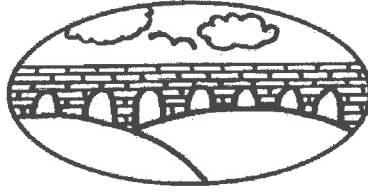
If you require any additional information please do not hesitate to contact me.

Yours sincerely

A handwritten signature in blue ink that reads "Angela Holmes". The signature is written in a cursive style.

Angela Holmes
Clerk to the Village Council

CULLINGWORTH VILLAGE COUNCIL



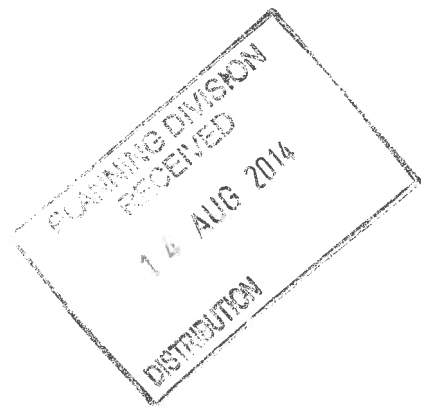
Appendix 1

STATEMENT TO CONFIRM STATUS AS A QUALIFYING BODY

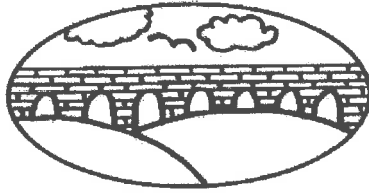
Cullingworth Village Council is a qualifying or relevant body to apply for designated area status under the provisions of the Localism Act 2011 Schedule 9 Neighbourhood Planning section 61G, paragraph (2)A.

(2) A "relevant body" means:

- (a) a parish council or
- (b) an organisation or body which is, or is capable of being, designated as a neighbourhood forum (on the assumption that, for this purpose, the specified area is a designated as a neighbourhood area.)



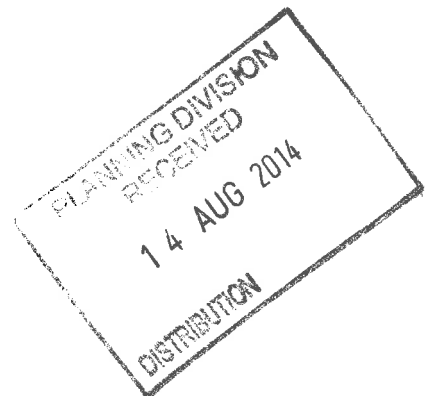
CULLINGWORTH VILLAGE COUNCIL



Appendix 2

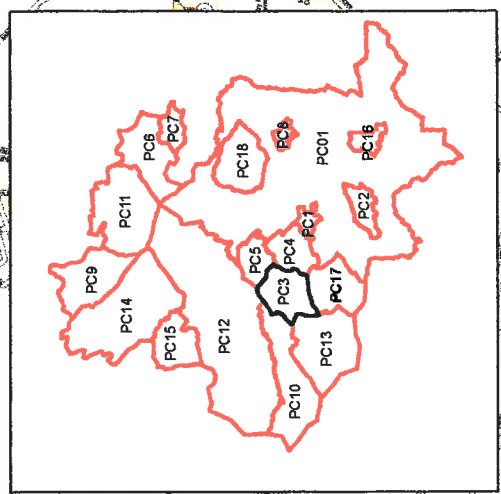
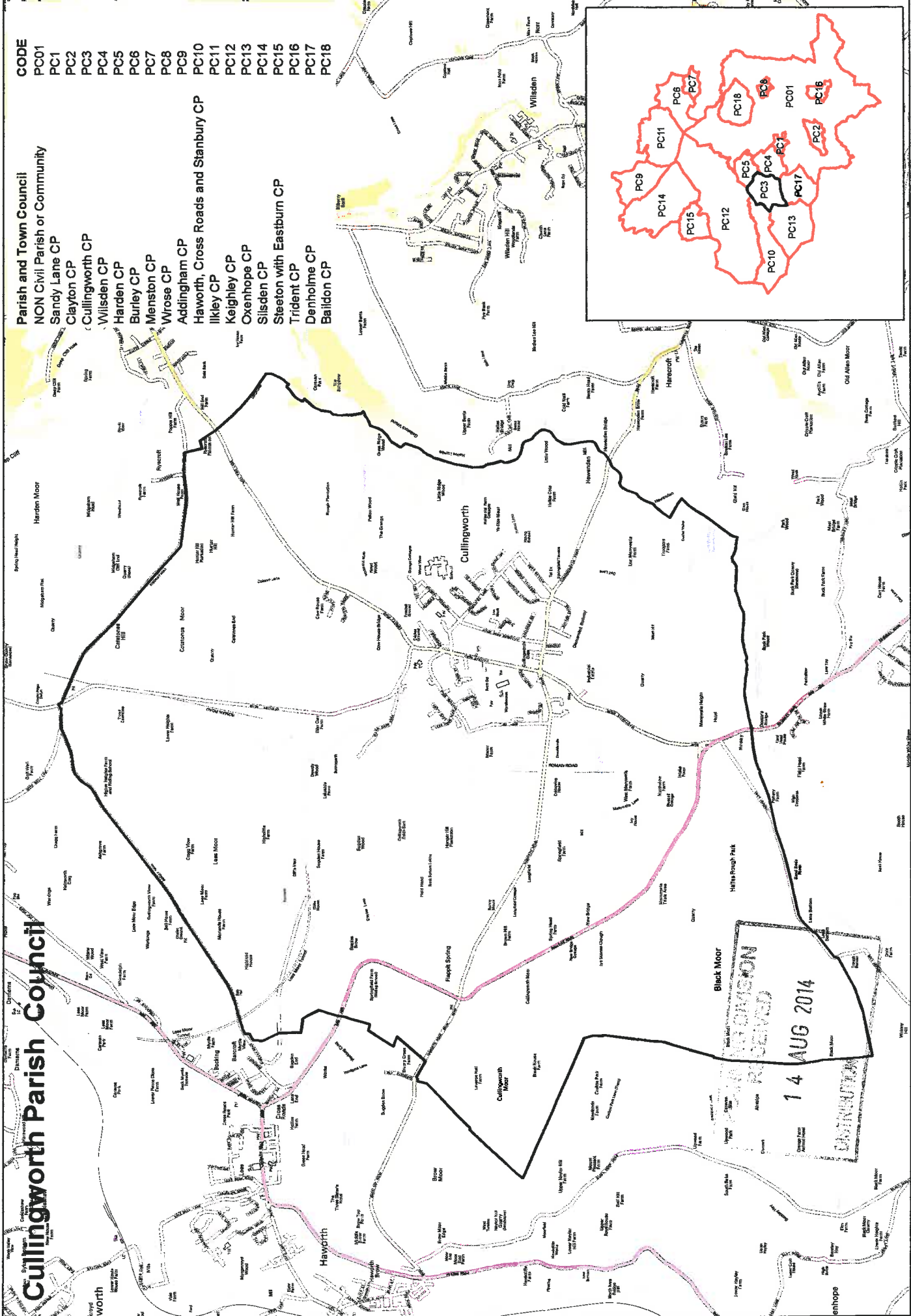
MAP SHOWING AREA FOR PROPOSED NEIGHBOURHOOD PLAN

The attached map shows the Cullingworth Parish boundary and is taken from an Ordnance Survey map supplied by Bradford Council.



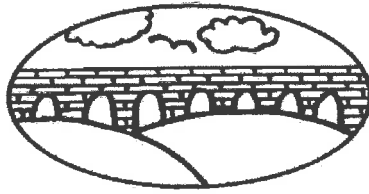
- CODE**
- PC01
 - PC2
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 - PC14
 - PC15
 - PC16
 - PC17
 - PC18

- Parish and Town Council**
- NON Civil Parish or Community
 - Sandy Lane CP
 - Clayton CP
 - Cullingworth CP
 - Wilsden CP
 - Harden CP
 - Burley CP
 - Menston CP
 - Wrose CP
 - Addingham CP
 - Haworth, Cross Roads and Stanbury CP
 - Ilkley CP
 - Keighley CP
 - Oxenhope CP
 - Silsden CP
 - Steeleton with Eastburn CP
 - Trident CP
 - Denholme CP
 - Baldon CP



Cullingworth Parish Council

CULLINGWORTH VILLAGE COUNCIL



Appendix 3

STATEMENT EXPLAINING WHY THE AREA IS APPROPRIATE AND WHAT THE PLAN WILL ADDRESS

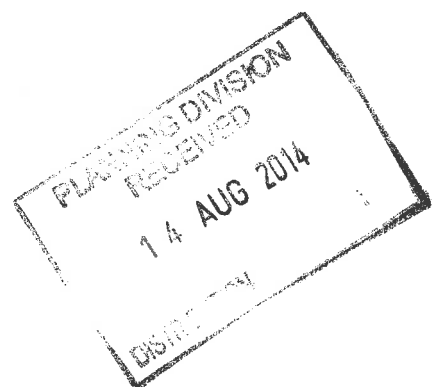
Cullingworth Village Council operates within the confines of the Cullingworth Parish boundaries shown on Appendix 2. The area is considered as being appropriate to be designated as "The Cullingworth Parish Neighbourhood Area" as it is already administered by Cullingworth Village Council.

The chief aim of Cullingworth Village Council is to create a Neighbourhood Development Plan in consultation with key local interest groups, residents and neighbouring parishes to generate evidence which will ensure that the parish develops whilst protecting the area's heritage. Maintaining its attractiveness, providing for housing needs and building for a viable economic future.

Cullingworth Village Council recognises the need for some development but improvements in infrastructure need to be commensurate with the additional housing in the Aire Valley.

In applying for designated area status, the essential aim of any resultant Neighbourhood Plan will be to:

- 1) Preserve the character of Cullingworth and its parish as an attractive rural area retaining a district community protecting and cherishing the natural and built environment.
- 2) Meet defined housing needs commensurate with the Local Development Plan and character of the designated area whilst maintaining good shopping, recreation and cultural facilities integrating well with neighbouring communities.
- 3) Enhance employment opportunities for its residents – now and in the future.
- 4) Ensure a flourishing commercial, retail business and economic environment.
- 5) Meet the needs of all residents in the areas of education, health, leisure, recreation, sport and transport including footpaths and cycleways.
- 6) Maintain and protect the natural environment and availability of green spaces and green belt within the designated parish boundaries.
- 7) Maintain on-going dialogue with local organisations, developers, individuals, neighbouring communities and the LPA to ensure that the Local Development Plan criteria are met.



Appendix 4 - Cullingworth Neighbourhood Area Application

Summary of Representations and Council's Response

No.	Respondent	Issues Raised / Comment	Council's Response
1	David Bland	<p>Support given to the proposal, agrees that the area is suitable and that the boundary is appropriate.</p> <p>No specific comments made.</p>	Support noted
2	National Farming Union	<p>No specific comments on the application.</p> <p>Within the Neighbourhood Development Plan there is potential to adequately address the issues and opportunities of farming within the Plan area. The National Farmers Union has set out their vision, key priorities (within present day farming) and guiding principles for consideration during the preparation of the Plan.</p>	<p>Noted.</p> <p>It is for the Parish Council to determine the detailed scope of their Neighbourhood Development Plan, not the Council. However the Council will ensure that the Parish Council receive a copy of these comments.</p>
3	Wakefield Council	<p>No objections to the proposals.</p> <p>Support given to the proposal, agrees that the area is suitable and that the boundary is appropriate.</p> <p>No specific comments made.</p>	Support noted
4	Natural England	<p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft Neighbourhood Development Plans where proposals are likely to affect a Site of Specific Scientific Interest (SSSI), or 20 hectares or more of Best and Most Versatile agricultural land. The organisation should also be consulted on Strategic Environmental Assessments (SEA), Habitats Regulations Assessments (HRA) screening and Environmental Impact</p>	<p>Noted. Natural England will continue to be consulted on the Neighbourhood Development Plan, subject to the content of the Plan and where appropriate.</p>

No.	Respondent	Issues Raised / Comment	Council's Response
		<p>Assessments, where these are required.</p> <p>Natural England can provide sources of additional advice for the Parish Council with regard to:</p> <ul style="list-style-type: none"> ● Advice on sources of environmental information and ideas of incorporating the environment into plans and proposals; ● Protected landscapes; ● Protected species; ● Local Wildlife Sites; ● Best and Most Versatile agricultural land; ● Opportunities for enhancing the natural environment. 	<p>Noted. The Council will ensure that the Parish Council receive a copy of these comments contained within the original representation to the Parish Council for their consideration.</p>
5	Sports England	<p>No specific comments on the application.</p> <p>Within the Neighbourhood Development Plan there is potential to address sport and recreational facilities. Sport England outlines several points for consideration during the preparation of the Plan.</p>	<p>Noted</p> <p>It is for the Parish Council to determine the detailed scope of their Neighbourhood Development Plan, not the Council. However the Council will ensure that the Parish Council receive a copy of these comments and Sport England documentation.</p>
6	Environment Agency	<p>No specific comments on the application.</p> <p>Request that the Parish Council take note of the content of the representation and refer to the submitted guidance note - 'Planning for the environment at the neighbourhood level' when considering how to develop the Plan.</p>	<p>Noted</p> <p>Comment noted. The Council will pass these comments/documents/ contact details onto the Parish Council for consideration during the preparation of their Plan.</p>

No.	Respondent	Issues Raised / Comment	Council's Response
7	The Coal Authority	<p>No specific comments on the application at this stage</p> <p>Cullingworth Parish lies within the current defined coalfield. There are recorded mine entries and probable shallow coal workings in the area. If the Neighbourhood Plan allocates sites for future development consideration will need to be given to them.</p>	<p>Noted</p> <p>Noted. The decision at this stage is on the appropriateness of the neighbourhood plan application.</p> <p>The Council will pass the details in your response on to the Village council and recommend they consult the Coal authority during the preparation of their Plan.</p>
8	English Heritage	<p>No objection to this proposal</p> <p>The area identified by Cullingworth Village Council for the Neighbourhood Plan includes a number of important designated heritage assets. The Heritage at Risk register 2014 for Yorkshire & Humberside will itemise any heritage assets which are at risk.</p> <p>Both English Heritage and the local Council can provide support, advice and evidence on the historic environment.</p> <p>Plan preparation offers the opportunity to harness a community's interest in the historic environment by getting them to help add to the evidence base, perhaps by creating and or reviewing a local heritage list, inputting to the preparation of conservation area appraisals and undertaking historic characterisation surveys.</p> <p>English Heritage has a statutory role in the development plan process and there is a duty on</p>	<p>Noted</p> <p>Comment noted. The Council will pass these comments/documents / links to information onto the Village Council for consideration during the preparation of their Plan.</p> <p>Comment noted</p>

No.	Respondent	Issues Raised / Comment	Council's Response
9	Kirklees Council	<p>either the Local Planning Authority or the Neighbourhood Planning Forums to consult English Heritage on any Neighbourhood Plan where our interests are considered to be affected.</p> <p>Should a Strategic Environmental Assessment/Sustainability Appraisal be required we again have a formal role in that process.</p>	
10	Yorkshire Wildlife Trust	<p>No comments</p> <p>Supports the Neighbourhood Area as appropriate for preparing a Neighbourhood Plan.</p> <p>With the Neighbourhood Development Plan there will be potential to include details about supporting and improving the natural environment. Yorkshire Wildlife Trust encloses a document containing information on the natural environment within Neighbourhood Plan areas for consideration during the preparation of the Plan.</p>	<p>Noted</p> <p>Support noted</p> <p>It is for the Parish Council to determine the detailed scope of their Neighbourhood Development Plan, not the Council. However the Council will ensure that the Parish Council receive a copy of these comments and Yorkshire Wildlife Trust documentation.</p>