

RECORD OF DECISION MADE UNDER DELEGATED POWERS FOR NEIGHBOURHOOD PLANNING

Delegation approved by Council 27 April 2016 A230 94 (D)

**NEIGHBOURHOOD PLANNING APPROVALS AND CHANGES TO THE COUNCIL'S DELEGATIONS -
(CABINET 11TH APRIL 2016 – MINUTE NUMBER 136/B124)**

COUNCIL RESOLVED that

(b) delegated authority be given to the Acting Director of Economy and Environment in consultation with the Cabinet Member with responsibility for Regeneration and Economic Development to approve applications for Neighbourhood Areas and approve the designation of Neighbourhood Forums, following consultation on the applications for such designations.

DELEGATED REPORT

GREETLAND, NORLAND and WESTVALE NEIGHBOURHOOD FORUM AND AREA

1. An application from the prospective Neighbourhood Forum for Greetland, Norland and West Vale was submitted to the Council on 10th June 2016, for designation as a neighbourhood forum under Section 61 the Town and Country Planning Act 1990 (as amended), and for the area for which those powers would be taken (being part of Greetland and Stainland Ward in the Metropolitan Borough of Calderdale. The area proposed excludes that part of the Greetland and Stainland Ward for which a prospective Parish Council for Stainland has been proposed. (The Area to be designated is shown on the attached Plan).
2. In accordance with the Regulations the application received included a copy of the Constitution of the proposed Form together with evidence that the Forum has at least 21 signed up Members.
3. The Applications were advertised for a 6 week long period commencing 30 June 2016 and closing Friday 12 August 2016.
4. During the Consultation Period a number of comments have been received :
Thirteen (13) comments have been received. Eleven (11) Support the designation of the Forum and area, whilst some from Statutory bodies have also made comments and provided advice that will need to be forwarded to the Forum, if it is approved, as a result of this Report.
5. There have been two objections raised during the Consultation.
 - a. Mr Scott Talon – objects to any development around Greetland for a number of reasons set out in the Appendix to this report;
 - b. Canal and Rivers Trust – want the boundary for the area extending to cover the Aire and Calder Navigation, which lies outside the area to the north of the River Calder.
6. Matters to be considered:
In order to comply with the Regulations, the following Table sets out the relevant questions and responses:

Question	Greetland and West Vale Neighbourhood Forum
<i>Is the application from a “relevant body” and does it provide the required information?</i>	YES. The application states how the Prospective Forum is a relevant body. The Prospective Forum has more than 21 Members from within the designated area. The application has evidenced this and provided a copy of the Constitution.

Question	Greetland and West Vale Neighbourhood Forum
<i>Should the Council approve the area applied for as the Neighbourhood Area in its entirety; OR should the Council reject the neighbourhood area;</i>	<p>YES...the area is coherent and has been agreed by the Forum members. It does not conflict with any other Forum or any proposals for the Stainland Parish Council. As a result, the Council should approve the area for which the Forum is proposed... unless there are reasons why the application should be rejected.</p> <p>NOTE : the objection from The Canals and Rivers Trust seeks an amendment to the Neighbourhood Area to include the Aire & Calder Navigation, north of the River Calder.</p>

CONSIDERATION OF THE OBJECTIONS :

Representation

GNWV7 from Mr Scott Tallon raises issues about development within the Greetland area. These could be addressed as part of the Neighbourhood Plan and as a result it is not considered that this objection justifies these applications being refused.

GNWV13 from Mr Martyn Coy for The Canal and River Trust. The Canal and Rivers Trust propose that the applications should be refused because the area to be covered does not include the Canal which lies to the north of the application area.

The boundary of the proposed Neighbourhood area follows Electoral divisions so that the administration associated with the Referendum will be streamlined. Whilst Neighbourhood Areas can extend beyond electoral boundaries it is preferable that they follow these divisions. For this proposed area it would not be appropriate to extend it to the north to cover the canals, as this could be regarded as making a less coherent area. Much of the built area of Greetland lies significantly above the levels of the river and canal. The canal could of its own right be a Neighbourhood Area if there was interest to take such an idea forward.

The Council has to approve the applications as they stand or refuse them. There are no provisions to amend the boundaries under the latest Neighbourhood Planning Regulations. It is not considered appropriate that the applications be refused to accommodate expansion of the area to cover the canals, which in any case does not relate directly to the area or the stated aims of the Forum for the area.

RECOMMENDATION :

That under the Powers conferred by the Town and Country Planning Act 1990 (as amended), and as delegated by the Council to the Director and appropriate Cabinet Member, approval is given to the Neighbourhood Forum for Greetland, Norland and West Vale to act as the neighbourhood forum (Section 61F) and to exercise those powers across the Neighbourhood Area as submitted (Section 61G).

This Recommendation was accepted/~~rejected~~ by:

Cabinet Member for Regeneration and Economic Development : Cllr Barry Collins

(Acting) Director of Economy & Environment : Mark Thompson

Dated : August 25th 2016

Service Lead for Planning : Richard Seaman;

AUTHOR : Development Strategy Manager : Phil Ratcliffe (Tel) 01422 392255

REPRESENTATIONS RECEIVED REGARDING THE GREETLAND, NORLAND AND WEST VALE NEIGHBOURHOOD FORUM AND AREA

ID	Name	Organisation Details	Do you think that the Council should approve prospective Forum and Area?	If NO, please give us your reasons. <i>This section also records other comments made on the applications.</i>
GNWV1	Mr Martin Reddy		Yes	
GNWV2	Mr. David Mitchell		Yes	
GNWV3	Mr Nigel Duckworth		Yes	
GNWV4	Planning Admin Team	Sport England	No view expressed, but comments made.	Comments have been made asking that the Neighbourhood Plan reflects the Playing Pitch Strategy or Indoor Facilities Strategy. These comments will be forwarded to the Forum when it is designated.
GNWV5	Spencer Jefferies	National Grid plc	No view expressed, but comments made.	Comments have been made stating that there is National Grid Infrastructure within the Neighbourhood Area, and stating that National Grid should be consulted as part of the Plan Preparation. These comments will be forwarded to the Forum when it is designated.
GNWV6	Mr Nick Pedder	Planning Adviser Environment Agency	Yes	
GNWV7	Mr Scott Scott Tallon		No	I am writing to strongly object to the proposed development in and around Greetland. Firstly, the current infrastructure cannot cope with current demand. The traffic in west vale becomes gridlocked at peak times on a good day. Throw in road works and it is chaos. To add new homes and the potential extra traffic and parking requirements this

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				<p>would certainly create does not bear thinking about.</p> <p>There are not enough jobs to accommodate new residents/families so they would have to travel on overcrowded buses or on already gridlocked roads.</p> <p>Local schools already have limited places. Local shops and services simply cannot meet the added demand which this development would create. Local GP's and dentists already are full and not taking new patients. Local hospitals are overstretched and underfunded. Delays in treatment and increased waiting lists can only put lives at risk. Police and ambulance services are also at breaking point. Delays to emergencies would only increase with a greater population and gridlocked roads trying to get to them. As a Paramedic I know only too well the strain the service is under. This would only be exacerbated and would put more lives at risk.</p> <p>Then there is the issue of the houses themselves. These will no doubt be tall, ugly town houses - bland orange boxes crammed in to tight estates - not in keeping with the current charm and beauty of current properties in the area. Construction of new homes in the proposed locations will create major transport problems to these areas whilst the homes are under construction.</p> <p>You only have to look at the chaos on Lindley Moor and the problems they are encountering during construction and problems new residents will face with school places etc to see how this could affect Greetland.</p> <p>This development would have a massive impact to local wildlife and the beautiful rural location that Greetland is known for.</p>
GNWV10	Mr Craig Broadwith	Historic Places Adviser Historic England	Yes	<p>Comments have been made regarding the number of listed buildings within the area. The Forum is asked to ensure that consultation with Historic England takes place during plan preparation.</p> <p>These comments will be forwarded to the Forum when it is designated.</p>
GNWV11	Miss Rachael Bust	The Coal Authority	No view expressed, but comments made.	<p>The Coal Authority have considered the applications. There is no coal resource within the area defined and as a result the Coal authority do not need to be consulted as the plan is prepared.</p>

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GNWV12	Mr & Mrs Mark & Amanda Tattersall		Yes	<p>We are writing to endorse the proposed Greetland, Norland and West Vale Neighbourhood Development Plan area which follows Black Brook and Holywell Brook. Following the Brook ensures that:</p> <ol style="list-style-type: none"> 1. there is no overlap of the Neighbourhood Plan area and the Stainland and District Parish Council area. 2. long-established, strong boundaries continue without being altered. The Brook watercourse forms a strong natural division of the two areas. There is a Grade II listed boundary marker stone (for the division of the two areas of Stainland and Greetland) at Jagger Bridge (B6112 road). The description states that it lies over the middle of the Brook . 3. Strong, easily identifiable boundaries tied to firm ground detail, which are unlikely to change, will be of benefit to the area (their desirability is endorsed by Government Guidance). <p>The Neighbourhood Development Plan boundary which now follows the Brook has a positive impact on the villages of Holywell Green and Stainland. This is because the proposed plan affects potential for development and the area is an area of Green Belt that prevents the merging of West Vale/Greetland with Holywell Green and Stainland.</p>
GNWV13	Mr Martyn Coy	The Canal and River Trust	No	<p>We note that the northern and eastern boundaries of the Plan stop at the River and do not include the Rochdale Canal or Calder & Hebble Navigation. We seek to understand why the canals are not included within the Plan area. For example, the area outside the Plan incorporating the canals may be considered to be part of Sowerby Bridge and Copley areas and may be included within a future neighbourhood plan for these areas. However, should neighbourhood plans not come forward for these areas, we consider that the failure to include the canals within the Greetland and West Vale NP is a missed opportunity.</p> <p>The inland waterways are a multi-functional resource. Apart from their traditional role as a system of travel or transport they serve in a variety of roles, including:</p> <ol style="list-style-type: none"> 1 an agent of or catalyst for regeneration;

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				<p>2 a contributor to water supply and transfer, drainage and flood management;</p> <p>3 a tourism, cultural, sport, leisure and recreation resource;</p> <p>4 a heritage landscape, open space and ecological resource; and,</p> <p>5 a sustainable mode of transport;</p> <p>As such, the canal offers a valuable area of open space for leisure and recreation, allowing the local community to exercise and relax in a beautiful environment which brings health and wellbeing benefits to the local community.</p> <p>The canal is also a popular transport route and brings tourists to the area either by boat, bicycle or on foot. Many boaters moor overnight and provide a boost to the local economy by using local services.</p> <p>In light of the benefits that the canal brings to the area, we recommend the extension of the Plan area to include the canal in order that the Plan fully explores the ways to strengthen and develop the canals existing offer and increase the benefits offered by the canals to the local community. For example, improving access along, to and from the canal in the form of new signage to help direct people to the canal and improvements to the surface of the towpath. This would help more people enjoy the canal and benefit from the leisure and health opportunities that it has to offer.</p> <p>As such the Plan would help promote sustainable transport options in accordance with paragraph 35 of the National Planning Policy Framework (NPPF).</p> <p>We would welcome the opportunity to meet and discuss the further development of the Plan and how the canals can play an important role in its success in delivering the essential aims identified within the Plan by the local community.</p>

