

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 DATED : April 26th 2017

RASTRICK NEIGHBOURHOOD FORUM AND AREA

1. An application from the prospective Neighbourhood Forum for Rastrick was submitted to the Council in February 2018 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 the whole of Rastrick Ward and part of Elland Ward part of within the Metropolitan Borough of Calderdale. (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 consultation period lasting just over 6 weeks commencing Friday 3rd February 2017 and ending Tuesday 18th April 2018
4. During the Consultation Period 14 Representations have been received :
 - There are 9 representations in support of the proposal;
 - There are 5 Objections;
 - There are 7 representations from the Statutory Consultees, who have made comments but not raised objections. Representations are from Statutory Bodies providing advice that will need to be forwarded to the Forum, if it is approved, as a result of this Report.

All the comments are to be found in the Appendix to this Report.

5. Matters to be considered:
In order to comply with the Regulations, the following Table sets out the relevant questions and responses:

Question	CONSIDERATION
<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	CONSIDERATION
<p><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>	<p>YES the Forum and area should be approved... the application forms a coherent area and the Forum will need to work hard to ensure that residents and businesses within the area are engaged in the preparation of the Neighbourhood Plan.</p> <p>HOWEVER: There are objections from a number of local residents, but these are more about particular sites or issues that the Neighbourhood Plan could be addressing in the future rather than relating to the applications, and do not raise matters that would prevent the designation of the Forum or Area.</p>

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, the application for a Neighbourhood Planning Forum and Areas is **GRANTED**.

Cabinet Member for Regeneration and Economic Development : Cllr Barry Collins

AGREED by email dated 30th April 2017

(Acting) Director of Economy & Environment : Mark Thompson

AGREED by Email dated 30th April 2017

Service Lead for Planning : Richard Seaman;

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

REPRESENTATIONS RECEIVED REGARDING THE RASTRICK NEIGHBOURHOOD FORUM AND AREA

ID	Name	Organisation Details	Should the Council designate the prospective Neighbourhood Forum?	If NO, please give us your reasons - Reasons for not supporting.	General Comments	Should the Council should approve Rastrick as a NP area?	If NO, please give your reasons
1	Mrs Sally Marsden		NO	This area is already overcrowded, queues into Brighouse are constant on Huddersfield road at all times. The local amenities are not adequate to deal with such an influx of housing/people- the schools are already oversubscribed . The area specified is green belt leading to Bradley Woods additional traffic and building works would ruin this area not to mention the impact on the scout camp situated there.		NO	
2	Mrs Donna White		NO	I think we have very few open spaces in Rastrick and should do everything possible to keep the ones we have		NO	I have paid a premium for my property which would devalue if houses were built on the conservation corridor
3	Mr John Craven		YES			NO	I write as a Healey Wood Road resident. Residential development will impact adversely on residents in many ways. The roads are already at capacity at peak times. There are few

ID	Name	Organisation Details	Should the Council designate the prospective Neighbourhood Forum?	If NO, please give us your reasons - Reasons for not supporting.	General Comments	Should the Council should approve Rastrick as a NP area?	If NO, please give your reasons
							amenities to either side of Huddersfield Road (One shop / Post office) The only amenity is a small bit of green space adjoining Healey Wood Road, enjoyed by many, which should not be considered for development.
4	Mrs Sonya Stansfield		YES			YES	
5	Mr Richard Gwizdak		YES			YES	
6	Mr Paul Leeming	Carter Jonas for William Henry Smith School			The Smith Foundation which operates the Boothroyd School welcomes the opportunity to work with the local community in the Rastrick Ward in progressing a Neighbourhood Plan for the area. As a local landowner and employer, the Foundation would welcome discussion and involvement with the preparation of the Neighbourhood Plan document and to be kept informed and up to date with its progress.		
7	Mrs Elizabeth Cockcroft		YES			YES	
8	Alison and				Further to your letter of 3rd March 2017 our		

ID	Name	Organisation Details	Should the Council designate the prospective Neighbourhood Forum?	If NO, please give us your reasons - Reasons for not supporting.	General Comments	Should the Council should approve Rastrick as a NP area?	If NO, please give your reasons
	Simon Day				<p>comments, concerning the proposed reclassification of the recreation land off Healey Wood Crescent remain as detailed below in our email to you of 29th November 2015. We object to the proposal to reclassify the land as a housing site. We are writing to object to the land off Healey wood Road / crescent being redesignated within the local plan. This land was given to Calderdale with the explicit agreement that it remains designated for community recreational use in perpetuity, this was a legal contractual requirement. The land is well used by all the local community particularly the children who play on it. We note CMBC removed the much well used football goal posts in the summer of 2015 presumably in an attempt to reclassify the land. The land provides a valued play area to the local children and without it , there would be no safe access to another play area , the nearest being daisy road which would necessitate crossing the very busy Huddersfield Road which would create a high health and safety risk for the children and teenagers. Calderdale s Open Space , sport & Recreational Study 2015 identifies THIS recreation land as the requirement - " RETAINING , AS REMOVAL WILL CAUSE A CATCHMENT GAP" It records a quality score of</p>		

ID	Name	Organisation Details	Should the Council designate the prospective Neighbourhood Forum?	If NO, please give us your reasons - Reasons for not supporting.	General Comments	Should the Council should approve Rastrick as a NP area?	If NO, please give your reasons
					<p>56%and recommends increasing the value score which it assesses as 25% . The reinstatement of the goal posts would help to improve the score as would additional play facilities for children. This is also evidenced in Calderdale s Joint Strategic Needs Assessment and Joint Well Being Strategy 2012-2020 which state that these recreation grounds are important local strategic priorities improving childrens and young people's life chances . The Calderdale open space sport and recreational study 2015 also states Brighouse s quality score for play and social interaction for children and teenagers as "generally poor"! Why propose to develop new homes on such a valuable recreational site to the community, when it is legally required to remain community land . What this site needs is improved facilities hence our objection to the proposals to reclassify the land.</p>		
9	Mr Craig Broadwith	Historic Places Advise – Historic England			<p>Thank you for notifying Historic England that Rastrick Town Council has applied to Calderdale Council for designation of a Neighbourhood Plan Area under the Neighbourhood Planning (General) Regulations 2012 to enable them to undertake a Neighbourhood Development Plan. We do not have any comments to make</p>		

ID	Name	Organisation Details	Should the Council designate the prospective Neighbourhood Forum?	If NO, please give us your reasons - Reasons for not supporting.	General Comments	Should the Council should approve Rastrick as a NP area?	If NO, please give your reasons
					at this stage		
10	Claire Dennison	Sustainable Places Planning Advisor Environment Agency			Thank you for consulting the Environment Agency regarding the above mentioned proposed Neighbourhood Plan. We have reviewed the information submitted and we wish to make the following comments We have no comments specifically about the proposed boundary for the Neighbourhood Area. We would, however, be grateful if you would pass the attached document to the Neighbourhood Forum. See attached document		
11	Ms Paula Bedford	Asset Manager Highways England			We make no comment on the prospective committee as a forum or the proposed area covered by the forum other than to confirm that this runs adjacent to the M62 with access onto the strategic road network (SRN) via both J25 and J24. Should the proposals be accepted we look forward to being consulted on the neighbourhood development plan in due course.		
12	Merlin Ash	Natural England			Natural England does not wish to make comment on the suitability of the proposed plan area or the proposed neighbourhood planning body.		
13	Ms Megan	Gladman			Gladman would like to take this opportunity		

ID	Name	Organisation Details	Should the Council designate the prospective Neighbourhood Forum?	If NO, please give us your reasons - Reasons for not supporting.	General Comments	Should the Council should approve Rastrick as a NP area?	If NO, please give your reasons
	Pashley	Developments Ltd			to comment on the Rastrick Neighbourhood Area application to highlight a number of key requirements to which the development of the emerging neighbourhood area should have regard.		
14	Spencer Jefferies	National Grid			National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customer. National Grid own four of the UK's gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London. To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets. Specific Comments An assessment has been carried		

ID	Name	Organisation Details	Should the Council designate the prospective Neighbourhood Forum?	If NO, please give us your reasons - Reasons for not supporting.	General Comments	Should the Council should approve Rastrick as a NP area?	If NO, please give your reasons
					<p>out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines and also National Grid Gas Distribution's Intermediate / High Pressure apparatus. National Grid has identified the following high voltage overhead powerlines as falling within the Neighbourhood area boundary: ZPC Route – 275kV from Elland substation in Calderdale to ZPC Route Tower (ZP127 - 001 - 001A - 003) in Kilby</p> <p>From the consultation information provided, the above overheads powerline does not interact with any of the proposed development sites. Gas Distribution – Low / Medium Pressure Whilst there is no implications for National Grid Gas Distribution's Intermediate / High Pressure apparatus, there may however be Low Pressure (LP) / Medium Pressure (MP) Gas Distribution pipes present within proposed development sites. If further information is required in relation to the Gas Distribution network please contact plantprotection@nationalgrid.com</p>		

