



Calderdale Metropolitan Borough Council

**PARK WARD NEIGHBOURHOOD PLAN:
POST- EXAMINATION DECISION STATEMENT**

**Regulation 18 of the Neighbourhood Planning
(General) Regulations 2012 (as amended)**

- 1.1 This document is the decision statement required to be prepared under Regulation 18(2) of the Neighbourhood Planning Regulations 2012 (as amended). It sets out the Council's response to each of the recommendations contained within the Report to Calderdale Council of the independent examination of the Park Ward Neighbourhood Plan ("the Plan") by independent Examiner Mr Tony Burton, which was submitted to the Council on 6th October 2022.
- 1.2 This decision statement, the independent Examiner's Report and the submission version of Park Ward Neighbourhood Plan and supporting documents can be viewed on the Council's website: www.calderdale.gov.uk/neighbourhoodplanning in line with the current arrangements in the Council's updated Statement of Community Involvement.
- 1.3 Under the Town and Country Planning Act 1990 (as amended), Calderdale Council ("the Council") has a statutory duty to assist communities in the preparation of neighbourhood (development) plans and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6, Chapter 3) sets out the Local Planning Authority's responsibilities under neighbourhood planning.
- 1.4 This statement confirms that the modifications proposed by the Examiner's Report have been considered and accepted and that subject to making the recommended modifications (and other minor modifications) the Plan may now be submitted to referendum.
- 1.5 The Park Ward Neighbourhood Plan relates to the area that was designated by the Council as a Neighbourhood Area on 2nd October 2014 and again on the 27th April 2016. The Neighbourhood area is the same as the Park Ward. The boundary is entirely within the Local Planning Authority's area.
- 1.6 The Park Ward Neighbourhood Forum undertook a pre-submission consultation on the draft Plan in accordance with Regulation 14. Consultation on the Pre-Submission Version took place between 26th March and 7th May 2019.
- 1.7 Following the submission of the Neighbourhood Plan to the Council on 24th January 2022, the Council publicised the draft Plan for a six-week period and representations were invited in accordance with Regulation 16. The publicity period ran from 10th February 2022 to 24th March 2022.
- 1.8 The Council appointed Mr Tony Burton CBE BA MPhil (Town Planning) Hon FRIBA FRSA, with the consent of the Park Ward Neighbourhood Forum, to undertake the independent examination of the Park Ward Neighbourhood Plan and to prepare a report of the independent examination.

- 1.9 The Examiner examined the Plan by way of written representations supported by an unaccompanied site visit of the Neighbourhood Plan Area during July 2022.
- 1.10 The Examiner's Report was formally submitted on 6th October 2022. The Report concludes that subject to making the modifications recommended by the Examiner, the Plan meets the basic conditions set out in the legislation and should proceed to referendum. The Examiner also recommends that the referendum area should be the same as the designated Neighbourhood Area.
- 1.11 Following receipt of the Examiner's Report, legislation requires that the Council consider each of the modifications recommended, the reasons for them, and decide what action to take. The Council is also required to consider whether to extend the area to which the referendum is to take place.
- 1.12 Having considered each of the recommendations made in the Examiner's Report and the reasons for them, the Council, has decided to accept all of the Examiner's recommended modifications to the draft Plan. These are set out in Table 1 below.
- 1.13 The Council considers that, subject to the modifications being made to the Plan as set out in Table 1 below, the Park Ward Neighbourhood Plan meets the basic conditions mentioned in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) is compatible with the Convention rights and meets the requirements of paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).
- 1.14 As a consequence of the required modifications, the Council will modify the Park Ward Neighbourhood Plan accordingly, for it then to proceed to referendum.
- 1.15 The Examiner recommended that the Park Ward Neighbourhood Plan should proceed to a referendum based on the designated Neighbourhood Area. The Council accepts this and the referendum area for the final Park Ward Neighbourhood Plan will therefore be based on the designated Park Ward Neighbourhood Area.
- 1.16 This decision will be made at a meeting of the Council's Cabinet on Monday 12th December.
- 1.17 This decision statement will be dated Monday 12th December.

Other information:

The Neighbourhood Plan document will be updated to incorporate all the modifications required and re-titled Referendum Version. The date for the referendum is proposed to be 9th February and further details will be publicised shortly.

Table 1: Examiner’s Recommended Modifications

Park Ward Neighbourhood Plan Policy / Paragraph /Table / Plan	Examiner’s Report Reference	Recommended Modification	Council Consideration/ Justification
Policies map	OM1	Include the Neighbourhood Plan Policies Map in the body of the Plan as well as providing it as an accompanying document	Agree with the modifications for the reasons set out in the Examiners Report.
4.1	OM2	Provide a working link to the evidence base on the Park Ward Neighbourhood Forum website	Agree with the modifications for the reasons set out in the Examiners Report.
Contents	M1	Include “Getting Around” in the Plan policies listed in the Contents	Agree with the modifications for the reasons set out in the Examiners Report.
Contents and pages 44, 47 and 51	OM3	Use consistent titles for Appendices 2 and 3 in the Contents and on pages 44, 47 and 51	Agree with the modifications for the reasons set out in the Examiners Report.

Park Ward Neighbourhood Plan Policy / Paragraph / Table / Plan	Examiner's Report Reference	Recommended Modification	Council Consideration/ Justification
Various paragraphs	OM4	Provide references to the Local Plan which reflect the most recent position and update the supporting text where necessary	Agree with the modifications for the reasons set out in the Examiners Report.
Evidence Base	M2	Provide full copies of the screening assessment (and summary) and representations from Historic England, Natural England and Environment Agency in the evidence base.	Agree with the modifications for the reasons set out in the Examiners Report.
PW1	M3	Amend Policy PW1 to: <ul style="list-style-type: none"> • Delete consideration f) and relocate the “and” at the end of consideration e) to the end of consideration d) • Delete sites PW1.1 and PW1.7 and renumber the sites and amend the Policies Map appropriately 	Agree with the modifications for the reasons set out in the Examiners Report.
PW2	M4	Amend Policy PW2 to replace “line with part 2 of policy HS2 of the draft Calderdale Local Plan” with “accordance with other relevant development plan policies”	Agree with the modifications for the reasons set out in the Examiners Report.
PW3	M5	Amend Policy PW3 to insert “or appearance” after “character” in consideration f)	Agree with the modifications for the reasons set out

Park Ward Neighbourhood Plan Policy / Paragraph / Table / Plan	Examiner's Report Reference	Recommended Modification	Council Consideration/ Justification
			in the Examiners Report.
PW4	M6	Amend Policy PW4 to: <ul style="list-style-type: none"> • Insert "or appearance" after "character" in consideration c) • Delete considerations d) and g) and relocate the "and" at the end of consideration f) 	Agree with the modifications for the reasons set out in the Examiners Report.
Appendix 3	No Reference	Provide a scale for each of the maps in Appendix 3	Agree with the modifications for the reasons set out in the Examiners Report.
PW6	M7	Delete the second sentence of Policy PW6	Agree with the modifications for the reasons set out in the Examiners Report.
PW7	M8	Amend Policy PW7 to replace consideration d) with "the proposals sustain and enhance the significance of the listed building and make a positive contribution to its character and setting"	Agree with the modifications for the reasons set out in the Examiners Report.

Park Ward Neighbourhood Plan Policy / Paragraph / Table / Plan	Examiner's Report Reference	Recommended Modification	Council Consideration/ Justification
PW8	M9	Amend Policy PW8 to replace "Calderdale Local Plan" with "development plan"	Agree with the modifications for the reasons set out in the Examiners Report.
PW8 / Policies Map	M10	Amend the Policies Map Key to show Queens Road South as a Local Centre	Agree with the modifications for the reasons set out in the Examiners Report.
PW9	M11	Amend Policy PW9 to: <ul style="list-style-type: none"> • Replace "presumption in favour of" with "preference for" in consideration c) • End consideration e) at "centre" and delete the remaining part 	Agree with the modifications for the reasons set out in the Examiners Report.
PW10	OM5	In Policy PW10 delete "in order to enhance the viability of the business and the vitality and amenity of the centre" and include this within the supporting text.	Agree with the modifications for the reasons set out in the Examiners Report.
PW11	M12	Delete the second sentence of Policy PW11	Agree with the modifications for the reasons set out

Park Ward Neighbourhood Plan Policy / Paragraph / Table / Plan	Examiner's Report Reference	Recommended Modification	Council Consideration/ Justification
			in the Examiners Report.
PW11 / Policies Map	M13	Include PW11.6 Hill Top Houses on an update Policies Map	Agree with the modifications for the reasons set out in the Examiners Report.
PW12	M14	Amend Policy PW12 to: <ul style="list-style-type: none"> • Insert "Access" after "Pedestrian" in the Title • Insert "pedestrian" before "access" in the first line • Delete consideration h) and move "and" from the end of consideration g) to the end of consideration f) 	Agree with the modifications for the reasons set out in the Examiners Report.
PW12 / Policies Map	M15	Amend the Policies Map Key to refer to "Pedestrian Access Routes to Halifax Town Centre"	Agree with the modifications for the reasons set out in the Examiners Report.