

**Kirklees Council**  
**Decision Statement – Holme Valley Neighbourhood Development Plan**  
**Planning and Compulsory Purchase Act 2004 & The Neighbourhood Planning (General)**  
**Regulations 2012 (as amended)**  
**Regulation 18 Decision Statement**

**1. Summary**

- 1.1. Following an independent examination on the Holme Valley Neighbourhood Development Plan (Submission Plan) which took place during March – June 2021 and receipt of the Examiner’s Report June 2021, Kirklees Council accepts the modifications to the Plan as recommended by the Examiner. The modifications are set out in Table 1.
- 1.2. The Plan as modified in accordance with Table 1, will proceed to referendum. The date for the referendum is 4<sup>th</sup> November 2021.
- 1.3. In accordance with the Independent Examiner’s recommendations, the Holme Valley Neighbourhood Plan will proceed to referendum based on the Holme Valley Neighbourhood Area as designated by Kirklees Council on 27<sup>th</sup> January 2015 and the Peak District National Park Authority on 13<sup>th</sup> February 2015.
- 1.4. This Decision Statement, the Examiner’s report and the Holme Valley Neighbourhood Development Plan (Submission Plan) and the Holme Valley Neighbourhood Development Plan (Referendum Plan) incorporating the recommendations of the Independent Examiner, together with the supporting documentation are available on the council’s website at: [www.kirklees.gov.uk/beta/planning-policy/neighbourhood-planning.aspx](http://www.kirklees.gov.uk/beta/planning-policy/neighbourhood-planning.aspx) They are also available on the Holme Valley Parish Council Neighbourhood Planning website at: [Neighbourhood Plan - Holme Valley Parish Council](#)
- 1.5. Paper copies of the Decision Statement and the Examiner’s report and the submission and Referendum versions of the Holme Valley Neighbourhood Plan will be made available for inspection at: Holmfirth Library 47 Huddersfield Road, Holmfirth HD9 3JH, Honley Library West Avenue, Honley HD9 6HF and Huddersfield Library Princess Alexandra Walk, Huddersfield HD1 2SU and Kirklees Council Civic Centre 3, Huddersfield subject to any council Covid-19 restrictions on the opening of public buildings.
- 1.6. If approved at referendum, the Holme Valley Neighbourhood Development Plan will form part of the statutory development plan and will be used alongside the Kirklees Local Plan and the Peak District National Park Local Development Framework – Core Strategy 2011 and the Development Management Policies – Part 2 of the Local Plan for the Peak District National Park 2019 when determining planning applications within the Holme Valley Neighbourhood Area.

**2. Background**

- 2.1. The Holme Valley Neighbourhood Development Plan was produced by Holme Valley Parish Council as the qualifying body. All stages of the Plan preparation are outlined on its website at: [Neighbourhood Plan - Holme Valley Parish Council](#) The Plan area is as designated at 1.3 of this statement.

- 2.2. Early engagement on the Plan commenced in 2016. Followed by:
    - Issues and options consultation Summer 2017;
    - First Draft Plan consultation June – July 2018;
    - Pre-submission consultation (Regulation 14) July – September 2019;
    - Formal Publicity Stage (Regulation 16) – December 2020 – February 2021.
  - 2.3. In March 2021, Mr Peter Biggers BSc Hons MRTPI was appointed with the consent of Kirklees Council, the Peak District National Park Authority and Holme Valley Parish Council to undertake the examination of the Plan, and to prepare a report of the independent examination. The examination was conducted through written representations.
  - 2.4. The Examiner’s report was received on the 15<sup>th</sup> June 2021. It concludes that the Holme Valley Neighbourhood Development Plan, subject to recommended modifications meets the basic conditions and other relevant legal requirements set out in the legislation and can proceed to referendum.
- 3. Decisions and Reasons**
- 3.1. The Neighbourhood Planning (General) Regulations 2012 (as amended) Regulation 17A requires that the Local Planning Authority publishes how it intends to respond to the Examiner’s recommendations. Having considered each of the recommendations made in the Examiner’s Report, and the reasons for them, the council has decided to make the modifications to the draft plan set out in Table 1 of this Decision Statement. These changes are necessary to ensure that the draft plan meets the basic conditions and legal requirements. This decision statement forms the council’s formal response and will be publicised in accordance with statutory requirements.
  - 3.2. The council is satisfied that subject to the modifications specified in Table 1, the Holme Valley Neighbourhood Development Plan meets the relevant Basic Conditions as defined in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990, is compatible with the Convention Rights and complies with the provision made by or under S38A and S.38B of the Planning and Compulsory Purchase Act 2004 such that it can proceed to referendum.
  - 3.3. To meet the requirements of the Localism Act 2011, a referendum which poses the question “Do you want Kirklees Council and Peak District National Planning Authority to use the Neighbourhood Development Plan for Holme Valley to help it decide planning applications in the neighbourhood area?” As indicated above, the referendum will take place on 4<sup>th</sup> November 2021.
  - 3.4. The council agrees to instruct its Electoral Services Manager to conduct a referendum on the Plan.

This Decision Statement is dated 31<sup>st</sup> August 2021.

**Table 1: Kirklees Council Decision statement on the independent Examiner’s recommendations on the Holme Valley Neighbourhood Plan June 2021**

Mod No:	Page No: Examiner’s Report	Examiner’s Modification and Reason (including reference within the Examiner’s report)	Council’s response
<b>Introduction and Background</b>			
1A	18	<p>In all policies where it is not intended that the policy should apply within the Peak District National Park the following wording should be used in the form of a note immediately below the policy title and before the start of the policy:</p> <p><i>“Policy X does not apply to that part of the neighbourhood area that is within the Peak District National Park.”</i></p> <p>In the supporting text preceding the policy where the status of the policy in respect of the National Park is also mentioned the same wording should be used.</p> <p>Where the relevant development plan policies are listed, ensure that where the policy is not to apply in the National Park that no PDNP policies are listed in the relevant policy boxes.</p> <p><b>Reason:</b> 6.06 To ensure consistent referencing where the policies do not apply to the Peak District National Park Authority.</p>	Agree with modification 1A for the reason set out in the Examiner’s report.
1B	18	<p>Relocate all proposals in blue shaded Holme Valley Parish Action boxes to a new Appendix 1 at the end of the plan.</p> <p>In each case simply include a cross reference to the Appendix at the end of the appropriate section to read for example:</p> <p><i>“Holme Valley Parish Actions 1</i></p> <p><i>Parish Actions relating to the built environment and design are set out in Appendix 1 (1)”</i></p> <p><b>Reason:</b> 6.07 Neighbourhood Plans should relate to the development and use of land. To avoid confusion between policies and actions, Parish Council actions should be identified in an appendix and not in the body of the plan.</p>	Agree with modification 1B for the reason set out in the Examiner’s report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
<b>Executive Summary</b>			
2A	19	<p>Make consequential updates to the Executive Summary (if retained) and to paragraphs 1.1, 1.4 and the Timeline on P 12 of the Introduction as a result of the plan moving forward a stage - post examination.</p> <p><b>Reason:</b> 6.1.2 An Executive summary is not a normal feature of a NDP. No formal recommendation is made to remove it but if it remains the modification will update the Plan with regard to procedure and the stage reached.</p>	Agree with modification 2A for the reason set out in the Examiner's report.
2B	19	<p>If retaining the Executive Summary - delete the words 'over the 15 years 2016-2031' in the first paragraph. Insert instead "<i>over the next 10 years to 2031</i>".</p> <p><b>Reason:</b> 6.1.2 to update the Plan time period.</p>	Agree with modification 2B for the reason set out in the Examiner's report.
2C	19	<p>If retaining the Executive Summary - in the 'Benefits of Having a NDP' section - add at the end of the first sentence: <i>"...and help shape the nature of future developments."</i> Delete the rest of the paragraph.</p> <p><b>Reason:</b> 6.1.2 (see 2A).</p>	Agree with modification 2C for the reason set out in the Examiner's report.
<b>Planning Context for Holme Valley NDP</b>			
3	20	<p>In paragraph 2.18 Line 11 – Delete the words 'including Community Infrastructure Levy (CIL) funding'.</p> <p><b>Reason:</b> 6.2.1 The reference to CIL is no longer being progressed by Kirklees Council.</p>	Agree with modification 3 for the reason set out in the Examiner's report.
<b>Holme Valley NDP Vision and Objectives</b>			

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
4A	21	<p>In paragraph 3.1 Line 4 delete the words 'next 15-20 years 'and replace with the words "<i>neighbourhood plan period</i>".</p> <p><b>Reason:</b> 6.3.6 Two minor clarifying corrections to reflect the plan period and recommendation 1B.</p>	Agree with modification 4A for the reason set out in the Examiner's report.
4B	21	<p>Add the words "<i>See Appendix 1</i>" at the end of paragraph 3.4.</p> <p><b>Reason:</b> 6.3.6 To reflect recommendation 1B.</p>	Agree with modification 4B for the reason set out in the Examiner's report.
<b>Protecting Local Character</b>			
5A	22	<p>Delete paragraphs 4.1.16 and 4.1.17.</p> <p>Incorporate the revised and agreed text at Appendix B below to form a new section 4.1.17 of the neighbourhood plan.</p> <p><b>Reason:</b> 6.4.1 To improve the operational relationship between policies 1 and 2, make the text clearer, more precise and easier to navigate, to outline key characteristics and character management principles for both landscape character and built character, to ensure the supporting text provides clear and concise evidence to ensure that policies 1 and 2 can operate and meet basic conditions.</p>	Agree with modification 5A for the reasons set out in the Examiner's report.
5B	22	<p>Ensure Map 2 in digital versions of the plan is as clear as possible and in printed copies arrange for the Map to be available at A3 size.</p> <p><b>Reason:</b> 6.4.1 (vi) To clearly identify the landscape character areas.</p>	Agree with modification 5B for the reason set out in the Examiner's report.
5C	22	<p>Make any consequential adjustments to numbering, referencing and linking text in the supporting text following the revisions at Recommendation 5A.</p> <p><b>Reason:</b> 6.4.1 To address revised text outlined in recommendation 5A.</p>	Agree with modification 5C for the reason set out in the Examiner's report.
<b>Policy 1 Protecting and Enhancing the Landscape Character of Holme Valley</b>			

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
6A	23	<p>After the revised note at the start of Policy 1 confirming that the policy does not apply in the National Park replace the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> paragraphs of the policy with the following wording:  <i>"All development proposals should demonstrate how they have been informed by the key characteristics of the LCA in which they are located. Proposals should be designed in accordance with the character management principles in respect of landscape set out in paragraph 4.1.17 for each of the LCAs in order to avoid detrimental impact on the LCA".</i></p> <p><b>Reason:</b> 6.4.1. (xiv) Modifications 6A-6H -With these modifications the Policy will be in accordance with Basic Condition a). Policy LP2 on place shaping and Policy LP32 on landscape in the KLP seek to protect the character, views and vistas of the Kirklees landscape. Policy 1 of the HVNDP as modified would add local detail to the strategic policies and would be in general conformity with them. The Policy, in protecting local landscape character, is likely to have a strongly positive contribution to achieving sustainable development. Accordingly, the Policy also meets Basic Conditions d) &amp; e).</p>	Agree with modification 6A for the reason set out in the Examiner's report.
6B	24	<p>Delete the 4th paragraph of Policy 1 beginning 'Applicants also should have regard' as the parts of these elements relevant to landscape character will be covered in the modified character management principles in paragraph 4.1.17 and therefore covered by the modified first paragraph above.</p> <p><b>Reason:</b> 6.4.1 see reason for 6A</p>	Agree with modification 6B for the reason set out in the Examiner's report.
6C	24	<p>In the 5<sup>th</sup> paragraph of Policy 1 beginning 'Overall, proposals ' Line 2 – delete the words 'built and' as the built environment is addressed in Policy 2.</p> <p>In line 3 delete the words after 'unsympathetic' and replace with the following:</p>	Agree with modification 6C for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<p>“...unsympathetic to the landscape character of the relevant LCA”.</p> <p>In the sentence following amend the start to read:  “Throughout the neighbourhood area the design and siting of new development....”</p> <p><b>Reason:</b> 6.4.1 see reason for 6A</p>	
6D	24	<p>In Policy 1 clause 1 lines 1-3 reword to read:  “Development should respect long distance public views of the upland areas (LCA1 Wessenden Moors, LCA2 Holme Moorland Fringe and LCA3 Hade Edge Upland Pastures) and...”</p> <p>In line 4-5 delete the wording:  ‘...and protect public views towards the significant local landmarks as identified in the HCA report’.</p> <p><b>Reason:</b> 6.4.1 see reason for 6A</p>	Agree with modification 6D for the reason set out in the Examiner's report.
6E	24	<p>Delete clause 4 of Policy 1 in its entirety and renumber clauses accordingly.</p> <p><b>Reason:</b> 6.4.1 see reason for 6A</p>	Agree with modification 6E for the reason set out in the Examiner's report.
6F	24	<p>In Policy 1 clause 5 - line 2 delete the words ‘where appropriate’ and replace with the words “for new buildings”.</p> <p>In lines 4-5 delete the words ‘or other species where appropriate’.</p> <p><b>Reason:</b> 6.4.1 see reason for 6A</p>	Agree with modification 6F for the reason set out in the Examiner's report.
6G	24	<p>Cut and paste Policy 1 clause 5 final sentence into Policy 2.</p> <p><b>Reason:</b> 6.4.1 see reason for 6A</p>	Agree with modification 6G for the reason set out in the Examiner's report.
6H	24	<p>Replace the subheading on Page 35 with the following:</p>	Agree with modification 6H for the reason set out in the

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<p><i>"Protecting and Enhancing the Landscape Character of Holme Valley"</i>. Cut and paste paragraphs 4.1.19-22 and their subheading on Page 34 to follow after paragraph 4.1.27. Renumber all paragraphs accordingly.</p> <p><b>Reason:</b> 6.4.1 see reason for 6A</p>	Examiner's report.
<b>Policy 2 Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design</b>			
7A	27	<p>Retitle section 4.2 as <i>"Protecting and Enhancing Built Character of the Holme Valley and Promoting High Quality Design"</i> – consistent with the Policy 2 title.</p> <p>Delete the last sentence of paragraph 4.2.3.</p> <p>Delete Paragraph 4.2.4 in its entirety.</p> <p><b>Reason:</b> 6.4.2. (v) Modifications are made to ensure consistency, and to ensure the policy is clear and unambiguous and provides clear guidance to developers. There are overlaps with Policy 1 which should be removed.</p> <p>Modifications 7A-7J will ensure that the policy will also be in general conformity with KLP Policies LP24, LP35, LP52 and LP63. The Policy, in protecting and enhancing a sense of place and local distinctiveness, is likely to make a strongly positive contribution to achieving sustainable development. Accordingly, the Policy will also meet Basic Conditions d) &amp; e).</p>	Agree with modification 7A for the reasons set out in the Examiner's report.
7B	27	<p>Reword clause 1 of Policy 2 'Local Character' to read:</p> <p><i>"Building designs in proposals for new development and alterations to existing buildings should respect the key characteristics and character management principles, relating to built character, of the Landscape Character Area in which they are located as set out in paragraph 4.1.17. They should protect and enhance local built character and distinctiveness and avoid any harm to heritage assets including conservation areas."</i></p>	Agree with modification 7B for the reason set out in the Examiner's report.



Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<p><b>Reason:</b> 6.4.2. The modification seeks to ensure the policy is clear and unambiguous and provides clear guidance to developers.</p>	
7C	27	<p>In Policy 2 clause 2 in line 1 after the word 'place' insert the words:  <i>"... by designing the site layout to respect the existing grain of development in the surrounding area and through use of local materials and detailing"</i>. (This wording is relocated from clause 4 see recommendation 7E below)  Delete the last sentence which overlaps with Policy 5.</p> <p><b>Reason:</b> 6.4.2. (v) The modification seeks to ensure the policy is clear and unambiguous and provides clear guidance to developers. To remove the overlap with Policy 5.</p>	Agree with modification 7C for the reason set out in the Examiner's report.
7D	27	<p>Delete the words 'Wherever possible' at the start of Policy 2 clause 3 and replace with the word 'Any'.  End the clause at the end of line 4 on the word 'shelter' and delete the rest.</p> <p><b>Reason:</b> 6.4.2. (v) To remove reference to ambiguous requirements and make the policy more precise.</p>	Agree with modification 7D for the reason set out in the Examiner's report.
7E	27	<p>In Policy 2 clause 4 - lines 3-4 delete the words 'or opportunities are identified for greater energy efficiency'.  Relocate the last sentence to clause 2 (See recommendation 7C above).</p> <p><b>Reason:</b> 6.4.2. (v) Delete as reference to energy efficiency is covered in HVNDP Policy 12.</p>	Agree with modification 7E for the reason set out in the Examiner's report.
7F	27	<p>In Policy 2 clause 7 – 2<sup>nd</sup> bullet – revise the start to read:  <i>"A design of public spaces that connects with..."</i>  In clause 7 - 3<sup>rd</sup> Bullet - delete the words 'Where appropriate' at the start of the bullet.</p> <p><b>Reason:</b> 6.4.2. (v) To remove reference to ambiguous requirements and make the policy more</p>	Agree with modification 7F for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		precise.	
7G	28	<p>Delete Policy 2 clause 9 and reword clause 8 to read:  <i>"Designs should respect the scale, mass, height and form of existing buildings in the locality and the site setting. Development should fit in with and neither dominate nor have a detrimental impact on its surroundings and neighbouring properties.</i>            Materials must be chosen to complement... environment. Local millstone grit and stone flags should be used <i>where these are the prevailing material"</i>.</p> <p><b>Reason:</b> 6.4.2. (v) To remove repetition and amalgamate clauses 8 and 9.</p>	Agree with modification 7G for the reason set out in the Examiner's report.
7H	28	<p>Reword the first sentence of Policy 2 clause 11 to read:  <i>"Proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes"</i>.</p> <p><b>Reason:</b> 6.4.2. (vi) To improve the clarity of the Policy and its relationship with Kirklees Local Plan Policy LP52.</p>	Agree with modification 7H for the reason set out in the Examiner's report.
7J	28	<p>Renumber clauses to reflect the modifications.</p> <p><b>Reason:</b> Reformatting of the document in the light of modifications</p>	Agree with modification 7J for the reason set out in the Examiner's report.
<b>Policy 3 Heritage Assets</b>			
8A	31	<p>Delete Policy 3 and replace with an amended policy to read as follows:  <i>Policy 3 Conserving and Enhancing Local Heritage Assets</i></p> <p><i>"A list of buildings and structures which are identified as positive contributors to the designated conservation areas in Holme valley is set out at Appendix 2A. All development proposals</i></p>	Agree with modification 8A for the reasons set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<p><i>affecting these character defining components of the designated conservation areas or their settings will be assessed in terms of Kirklees Local Plan Policy LP35 Historic Environment Part 1.</i></p> <p><i>A candidate list of buildings and structures identified as non-designated heritage assets is set out at Appendix 2B. All development proposals affecting these locally important heritage assets, (once formally identified), or their settings, will be assessed in terms of Kirklees Local Plan Policy LP35 Historic Environment Parts 2 and 3a and Policy DMC5 of the Peak District National Park Authority Part 2 Local Plan (Development Management Policies)</i></p> <p><i>When designing development proposals for all local heritage assets (positive contributors and (once formally identified) non-designated heritage assets), owners and developers should have regard to conserving the significance of the asset and the components which positively contribute to its character or appreciation as a heritage asset."</i></p> <p><b>Reason:</b> 6.4.3. Policy 3 modifications are to simplify policy 3 and to ensure the intent is clear, in respect of both buildings which are positive contributors to the conservation areas and how proposals will be assessed and a candidate list of NDHA and how proposals will be assessed in respect of these. The Policy should direct owners and developers to take account of the significance of the assets identified in designing development proposals affecting the assets. With the modifications 8A-8D in place Policy 3 and Appendix 2 the supporting text would be clear and unambiguous and Basic Condition a) would be met. The Policy and local list when modified and implemented will help protect local heritage assets in the neighbourhood area maintaining a sense of place and contributing to the achievement of sustainability. The Policy, as modified would also be in general conformity with the Kirklees Local Plan. It therefore also meets Basic Conditions d) and e).</p>	
8B	31	Replace Appendix 2 of the HVNDP with the revised Appendices of local heritage assets shown at	Agree with modification 8B

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<p>Appendix E1 and E2 attached as separate documents to this report numbering them Appendix 2A and 2B and incorporating them in the modified HVNDP.</p> <p><b>Reason:</b> 6.4.3. To ensure that the policy intention between buildings which are positive contributors to the conservation areas and how proposals will be assessed and a candidate list of NDHA and how proposals will be assessed in respect of these is clear.</p>	for the reason set out in the Examiner's report.
8C	31	<p>Replace the supporting text at paragraphs 4.3.1 to 4.3.7 with the revised text 4.3.1 - 4.3.8 set out in Appendix C to this report.</p> <p><b>Reason:</b> 6.4.3. To ensure that the policy intention between buildings which are positive contributors to the conservation areas and how proposals will be assessed and a candidate list of NDHA and how proposals will be assessed in respect of these is clear.</p>	Agree with modification 8C for the reason set out in the Examiner's report.
8D	31	<p>Delete the text relating to Article 4 directions in paragraphs 4.3.8 to 10 inclusive.</p> <p><b>Reason:</b> 6.4.3. xi. The text on Article 4 directions which bears no relation to the content of this section of the plan or Policy 3 and therefore should be deleted to avoid confusion.</p>	Agree with modification 8D for the reason set out in the Examiner's report.
<b>Policy 4 Design Codes for High Quality Shopfronts and Advertisements</b>			
9A	33	<p>Cut and paste the first paragraph of Policy 4 to form design principle a) Delete current principle b) which largely repeats the new a). Renumber current principle a) as new b).</p> <p><b>Reason:</b> 6.4.4 vi. Modifications 9A-9K will make Policy 4 clearer in its intent, more precise and more concise. The Policy is in general conformity with Kirklees Local Plan Policy 25 on Advertisements and Shopfronts and as it is designed to improve quality of life for local</p>	Agree with modification 9A for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		communities and the built environment in town and village centres, it does contribute to achieving sustainable development and Basic Conditions a), d) and e) would therefore be met.	
9B	33	Cut and paste section 4 of the Policy on Fascias (minus the subheading) to follow on from principle c) as new principle d).  <b>Reason:</b> see 9A reasons.	Agree with modification 9B for the reason set out in the Examiner's report.
9C	33	Renumber current principle d) as e). Insert after it as new principle f) section 5 to the Policy (minus the subheading) which deals with stallrisers, doors and windows.  <b>Reason:</b> see 9A reasons.	Agree with modification 9C for the reason set out in the Examiner's report.
9D	33	Renumber and reorder the principles as necessary to create a clear and unambiguous section of policy.  <b>Reason:</b> see 9A reasons.	Agree with modification 9D for the reason set out in the Examiner's report.
9E	33	Amend the second sentence of section 3 on accessibility to read: <i>"Accessibility should be improved where there is the opportunity to do so provided any special interest of the building is not compromised".</i>  <b>Reason:</b> see 9A reasons.	Agree with modification 9E for the reason set out in the Examiner's report.
9F	33	In section 6 of Policy 4 – stop the listing of alternatives at c). Reword the remainder of the section (without reference lettering) as follows: <i>"In that part of the neighbourhood area outside the National Park the following additional alternatives will be acceptable:</i>  - <i>External shutters that are removed during working hours – decorative options for these themed on the shop's trade may be applicable.</i>	Agree with modification 9F for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<p><i>Externally mounted open mesh roller shutters provided that the box housing is concealed behind the fascia and the projection from the face of the building does not result in an increase in depth to the detriment of the appearance of the shopfront."</i></p> <p><b>Reason:</b> see 9A reasons. Clarity as to where the policy applies in Kirklees and Peak District National Park Authority</p>	
9G	34	<p>In the section on Advertisements – General Principles paragraph 2 delete the first part of the sentence. Start the sentence at 'Where planning consent...'</p> <p><b>Reason:</b> see 9A reasons.</p>	Agree with modification 9G for the reason set out in the Examiner's report.
9H	34	<p>Delete the last paragraph in the general principles dealing with illuminated signage so that the principles can apply to the whole neighbourhood area including the National Park and to avoid repetition with section 2.</p> <p><b>Reason:</b> see 9A reasons.</p>	Agree with modification 9H for the reason set out in the Examiner's report.
9J	34	<p>In paragraph 1 of section 2 on fascia signs delete the last sentence regarding illumination as the general advice on fascia signs will apply within the National Park. Relocate this sentence at the end of the paragraph following clause f). Renumber clauses accordingly.</p> <p><b>Reason:</b> see 9A reasons.</p>	Agree with modification 9J for the reason set out in the Examiner's report.
9K	34	<p>In clause e) stop the clause at the word 'area' in line 2 and add the words "<i>particularly within conservation areas</i>". Delete the remainder referring to 'bold bright colours'.</p> <p><b>Reason:</b> see 9A reasons.</p>	Agree with modification 9K for the reason set out in the Examiner's report.
9L	34	<p>In the paragraph following clause f) insert in Line 1 after the word 'proposed' the words "<i>outside the National Park</i>".</p>	Agree with modification 9L for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<b>Reason:</b> see 9A reasons.	
9M	34	In the relevant policies box following Policy 4 add " <i>Policy DMS4 Shopfronts</i> " before 'DMS5 Outdoor advertising' in the last line.  <b>Reason:</b> see 9A reasons.	Agree with modification 9M for the reason set out in the Examiner's report.
<b>Policy 5 Promoting High Quality Public Realm and Improvements to Gateways and Highways</b>			
10A	36	Amalgamate the second paragraph to Policy 5 with paragraph 1 to read as follows starting in the last line of paragraph 1: <i>"....settlements and villages. Such improvements will be supported where they are consistent with advice in the Kirklees Highways Design Guide SPD and where they: ...."</i>  <b>Reason:</b> 6.4.4. (xi). To make the Policy clear, unambiguous and precise including reference to the Kirklees Highways Design Guide which provides significant advice on the matter of design in the public realm and should be referred to as a major contributory source.	Agree with modification 10A for the reason set out in the Examiner's report.
10B	36	In clause b) delete the words 'Where possible' insert in their place the words – " <i>Take opportunities to enhance or....</i> "  <b>Reason:</b> 6.4.4. (xi). To improve clarity.	Agree with modification 10B for the reason set out in the Examiner's report.
10C	36	Delete the two paragraphs following clause c).  <b>Reason:</b> 6.4.4. (xi). To improve clarity.	Agree with modification 10C for the reason set out in the Examiner's report.
10D	36	Delete the paragraph before clause d) and revise to read: <i>"Where works are being carried out in the public realm to improve highway safety and efficiency the character of a place should be maintained and the following principles will be applied:"</i>	Agree with modification 10D for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<b>Reason:</b> 6.4.4. (xi). To improve clarity.	
10E	36	In clause f) change the word 'limited' to the word ' <i>avoided</i> '. <b>Reason:</b> 6.4.4. (xi). To improve clarity.	Agree with modification 10E for the reason set out in the Examiner's report.
10F	36	In clause i) delete the words 'where appropriate' and revise wording to read " <i>...should be built into design in the public realm.</i> " <b>Reason:</b> 6.4.4. (xi). To improve clarity through the removal of ambiguous text.	Agree with modification 10F for the reason set out in the Examiner's report.
10G		Amend the section on Gateways and Highways as follows: <i>"Settlement 'Gateways'</i> <i>Where major new residential or commercial development is close to 'gateways' into Holme Valley settlements, or at route convergence points or rail and bus stations, consideration should be given to public realm improvements around the 'Gateway' including welcome signage and interpretation and landscaping and planting."</i> (Or similar wording). <b>Reason:</b> 6.4.4. (xi). To improve clarity that gateways refer to entrances to settlements.	Agree with modification 10G for the reason set out in the Examiner's report.
<b>Policy 6 Building Homes for the Future</b>			
11A	39	Reword paragraph 2 of Policy 6 to read: <i>"In addition to the housing sites allocated in the Kirklees Local Plan new housing development will be supported subject to the following considerations being met:"</i> Delete paragraph 3 beginning 'Proposals are required.... <b>Reason:</b> 6.4.5 To clarify the relationship with the Kirklees Local Plan.	Agree with modification 11A for the reason set out in the Examiner's report.
11B	39	Delete current clauses 1 and 3 of Policy 6 and include in an unnumbered paragraph following the final clause of the general principles section to read:	Agree with modification 11B for the reason set out in the



Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<p><i>"Proposals for residential development involving the redevelopment of previously developed (brownfield) sites or the conversion of mill buildings and other suitable buildings to create low-cost housing and apartments is particularly encouraged.</i></p> <p><i>Proposals for the conversion of former mill buildings to residential accommodation should take opportunities to include provision for suitable commercial or employment uses as part of mixed-use schemes including live/work type accommodation."</i></p> <p><b>Reason:</b> 6.4.5 (iii) Clauses 1 and 3 should be separated out as policy objectives to make the policy clearer.</p>	Examiner's report.
11C	39	<p>Insert new clause 1 to read:</p> <p><i>"The proposed housing is located within existing settlements not overwashed by green belt or is for housing acceptable in terms of national Green Belt policy".</i></p> <p><b>Reason:</b> 6.4.5 (iv) The requirement for housing to be in an existing settlement is a principle but is not part of a list, the modification is to add clarity.</p>	Agree with modification 11C for the reason set out in the Examiner's report.
11D	39	<p>Delete clause 2 as it unnecessarily overlaps with Policy 2 and with the second part of Policy 6.</p> <p><b>Reason:</b> 6.4.5 (iv) Clause 2 merely states that housing should be suitable in terms of design which is covered in Policy 2.</p>	Agree with modification 11D for the reason set out in the Examiner's report.
11E	40	<p>Reword clause 4 line 2 onwards to read:</p> <p><i>"...accordance with Local Plan Policy LP22 Parking and the Council's most up to date parking guidelines in the Highway Design Guide SPD. Additional parking provision to accommodate delivery vans is encouraged to minimise additional on street parking on nearby roads."</i></p> <p>Delete Appendix 4 or if retaining ensure these are the current standards from the SPD.</p> <p><b>Reason:</b> 6.4.5 (vi) To make reference to the Kirklees Local Plan and the most up to date</p>	Agree with modification 11E for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		guidance.	
11F	40	<p>Renumber clauses in the first part of the policy accordingly.</p> <p><b>Reason:</b> 6.4.5 To reflect the Modifications for this policy.</p>	Agree with modification 11F for the reason set out in the Examiner's report.
11G	40	<p>In the second section of Policy 6 – House Types and Sizes – Delete the word 'major' in line 1 and the words 'of the Rural West Sub Area' in line 2.</p> <p><b>Reason:</b> 6.4.5(vi) The inclusion of major undermines Kirklees Local Plan Policy LP11 and should be deleted.</p>	Agree with modification 11G for the reason set out in the Examiner's report.
11H	40	<p>Amend the start of the paragraph in Policy 6 on page 92 which starts 'In particular...' to read:  <i>"New Housing developments of more than 10 houses or on sites of more than 0.4 hectares will be supported ....."</i>.</p> <p><b>Reason:</b> 6.4.5 (vi) Policy 6 should not relate solely to major housing developments.</p>	Agree with modification 11H for the reason set out in the Examiner's report.
11J	40	<p>Insert the word "<i>and</i>" after clauses 1) and 2) in the second section of Policy 6 dealing with house types and sizes.</p> <p><b>Reason:</b> 6.4.5 To link the clauses.</p>	Agree with modification 11J for the reason set out in the Examiner's report.
11K	40	<p>Delete clause 4) in the second part of the Policy and relocate in an unnumbered paragraph following clause 3) reworded to read:  <i>"New housing provided through a Community Right to Build Order (following the procedure set out in the Neighbourhood Planning Regulations) or other community led housing project, including self-build schemes, will be particularly encouraged."</i></p> <p><b>Reason:</b> 6.4.5 As written clause 4 implies that community right to build schemes would be expected as part of all new major developments. This is not how community right to build schemes work.</p>	Agree with modification 11K for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
11L	40	<p>Reword the last sentence of paragraph 4.5.5 to read:  <i>"However, through its policies the NDP can influence how housing sites allocated in the Kirklees Local Plan are developed."</i></p> <p><b>Reason:</b> 6.4.5. (vii) To correct an inaccuracy in the plan where it states that the HVNDP can influence inclusion or exclusion of allocated sites.</p>	Agree with modification 11L for the reason set out in the Examiner's report.
11M	40	<p>In paragraph 4.5.10 line 4 delete the words 'infill building' replace with the words <i>"building within settlements"</i>.</p> <p><b>Reason:</b> 6.4.5 (vii) Incorrect terminology used. The plan is seeking to refer to small additional sites rather than infill development which has a specific meaning.</p>	Agree with modification 11M for the reason set out in the Examiner's report.
<b>Policy 7 Supporting Economic Activity</b>			
12A	42	<p>Add to the end of clause 1 in Policy 7 the following:  <i>"...or the development is acceptable in terms of national Green Belt policy"</i>.  Delete the paragraph immediately following clause 7).</p> <p><b>Reason:</b> 6.4.6 (ii) The policy as written conflicts with national policy on green belt.</p>	Agree with modification 12A for the reason set out in the Examiner's report.
12B	43	<p>In clause 2) line 2 delete the words 'within its existing site'.</p> <p><b>Reason:</b> 6.4.6 To clarify the intention of the clause.</p>	Agree with modification 12B for the reason set out in the Examiner's report.
12C	43	<p>Delete clause 3). Replace with the following wording instead in a new unnumbered paragraph following clause 7):  <i>"Business development which involves the sensitive conversion or redevelopment of existing buildings or makes use of a previously developed site will be particularly encouraged"</i>.</p> <p><b>Reason:</b> 6.4.6 (iv) Modification is required to confirm with national policy and encourage</p>	Agree with modification 12C for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		economic development of an appropriate scale in the valley in general conformity with Kirklees Local Plan Policy LP10.	
12D	43	<p>Reword clause 4) to read:  <i>"The site can be connected to the existing highway network and will not result in severe adverse traffic impacts on surrounding roads."</i></p> <p><b>Reason:</b> 6.4.6 (iii) Although a site may not have existing access to the highway network, the appropriate test is that it can and the clause should be amended.</p>	Agree with modification 12D for the reason set out in the Examiner's report.
12E	43	<p>Reword clause 5) to read:  <i>"The site is large enough to accommodate car parking, service areas and landscaped areas appropriate to the scale of the business."</i></p> <p><b>Reason:</b> 6.4.5 There is currently not a parking standard for commercial use and the clause is therefore unworkable. The clause should be modified to refer to parking provision being appropriate to the scale of the business.</p>	Agree with modification 12E for the reason set out in the Examiner's report.
12F	43	<p>Delete clause 6 as it unnecessarily repeats Policy 1.</p> <p><b>Reason:</b> 6.4.5 To remove repetition.</p>	Agree with modification 12F for the reason set out in the Examiner's report.
12G	43	<p>In the paragraph entitled 'Supporting Homeworking' of Policy 7 line 4 delete the words 'small-scale'.</p> <p><b>Reason:</b> 6.4.5 (v) There is no reasons why extensions to accommodate home working should be small scale.</p>	Agree with modification 12G for the reason set out in the Examiner's report.
12H	43	<p>In the section entitled 'Encouraging tourist and visitor facilities' of Policy 7 at clause 1) replace the current wording with the following:  <i>"The site is located outside the Green Belt or the development is acceptable in terms of national Green Belt policy"</i>.</p>	Agree with modification 12H for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<b>Reason:</b> 6.4.5 To conform with national policy on Green Belt.	
12J	43	Delete clauses 2a) and 2f). <b>Reason:</b> 6.4.5 (iii) To remove repetition.	Agree with modification 12J for the reason set out in the Examiner's report.
12K	43	In clause 2g) delete the word 'additional' in line 1. Delete the word 'material' and replace it with the word 'severe' in line 2. Delete the words 'neighbouring properties and other existing users of the area' in lines 3-4. <b>Reason:</b> 6.4.5 (iii) At clause 2g) the same criterion as at clause 4) regarding impact on the highway network is repeated and needs to be modified as above. Moreover, clause 2g ends with a requirement that traffic movements do not have an adverse impact on ( <i>unspecified</i> ) 'other users of the highway network'. This is unclear, unreasonable and unenforceable and needs to be removed.	Agree with modification 12K for the reason set out in the Examiner's report.
12L	43	In clause 2h) delete all the words after the word 'infrastructure' in line 2. <b>Reason:</b> 6.4.5 (iii) It repeats clauses 2d and 2e.	Agree with modification 12L for the reason set out in the Examiner's report.
12M	43	Renummer the clauses to reflect the modifications. <b>Reason:</b> 6.4.5 To reflect the modifications made to this policy.	Agree with modification 12M for the reason set out in the Examiner's report.
12N	43	Add to the end of clause 1 in Policy 7 the following: <i>"...or the development is acceptable in terms of national Green Belt policy".</i> Delete the paragraph immediately following clause 7). <b>Reason:</b> 6.4.5 To conform with national policy on Green Belt	Agree with modification 12N for the reason set out in the Examiner's report.
<b>Policy 8 Facilitating Development in Holmfirth Town Centre and Honley District Centre and Brockholes and New Mill Local Centres</b>			

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
13A	45	<p>Delete the last 2 paragraphs of Policy 8 on page 103 beginning 'Within the primary shopping areas...' and 'Proposals which would lead...' which are no longer operable. Delete the related footnote 16.</p> <p><b>Reason:</b> 6.4.6 (x) The introduce of the new use class E requires changes to the policy.</p>	Agree with modification 13A for the reason set out in the Examiner's report.
13B	45	<p>Reword clause 2 to read:  <i>"Proposals should be designed to secure easy pedestrian access and cycle and car parking to standard (including electric vehicle charging points). The development should be within easy walking distance of public transport facilities, use clear signage and provide facilities for the disposal of litter."</i></p> <p><b>Reason:</b> 6.4.6 (x) To address ambiguous terms such as "sufficient parking", "walking distance" and "useful signage".</p>	Agree with modification 13B for the reason set out in the Examiner's report.
13C	45	<p>Reword clause 3 to read :  <i>"Retail development should be located in the primary shopping areas of Holmfirth and Honley as defined in map/plan x. If retail development is to take place outside the primary shopping areas proposals will be subject to the sequential test<sup>15</sup>".</i></p> <p><b>Reason:</b> 6.4.6 (x) To clarify the area the policy applies to.</p>	Agree with modification 13C for the reason set out in the Examiner's report.
13D	45	<p>Reword clause 4 to read:  <i>"The reuse of upper floors for residential use will be supported subject to the use being compatible with ground floor commercial uses".</i></p> <p><b>Reason:</b> 6.4.6 (x and xii) To make the policy clear and unambiguous and consistent with Kirklees Local Plan policy</p>	Agree with modification 13D for the reason set out in the Examiner's report.
13E	45	In clause 5 change the policy reference in line 2 to read "HVNDP Policies 2 and 4".	Agree with modification 13E for the reason set out in the

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<b>Reason:</b> 6.4.6 (xii) In the existing clause 5, Policy 4 only relates to architectural features of shop fronts and Policy 2 should also be included.	Examiner's report.
13F	45	Delete the third from last paragraph in Policy 8 on page 103 beginning 'Businesses premises should...' and clause 6 on page 104 which are unnecessarily repetitive.  <b>Reason:</b> 6.4.6 (x) To remove repetition of subject matter already covered in other HV NDP policies.	Agree with modification 13F for the reason set out in the Examiner's report.
13G	45	In clause 8 after the word 'the' insert the words " <i>other units within the local centre</i> ".  <b>Reason:</b> 6.4.6 (viii) To reflect the policy area coverage.	Agree with modification 13G for the reason set out in the Examiner's report.
13H	45	Delete text in clause 7 and add it at the end of clause 9 after a linking word 'or'  <b>Reason:</b> 6.4.6 (x) To remove repetition of issues covered in other HVNDP policies.	Agree with modification 13H for the reason set out in the Examiner's report.
13J	45	Renumber clauses in Policy 8 accordingly.  <b>Reason:</b> 6.4.9 (xiii) To reflect other modifications made to Policy 8 to remove repetition.	Agree with modification 13J for the reason set out in the Examiner's report.
13K	45	Insert after the section in the supporting text on the night time economy a subsection entitled " <i>Brockholes and New Mill Local Centres</i> " with text which describes these centres and their role and provides justification for how Policy 8 seeks to control development in these centres and what is the objective and intent.  The following text has been agreed between the two Councils and is acceptable:  <i>"Within Brockholes and New Mill, there are small shops and services concentrated together which perform an important function serving each of the local areas. These have both been defined as Local Centres in the Kirklees Local Plan. They include a convenience store for top-up shopping along with a mix of other services such as health and beauty salons, hot food</i>	Agree with modification 13K for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<p><i>takeaways and pubs.</i></p> <p><i>The role of Local Centres is to provide for top-up shopping and local services particularly food and drink as set out in Kirklees Local Plan Policy LP13. Development within them should be appropriate in scale to complement and support existing businesses in the centre and the visitor experience.</i></p> <p><i>Residential areas are immediately adjacent to these local centres and there are some residential properties intermixed with the shops and services. It is therefore important that any development protects or mitigates against any impacts on residential amenity."</i></p> <p><b>Reason:</b> 6.4.6/ 13K description To provide a description of the centres and their role and provide justification for how Policy 8 seeks to control development in these centres and to ensure consistency with Kirklees local Plan policy</p>	
<b>Policy 9 Protecting and Enhancing Local Community Facilities</b>			
14A	47	<p>Replace the first parts of Policy 9 and clauses 1 and 2 with the following paragraph: <i>"Community facilities of value to the local community as listed in paragraph 4.7.10 will be protected and retained for community use. Development or change of use proposals involving their loss will be managed in accordance with Kirklees Local Plan Policy LP48"</i>.</p> <p><b>Reason:</b> 6.4.7 (ii) To remove duplication of wording contained in Kirklees Local Plan Policy LP48 and ensure consistency between the aims of the two policies,</p>	Agree with modification 14A for the reason set out in the Examiner's report.
14B	48	<p>Replace Clause 3 of Policy 9 with the following paragraph: <i>"Where the proposal involves a community facility listed as an Asset of Community Value on a</i></p>	Agree with modification 14B for the reason set out in the



Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<p><i>Community Assets Register the community must first be given the opportunity to acquire the asset to continue its operation before planning permission for an alternative use or development can be granted."</i></p> <p><b>Reason:</b> 6.4.7 Modify the policy to refer to Asset of Community Value and Community Assets Register to make the policy clearer and reflect how the policy operates in accordance with legislation.</p>	Examiner's report.
14C	48	<p>Second section of Policy 9 clause 1 delete wording after the word 'supported' in line 1 add: <i>"...particularly where the proposal will assist the retention of small community-based schools".</i></p> <p><b>Reason:</b> 6.4.7. (vi) To aid clarity on what the policy is seeking to achieve.</p>	Agree with modification 14C for the reason set out in the Examiner's report.
14D	48	<p>Second section of Policy 9 clause 3 last line delete the words 'other policies' and replace with <i>"HVNDP Policy 12 and Policies LP31, and LP63 of the Kirklees Local Plan".</i></p> <p><b>Reason:</b> 6.4.7 (vi) To provide clarity on other relevant policies.</p>	Agree with modification 14D for the reason set out in the Examiner's report.
14E	48	<p>Add <i>"Cultural and performance venues"</i> to the list of facilities at paragraph 4.7.10 of the plan.</p> <p><b>Reason:</b> 6.4.7 (vii) To clarify the policy coverage without listing all the venues in the area.</p>	Agree with modification 14E for the reason set out in the Examiner's report.
<b>Policy 10 Protecting Local Green Spaces</b>			
15	50	<p>Insert after the word 'designated' in line 1 of Policy 10 the words <i>"and protected"</i>.</p> <p><b>Reason:</b> 6.4.7 xxii. Policy 10 itself, in simply setting out which sites are designated, is however slightly at odds with the supporting text in paragraphs 4.7.29 which implies the purpose of the designation is protection. In order that the policy is clear and unambiguous as required by the NPPF and PPG there is a need for a minor modification so that the purpose of protection is</p>	Agree with modification 15 for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		made clear.	
<b>Policy 11 Improving Transport, Accessibility and Local Infrastructure</b>			
16A	52	<p>Insert a footnote reference after the word 'design' in line 3 of clause 1 to Policy 11 and after the word 'design' in line 4 of clause 12. Footnote to read : <i>"Current guidance is in the Kirklees Highways Design Supplementary Planning Document November 2019"</i></p> <p><b>Reason:</b> 6.4.8b (ii) To provide information on the current detailed guidance.</p>	Agree with modification 16A for the reason set out in the Examiner's report.
16B	52	<p>Reword Clause 2 to read:</p> <p><i>"Traffic management interventions should be designed on the basis of two principles:</i></p> <ul style="list-style-type: none"> <li><i>• The user hierarchy set out in the Kirklees Local Plan Policy LP20 and Interventions that are the minimum necessary to achieve the traffic management objective and which do not adversely impact...."</i></li> </ul> <p><b>Reason:</b> 6.4.8 6.4.8 (ii) To clarify "minimal interventions".</p>	Agree with modification 16B for the reason set out in the Examiner's report.
16C	52	<p>Amend the start of clause 3 to read:</p> <p><i>"Any highway works associated with new development should aim to protect the key characteristics of the Landscape Character Areas of the Holme Valley. These include for example grass verges...."</i></p> <p><b>Reason:</b> 6.4.8 (ii) To make reference to the Landscape Character Areas rather than introduce new text into the Plan at paragraph 4.1.17.</p>	Agree with modification 16C for the reason set out in the Examiner's report.
16D	52	<p>Amend the start of clause 4 to read;</p> <p><i>"All development proposals should take opportunities to provide safe access to local streets, footpaths....",</i></p> <p><b>Reason:</b> 6.4.8 (iii) To address safe access without repeating Kirklees Local Plan policy or other</p>	Agree with modification 16D for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		HV NDP policy.	
16E	52	<p>Insert the word "<i>local</i>" after the word 'Existing' in line 1 of clause 5.</p> <p><b>Reason:</b> 6.4.8 (iii) Insert local to clarify that clause 5 is referring to local green infrastructure</p>	Agree with modification 16E for the reason set out in the Examiner's report.
16F	53	<p>In clause 6 reword the clause to read:  <i>"Highway layouts should be imaginative in approach and include traffic calmed streets using a sense of enclosure to reflect....Valley."</i></p> <p><b>Reason:</b> 6.4.8 (ii) To aid clarity and the intent of the clause.</p>	Agree with modification 16F for the reason set out in the Examiner's report.
16F	53	<p>Reword the start of clause 7 to read:  <i>"Designs should take account of and link to public transport, pedestrian and cycle routes especially where these....."</i></p> <p><b>Reason:</b> 6.4.8 (iii) To reflect that the clause is about linkage to sustainable transport routes.</p>	Agree with modification 16F for the reason set out in the Examiner's report.
16G	53	<p>Delete Clauses 8 and 9 of Policy 11</p> <p><b>Reason:</b> 6.4.8 (iii) Repeats Kirklees Local Plan Policy LP20 therefore not required.</p>	Agree with modification 16G for the reason set out in the Examiner's report.
16H	53	<p>In clause 11 line 3 after the word 'facilities' insert "<i>where planning permission is required (e.g to access Holmfirth Town Centre)</i>" Delete the words 'or festivals / events in the valley' as these are more likely to be temporary arrangements not requiring planning permission.  Delete the words 'comply with other relevant policies and' in Line 4</p> <p><b>Reason:</b> 6.4.8 (ii) in clause 11 some park and ride schemes if provided on a temporary basis will not require permission. The clause therefore needs to clarify that it will apply where planning permission is required. Also, in that clause, there is no need to state that proposals must comply with other policies of the plan as this is taken as read.</p>	Agree with modification 16H for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
16J	53	<p>In clause 12 at the end of 1<sup>st</sup> sentence add sentence to read:  <i>"In the Peak District National Park parking provision should accord with Peak District Local Plan Part 2 Policies DMT6-8 and associated parking standards."</i></p> <p>After that insertion stop clause 12 and start new clause 13 for the rest of the text but deleting the reference to the HVHCA and deleting the last sentence starting with the words 'Development schemes'.</p> <p><b>Reason:</b> 6.4.8 To provide a reference point for the consideration of suitable materials.</p>	Agree with modification 16J for the reason set out in the Examiner's report.
16K		<p>Renumber clauses accordingly.</p> <p><b>Reason:</b> 6.4.8 To reflect the Modifications outlined for this policy.</p>	Agree with modification 16K for the reason set out in the Examiner's report.
<b>Policy 12 Promoting Sustainability</b>			
17A	55	<p>Reword the introductory paragraph to Policy 12 to read:  <i>"All development is expected to be designed to contribute to the following elements of sustainability and all major development (as defined in the NPPF) must prepare a sustainability statement which outlines how the development will contribute."</i></p> <p><b>Reason:</b> 6.4.9 (iv) To ensure consistency with the supporting text that the policy applies to all development.</p>	Agree with modification 17A for the reason set out in the Examiner's report.
17B	55	<p>Delete clause 1 to Policy 12 relating to Green Belt policy and renumber the following clauses.</p> <p><b>Reason:</b> 6.4.9 (iv) Reference to the Green Belt is in concise, confusing and repeats NPPF and should be deleted.</p>	Agree with modification 17B for the reason set out in the Examiner's report.
17C	55	<p>Add the word ', air' after the word 'digestion' in line 4 of clause 2 to Policy 12.</p> <p><b>Reason:</b> 6.4.9 (vi) air sources should be added.</p>	Agree with modification 17C for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
17D	55	<p>Reword the start of clause 3 to read:  <i>"New developments should develop opportunities to deliver on site heat networks using renewable energy sources."</i></p> <p>Relocate the rest of the clause dealing with viability to the end of the policy so that it applies to all requirements. (See Recommendation 17K).</p> <p><b>Reason:</b> 6.4.9. (vii) onsite heat networks can operate at different scales so restriction to major developments should be removed and the text on viability relocated so it is clear that it applies to all developments.</p>	Agree with modification 17D for the reason set out in the Examiner's report.
17E	55	<p>Stop clause 4 after first sentence and delete remainder. Delete also the related footnote 21.</p> <p><b>Reason:</b> 6.4.9 (x) The Policy would be clear and unambiguous, would be in general conformity with the strategic policies and would contribute to sustainability. Basic Conditions a), d) and e) would therefore be met.</p>	Agree with modification 17E for the reason set out in the Examiner's report.
17F	55	<p>Reword the start of clause 5 to read:  <i>"All new non-residential buildings should be designed to achieve..."</i></p> <p><b>Reason:</b> 6.4.9. The Policy should not be restricted to major development.</p>	Agree with modification 17F for the reason set out in the Examiner's report.
17G	55	<p>Delete Clause 6d) as it is repeated at clause 7 and revise clause 7 to read:  <i>"All new buildings should incorporate technologies which generate or source energy from renewable, low carbon sources."</i></p> <p><b>Reason:</b> 6.4.9. The Policy should not be restricted to major development.</p>	Agree with modification 17G for the reason set out in the Examiner's report.
17H	55	<p>Add the words <i>"where planning permission is required"</i> after the word 'properties' in line 3 of clause 8 to Policy 12.</p>	Agree with modification 17H for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<p><b>Reason:</b> 6.4.9 (vi) alterations will frequently be permitted development and therefore the clause can only apply where planning permission is required. For clarity this should be added.</p>	
17J	55	<p>Amend the start of clause 9 to read:  <i>"The inclusion in development proposals of community gardens and....."</i></p> <p><b>Reason:</b> 6.4.9 (iv) It is not clear from the section 'Encouraging Sustainable Living' whether what is expected is that development proposals should be encouraged to incorporate community gardens and allotments. Given the preamble to the Policy it is assumed this is the case. It should be clarified.</p>	Agree with modification 17J for the reason set out in the Examiner's report.
17K	55	<p>Add at the end of the Policy the following new paragraph:  <i>"The requirements of this policy will be expected to be met unless it can be demonstrated that this would render the development unviable. In this case, developers must demonstrate that they have worked with 3rd parties, (commercial and community), to assess the viability of opportunities"</i>.</p> <p><b>Reason:</b> 6.4.9 (x) To provide clarity on implementation.</p>	Agree with modification 17K for the reason set out in the Examiner's report.
<b>Policy 13 Protecting Wildlife and Securing Biodiversity Net Gain</b>			
18A	56	<p>Delete the word 'major' from line 1 in paragraphs 1 and 2 of Policy 13.</p> <p><b>Reason:</b> 6.4.9 (xiv) The inclusion of major would undermine Kirklees Local Plan Policy LP30 so should be deleted.</p>	Agree with modification 18A for the reason set out in the Examiner's report.
18B	56	<p>Insert the words <i>"in accordance with the latest national and local guidance on Biodiversity Net Gain"</i> at the end of the first sentence in Paragraph 2 of Policy 13.</p> <p>Note - If the Biodiversity Net Gain Technical Advice Note has been finalised and adopted by the</p>	Agree with modification 18B for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<p>time the plan is prepared for referendum it would be appropriate to refer to it in a footnote flagged from the end of this first sentence.</p> <p><b>Reason:</b> 6.4.9 (xv) To make the policy more flexibility worded to response to changes in national/local guidance.</p>	
18C	57	<p>Cut and paste the last paragraph of the Policy from its current position to form a new paragraph immediately following the first sentence of paragraph 2 and revised to read:</p> <p><i>"A biodiversity net gain will be expected to be achieved through development by:</i></p> <ol style="list-style-type: none"> <li>1. Managing habitats retained....improve quality <i>and /or</i></li> <li>2. Securing local off-site...overall benefit.</li> </ol> <p>Direct and indirect impacts upon biodiversity.....should be provided."</p> <p><b>Reason:</b> 6.4.9 (xvi) to express the policy intentions in a clearer and less ambiguous way.</p>	Agree with modification 18C for the reason set out in the Examiner's report.
<b>Policy 14 Focusing Developer Contributions on Local Priorities</b>			
19A	58	<p>Delete the whole of Section 4.10 along with Policy 14.</p> <p><b>Reason:</b> 6.4.10 (ii) Kirklees has decided not to pursue CIL at the current time, therefore the section should be deleted.</p>	Agree with modification 19A for the reason set out in the Examiner's report.
19B	58	<p>Replace with a general section of text under a subheading <i>"Implementing and Monitoring the Neighbourhood Plan"</i> explaining how the HVNDP will be implemented broadly covering the points set out in paragraph iv above.</p> <p>New text agreed between the two Councils has been provided, is acceptable and should be used to replace the existing as follows:</p>	Agree with modification 19B for the reason set out in the Examiner's report.

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<p><i>Implementation and Monitoring</i></p> <p><i>Implementation</i></p> <p><i>The policies in this Neighbourhood Development Plan, once made, will become part of the development plan for the area alongside the Kirklees Local Plan and the Peak District National Park Local Development Framework.</i></p> <p><i>The policies will be applied by Kirklees Council and the Peak District National Park Authority through the development management process in the determination of planning applications, together with the use of conditions and planning obligations under S106 of the Town and Country Planning Act 1990 where the tests for these are met.</i></p> <p><i>The Parish Council, applicants, developers and the community will be able to use the content and policies of the Neighbourhood Development Plan to inform representations to the relevant Local Planning Authority regarding planning applications within the Holme Valley.</i></p> <p><i>The Parish Council actions set out in appendix X to address the non-planning issues will be progressed by the Parish Council to support the achievement of the vision and objectives for the Holme Valley.</i></p> <p><i>Monitoring</i></p> <p><i>The Parish Council will put procedures in place to monitor the effectiveness of the Neighbourhood Development Plan through planning application decisions, the use of conditions</i></p>	



Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<p><i>and appeals.</i></p> <p><i>The Neighbourhood Development Plan may be reviewed by the Parish Council in line with changes to the Local Plan with this likely to take place at least once every 5 years from the date made and the Plan updated where necessary. The procedure for reviewing neighbourhood plans in place at that time in Neighbourhood Planning Legislation and the National Planning Practice Guidance will be followed.</i></p> <p><b>Reason:</b> 6.4.10 (iv) The Parish Council wished to have a section in the NDP on Implementation. Text for inclusion was agreed between Holme Valley Parish Council and Kirklees Council and agreed as a modification.</p>	
<b>Appendices</b>			
20A	60	<p>Delete Appendix 6 in its entirety, remove the reference to it in footnote 11 to Policy 6 of the plan.</p> <p><b>Reason:</b> 7.4.2 Delete Appendix 6 with the definition of affordable housing as this is already referenced in the Policy 6 footnote.</p>	Agree with modification 20A for the reason set out in the Examiner's report.
20B	60	<p>Renumber the appendices after making all changes and ensure referencing through the plan to them is correct.</p> <p><b>Reason:</b> 7.4.3 Renumber the appendices in response to modifications which delete appendices and introduce new ones.</p>	Agree with modification 20B for the reason set out in the Examiner's report.
<b>Other Matters</b>			
<b>Typographical/Grammatical Errors</b>			
21	61	Make typographical and grammatical corrections as set out in Appendix D at the end of this report (page 80).	Agree with modification 21 for the reason set out in the

Mod No:	Page No: Examiner's Report	Examiner's Modification and Reason (including reference within the Examiner's report)	Council's response
		<p><b>Reason:</b> 7.5.1. Typographical/grammatical errors in the plan should be addressed. These are set out in Appendix D to the report.</p>	Examiner's report.
<b>Overall Conclusion</b>			
22	61	<p>I recommend to Kirklees Council that the Holme Valley Neighbourhood Development Plan, modified as specified above, should proceed to a referendum based on the Holme Valley Neighbourhood Area as approved by the Kirklees Council on 27 January 2015 and the Peak District National Park Authority on 13 February 2015.</p> <p><b>Reason:</b> 8.1 Subject to the recommended modifications set out in the report, it is appropriate that the Holme Valley Neighbourhood Development Plan should proceed to a referendum.</p>	Agree with modification 22 for the reason set out in the Examiner's report.