

Holme Valley Neighbourhood Development Plan – Examination

Examiners Clarifying Questions and Information Requests to Holme Valley Parish Council, Kirklees Council and Peak District National Park Authority.

Questions and Information Requests to Parish Council

1. Policies 1 and 2 depend heavily on content of the Holme Valley Heritage and Character Assessment (HVHCA) to operate with the policies referring to both the text at paragraph 4.1.17 and the text at Appendix 7 of the NDP. At present I am not satisfied that the operational relationship between policy and various sections of text is sufficiently clear or would be easily navigated and understood by either a developer or a decision maker to meet the requirements of the NPPF or Planning Policy Guidance and therefore Basic Condition A. I am therefore inviting The Parish Council and their Planning Consultant in consultation with Kirklees Council, who have significant concerns about this matter, to review the principles in section 4.1.17 to ensure the key principles for each of the LCAs and for both 'landscape and views' and 'settlement and built form' are clearly set out and so that these clearly relate to the two policies.

I have considered possibly leaving this rewording open to be done through a general modification but essentially to ensure the two policies would meet the requirements in terms of the Basic Conditions I consider that I need to see this reworked section to satisfy myself that the two policies can work.

In principle the bullet point approach can be retained but what will be required is that 4.1.17 contains all the key principles for 'landscape and views' and 'settlement and built form' without the plan user having to refer to Appendix 7 of the plan or the full HVHCA.

Thus the layout for LCA4 as an example would be as follows:

LCA4 – River Holme Settled Valley Floor.

Key principles – Landscape and views

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Key principles – Settlement and built form

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In preparing this you should not add any principles that are not already in the public domain in the NDP within 4.1.17 itself or Appendix 7 extracts. What I am looking for is a more exact setting out of the principles against which Policy 1 (Landscape Character) and Policy 2 (Built Character) will be operated so that a developer or decision maker knows immediately which principles will be applied in the assessment of their proposals.

2. Is it not the case that Policy 2 is intended to apply to all development and not just development in Conservation Areas even though the text in the supporting text

implies that the policy may be restricted to development in Conservation Areas?
Please clarify.

3. Policy 3 implies that for undesignated heritage assets they will be assessed against Kirklees and Park Authority heritage policies. A developer therefore needs to understand the significance of the locally important undesignated heritage assets and how the proposed development will impact on that significance.
Currently I have concerns that Appendix 2 is not an agreed list (appearing to be provisional), and presents information in respect of Honley and Holmfirth in different and inconsistent ways and does not necessarily include all suggested Undesignated Assets in the Holme Valley Heritage and Character Assessment Report (HVHCA) In particular, it does not clearly set out the significance of all assets. If Policy 3 and the idea of a local list of undesignated heritage assets is to be able to be retained, Appendix 2 needs to be an **agreed** list of undesignated assets on a consistent basis and indicate for each a name or identifier, location, description and significance. This could be in tabular form as currently set out for Holmfirth. For the avoidance of doubt and to avoid procedural issues, the list should only include those already set out - namely the so called 'key buildings' in Holmfirth, the 3 Honley Civic Society undesignated assets and those proposed in the HVHCA. No others should be added at this stage as they have not been in the public domain as part of the submitted plan. If any cannot be agreed as locally significant they should be deleted at this stage. It is suggested that the Parish Council, its Planning Consultant and Kirklees Conservation Team / Park Authority Conservation Team agree the content of the list and revised Appendix 2 prior to the revised Appendix wording being returned to me.
4. In Policy 4 should it not be the intention that the second paragraph in the General Principles for advertisements should apply in both the Kirklees and Park areas of the Neighbourhood Area? The distinction between the areas should only apply in relation to illuminated advertisements because illuminated adverts are not be permitted in the park other than in respect of Petrol Filling Station signs?
5. A - In Policy 5 re Public Realm - Is the principal intention that this policy will be used to guide public realm improvements by the public sector eg Kirklees Council even though the middle section of the policy refers to developments involving public realm works?
B – Is the section on 'Gateways' intended to apply to 'gateways' into settlements as well as the 17 key gateways?
6. Are the criteria and requirements of Policy 6 intended to apply to both allocated housing sites in the Local Plan and windfall development?
7. Policies 2, 6 and 7 state at the start that they do not relate to the National Park area and yet in the list of local plan policies following these NDP policies, Peak District Policy References are included – which is correct?
8. In Policy 7 is the intention really to restrict the policy to development of existing buildings and previously developed land as section 3 suggests?

9. Is policy 11 (3) intended to mean Highway schemes and works by the Highway Authority when it refers to 'new schemes'?

Questions to Peak District National Park Authority

10. The PDNPA appears to be suggesting in respect of at least Policy 1 (if not 2) that as landscape character flows over the park boundary that the policy should apply to the Park. Please confirm the intention and if it is the authority's view that the policy /policies should cover that section of the plan area in the PDNP it would be helpful for a Planning Officer from the PDNPA to participate in the work required under question 1 above.
11. It was not clear from the PDNPA comments what form of words the Authority considers should be used to clarify when a Neighbourhood Plan policy only refers to the Kirklees section of the Plan Area. Please indicate a preferred form of words if there is concern over the current wording in the submitted NDP.
12. Re Policy 7 the PDNPA position is not entirely clear as to whether it is proposing that policy 7 should be applied to the Park. Please clarify.

Questions to Kirklees Council

13. Are there any Article 4 Directions pertaining to the Holme Valley currently in place / or planned?
14. Re Policy 12 – Is Kirklees Council in a position to support a requirement for a formal sustainability assessment for major developments for example by requiring it as part of its local validation checklist or ensuring that DM Officers request such assessments where they are not submitted with the application ?
15. Please confirm Kirklees position regarding the CIL because as things stand the referencing in section 4.10 of the plan is unclear where there is no CIL or no prospect of a CIL.
16. Regulation 16 Representation – 5793223_0_1 appears not to be comments on the NDP but on the Holmfirth Town Access Plan. Please confirm that this should be removed from the list of representations, including on the HVNDP web pages, and referred elsewhere.

Notes

- I may have additional clarifying questions and requests once the examination has progressed further.

Peter Biggers
Independent Examiner
Argyle Planning Consultancy Ltd 17 March 2021