

16. DESIGNATION OF HOLME VALLEY NEIGHBOURHOOD AREA (AM)

Purpose of the report

1. To designate that part of Holme Valley parish that is within the National Park as part of the Holme Valley Neighbourhood Area, under the Localism Act 2011 Schedule 9.

Key issue

2. Under Schedule 9, section 61-I of the Localism Act, the power to designate an area as a neighbourhood area is exercisable by 2 or more local planning authorities if the area falls within the area of those authorities. Holme Valley parish council is a qualifying body for the purpose of designating a neighbourhood area, and has applied to the Authority and to Kirklees Council.

3. Recommendation

1. **Members designate that part of the Holme Valley parish that is within the National Park as part of the Holme Valley Neighbourhood Area (the shaded area within the parish boundary on the map in Appendix 1), under the Localism Act 2011 Schedule 9, section 61G.**

How does this contribute to our policies and legal obligations?

4. This is a legal obligation under the Localism Act.

This proposal contributes to corporate objectives 3 and 5.

3: Provide a high quality planning service to the community of the National Park that achieves national park purposes and that is responsive to and contributes to the debate on planning reform nationally and locally.

5: Work with others in an integrated way to support local people to develop community facilities, local needs housing and services in ways that are sustainable and contribute to national park purposes.

A measure of success for this objective is working with communities/ parishes/villages to support their plans, including neighbourhood plans. If adopted, a neighbourhood plan forms part of the Local Development Plan for the National Park.

Background

5. The Authority Meeting on 5 October 2012 approved procedures for processing notifications under the Localism Act 2011. For notifications to designate neighbourhood areas it was resolved that these be determined by Planning Committee (Minute 72/12).
6. On 13 October 2014, Holme Valley Parish Council applied to the Authority and to Kirklees Council to designate the whole of Holme Valley parish as a neighbourhood area. The letter of application (see Appendix 2) meets the statutory requirements that it must contain:
 - a map which identifies the area to which the area application relates;
 - a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
 - a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

Designation of a neighbourhood area is necessary for parish councils wishing to undertake neighbourhood development plans or orders.

7. In accordance with the Neighbourhood Planning Regulations, the application was published for a period of 6 weeks from 10 November – 19 December 2014. Most of this was undertaken by Kirklees Council and is detailed in the cabinet report of 27 January 2015. (See Appendix 3). In summary:

- Copies of the documentation and details of how and when to make representations were placed on both authorities' websites and hard copies of the documentation made available at Kirklees Council Planning Reception Civic Centre 3.
- The application was available to view at Holmfirth Library and Information Centre and Honley Library and Information Centre.
- An advert was placed in the Huddersfield Examiner which provided details on how to make a representation and where information could be viewed.
- Letters to adjoining local authorities and parish councils
- E-mail to Kirklees ward members
- E-mail to the 80 community organisations on Kirlees Council's Area Neighbourhood Action Team (ANAT) for the Holme Valley.
- Information on Kirklees Rural Facebook page/ Twitter Account
- Information on the ANAT twitter account
- Request to community networks such as Holme Valley Vision and Holmfirth Community Forum to circulate to their membership, forward to contacts and put on their websites
- Posters displayed at Holme village

Eight representations were received by Kirklees Council from:

- Cllr Julie Stewart-Turner on behalf of Newsome Ward Community Forum
- Coal Authority
- Denby Dale Parish Council
- English Heritage
- Homes and Communities Agency
- Kirkburton Parish Council
- Natural England
- Wakefield District Council

There were no concerns or comments raised about the area designation. More detailed comments were raised by the Coal Authority, Natural England and English Heritage that will be taken into account at later stages of the neighbourhood planning process.

Proposal

8. In determining the application the Authority must have regard to the 1990 Town and Country Planning Act 61G(4)(7) and H(1), and consider the following issues:

(1) The desirability of designating the whole of the area of a parish council.

In the letter of application, the Parish Council states "The whole of the Holme Valley Civil Parish is to be designated the area for the Holme Valley Neighbourhood Area. It is considered appropriate that this should be the boundary for the Holme Valley Neighbourhood Area as it covers the two main areas of Holmfirth (Central) and Honley (Central & East, South and West), but also the villages and communities within the Parish Council's area, i.e. Brockholes, Fulstone, Hepworth, Netherthong, Scholes, the Upper Holme Valley (including Holme), Upperrthong and Wooldale. All of these areas

are known and perceived to be the Civil Parish of Holme Valley, and need to be considered with regards to plans for development, conservation etc that may form part of the Holme Valley Neighbourhood Plan.”

There are no reasons why the whole of the parish should not be designated.

(2) The desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas, and ensuring areas do not overlap.

The proposed neighbourhood area does not overlap with neighbourhood areas in the Kirklees area, and there are no other adjacent neighbourhood designations in the National Park area .

(3) Consideration of whether the area should be designated as a business area.

Designation of a business area would only apply if the area is wholly or predominantly business in nature. This is not the case.

Are there any corporate implications members should be concerned about?

Financial

9. There are costs incurred by local planning authorities in advertising the statutory consultation to designate a neighbourhood planning area. DCLG grant of £5k is available on designation of a neighbourhood area and this would be shared between the Authority and Kirklees Council.

Risk Management:

10. The steps that the Authority is taking, as described, to respond to the Localism Act, means that the risk around failing to meet government standards or legal obligations is low.

Sustainability:

11.
 - Environmental Management – there is no impact at this stage. These matters will be considered as part of the Authority’s assessment of the plan itself.
 - Equalities – all work on community planning takes into account equalities issues.

Background papers (not previously published)

12. None.

Appendices

Appendix 1: Map of proposed Holme Valley Neighbourhood Area
Appendix 2: Letter of application
Appendix 3: Kirklees Council cabinet report

Report Author, Job Title and Publication Date

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