

Appendix 1 Re sending out of letter to NDHA property owners

Advice from Integreatplus

Hi Colin

Residents should **ABSOLUTELY** be informed of the intention to designate their property as a NDHA.

In previous examinations where we have designated NDHAs examiners have requested evidence (included in the statement of consultation) that proves home/landowners have been notified or consulted and has requested any responses from them (no responses were ever received).

Similar to the process designating Local Green Spaces, landowners need to be engaged directly and it cannot be relied upon them seeing it as part of Reg 14 or Reg 16 consultations. Anecdotally, for the Oxenhope NDP the Village Council could not identify a landowner for a specific site that was proposed LGS and the examiner removed that site from the plan.

As you suggest the options are: inform people of the plan's intention to designate, or remove this section from the NDP entirely.

Personally, after all the hard work that has gone into the NDHA assessments and the fact this is clearly a top priority for residents as evidenced by previous engagement, we should just send the letters out and see what the response is.

It is important to note that NDHA designation would not greatly impact homeowners ability to alter their properties, they still have permitted development rights and can apply for other works not covered by PD through the planning process. NDHA designation is to prevent demolition and to highlight important features of the town.

Kind regards
Jamie

Advice from Calderdale MBC

Hi Colin,

Because the NDHAs are by definition not designated, only identified for protection in this plan, there are no statutory rules or processes to follow (see [Planning Guidance](#)). It is ultimately up to the Town Council to decide whether there would be any advantage to sending such letters. The list of NDHAs will be subject to public consultation with the rest of the NP before it is submitted for examination, so there is no need to worry that the public - including property owners - will not be advised of the content of the list.

I hope the neighbourhood planning process is progressing well.

Best wishes,

Ronan Carnally
Planning Officer
Spatial Planning Team

Note of Meeting to Review Progress with Neighbourhood Plan – 10 May 2023

Present: Colin Hill (Project Manager), Jamie Wilde (Integreat) and Susan Miles (Assistant Town Clerk)

1. Is it essential to write to owners of properties identified in the Heritage List?

Jamie said that writing to owners is best practice. If a letter is not sent, the Examiner may say that TTC has not followed best practice/regulations. In his experience, Examiners have asked to see the letter that councils have sent to owners and then their responses. He quoted an example of another council where their submission failed because of a lack of transparency. If the Neighbourhood Plan is submitted without appropriate consultation, it is likely it will be referred back to TTC for more work and this is likely to create a significant delay.

Action – that Jamie will present at the next meeting of the Development Committee. On 24 May 2023. The item will be categorised for the presentation to be noted but for specific decisions to be made.

2. Is it essential that the Heritage List is reduced in size and how should we do it?

Colin suggested that the list could be reduced by including only the buildings identified as 'rare'. This would remove those listed in the rural area.

Jamie said that it is not necessary to reduce the size of the list. Also, excluding items that are only classified as 'old', 'historical' etc. (the other assessment criteria used to identify buildings for the list) would be inappropriate as all the criteria are important. He said that the reason there are a high number of buildings on the list is because of the size of Todmorden and its rich history.

Jamie said that the purpose of including buildings in the list is to recognise and celebrate their contribution and value to the heritage of Todmorden. He pointed out that inclusion in the list does not prevent the owners from developing the building under permitted development rights or when planning applications are assessed. It only prevents the building from being demolished.

Jamie also pointed out that the previous consultation highlighted public concern about the degradation of the buildings in Todmorden which was impacting on the heritage value.

3. Should the Neighbourhood Plan be rewritten to make it accessible for all?

Jamie said that document should be as accessible to read as possible although inevitably, as the document is primarily for planners/developers, it will contain planning terminology. The intention is to remove as much jargon as possible whilst retaining the essential meaning for planners/developers.

4. At what stage are we with the updates to the Neighbourhood Plan?

Jamie is working to incorporate the proposed changes. However, the data sets available from the 2021 Census are different to previous ones and it is different to compare like for like. Previously the whole of Todmorden was available as one set of data. Now it is available in different sections which do not add up to the previous total area. Therefore, it will make sense to only include the latest information without a comparison to previous data.

Jamie is also working on mapping the policies in the Local Plan with those in the Neighbourhood Plan.

5. Which green spaces should be included in the Neighbourhood Plan?

Jamie confirmed that any green spaces to be included should satisfy the appropriate criteria; are demonstrably special and near the community they serve. They should not be large tracts of land (although there is no accepted definition of this). They should only be included if there is any possibility that the land could be developed. Jamie suggested that areas on the periphery of Todmorden should not be included (such as the moors/green/white belt) as it is likely they have some other form of protection.

Colin said that he had been looking at the green/open spaces mapped by Calderdale Council. Jamie thought that some of these may also have various levels of protection against development.

Jamie said that the usual pieces of land to be included are football/ sports pitches and playgrounds. It is also appropriate to include small areas in urban settings such as at the end of terraces. All of these green spaces create the 'aesthetic feel' of Todmorden.

Action: Jamie to let Colin have a copy of the West Yorkshire Ecology map which is useful in the identification of green spaces.