

City of Bradford Metropolitan District Council

Examination of the Shipley and Canal Road Corridor and Bradford City Centre Area Action Plans

Heritage Position Statement Bolton Woods Quarry

8th December 2016

1) The City of Bradford Metropolitan District Council (CBMDC)- the Local Planning Authority

2) Historic England (HE)

1. Background and context

1.1 The CBMDC are producing Area Action Plans (AAP) for the City Centre and the Shipley and Canal Road Corridor (SCRC). The National Planning Policy Framework (NPPF) (paragraphs 126-141) requires local planning authorities to set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

1.2 As part of the statutory consultation on the SCRC AAP Historic England (HE) made representations relating to heritage matters and in particular the impact of the proposed Bolton Woods Quarry site allocation (BWQ1) on two grade II* listed buildings adjacent to the site boundary. As part of their representation HE raised the following points:

- General support for the overall policy approach of the AAP in relation to heritage and conservation and in regards to identifying heritage assets and proposed mitigation, in particular SCRC AAP Policy NBE5: Heritage and Conservation
- Comments regarding site specific heritage issues
- Bolton Woods Quarry Site (BWQ1): there are two grade II* Listed Buildings (Bolton Old Hall, Bolton Old Hall Cottage) at the north eastern corner of the site. An area of land remains undeveloped to the south west of the listed buildings and the rural nature of this part of the site contributes strongly to the understanding of the listed buildings. Whilst this area has been compromised to a degree by the quarry the land outside the quarried area retains its rural character and provides a historic setting which contributes to the character of the listed buildings.
- To ensure the significance of the listed buildings are not harmed this area of land should be removed from the site allocation boundary
- HE are providing advice on an active outline planning application on this site (15/06249/MAO)

- 1.3 At the AAP Examination hearing session on Thursday 20th October 2016, the impact of the proposed Bolton Woods Quarry site allocation on the listed buildings was discussed and HE submitted a map showing areas of the site which they consider necessary for safeguarding from development to avoid impacts upon the listed buildings. Comments and evidence relating to the site BWQ1 and the current planning application (15/06249/MAO) were also made by Iain Bath on behalf of The Marshall Group, the BWQ site's landowners. Iain Bath also presented the emerging masterplan and layout for the outline application showing areas of land around the listed buildings which are proposed to be left free from development. This has been discussed with HE as part of the planning application process.
- 1.4 Following the AAP hearing sessions the Inspector (Ms Louise Nurser) requested that the CBMDC and HE produce a position statement on this issue.
- 1.5 Following the hearing sessions CBMDC have liaised with HE and internal conservation officers in regards to the heritage issues identified and potential impact of the site allocation on the two listed buildings.
- 1.6 This position statement has been prepared by the CBMDC to identify areas of common ground and any outstanding areas of disagreement between CBMDC and HE with regard to the approach for conserving the historic environment in the SCRC AAP.

2. Position Statement

- 2.1 The proposed Bolton Woods Quarry site allocation (BWQ1) comprises a large area of land currently mainly in use as an existing working quarry. The site is previously developed land of strategic size and scale and is located within one of the Council's priority regeneration and growth areas. The quarry owners have committed to bringing the site forward for comprehensive regeneration and the site has been identified in the SCRC AAP for residential re-development. The Council consider that delivering significant numbers of new homes within the proposed Bolton Woods Quarry site allocation (BWQ1) is vital to achieve the overall housing target for the AAP, in accordance with the emerging Core Strategy housing distribution and sub area policies. The comprehensive redevelopment of the quarry presents a key opportunity for delivering significant level of housing development on brownfield land and environmental improvements in the main urban area of Bradford.
- 2.2 A working minerals extraction scheme for Bolton Woods Quarry was approved on 19 March 2013 through submission of details for application 97/02719/SUB01. The planning permission allows extraction within certain areas of the site to continue until 21 February 2042 (with restoration required to have been completed by this date). This includes the land adjacent to the two listed buildings and allows for stockpiling and storage of extracted material. It is considered that the working quarry and approved working scheme overall currently make a negative contribution to the significance and setting of the two grade II* listed buildings. The Council consider that the redevelopment of the quarry site provides the opportunity to enhance and better reveal the setting of the listed buildings, through the remediation and restoration of the quarry operations and the delivery of a well-designed

residential development that includes appropriate heritage buffers and enhanced open spaces.

2.3 The CBMDC consider it has worked closely with HE as the statutory regulatory body throughout the preparation of the AAP. The SCRC AAP includes Policy NBE5 Heritage and Conservation that sets out the plan's policy approach for protecting and enhancing identified heritage assets within and adjacent to the AAP, in line with NPPF paragraph 126. Policy SCRC/NBE5 sets out that development will be expected to preserve and enhance the character, appearance and setting of key heritage assets within and adjacent to the Corridor in accordance with Core Strategy Policy EN3: Historic Environment.

2.2 Key heritage assets are identified within the SCRC AAP sub area development frameworks and site allocation statements. The AAP sub area development framework for the Centre Section identifies key historic buildings within the Centre Section. This includes the Grade II* Listed Bolton Old Hall and Bolton Old Hall Cottage (SCRC AAP Paragraph 3.35). The site allocation statement for BWQ1: Bolton Woods Quarry sets out key design and heritage guidance which should be considered as part of any proposed development of the site, including that any development should ensure elements which contribute to the character or setting of Grade II* Listed Bolton Old Hall and Bolton Old Hall Cottage are preserved.

2.3 The CBMDC have also proposed a main modification (DPM0020) in response to representations made on the AAP by HE to amend the site proposal statement for BWQ1 as follows:

Development should ensure elements which contribute to the character or setting of Grade II* Listed Bolton Old Hall and Bolton Old Hall Cottage are preserved. **Any new development should seek to avoid harm and take opportunities within the setting of these heritage assets to enhance or better reveal their significance.**

2.4 Following the AAP hearing sessions HE have proposed the following changes which HE consider need to be made to the AAP and proposed site allocation BWQ1 to ensure the plan is sound:-

(a) Page 55, Site Proposals, first bullet-point – Amend the number of dwellings to reflect the reduction in the size of the site which is necessary to safeguard the setting of the Grade II* Listed Buildings.

(b) Page 56, Design and Heritage – Insert the following additional Paragraph before the current first Paragraph:-

“In order to safeguard the setting of the Grade II* Listed Buildings of Bolton Old Hall and Bolton Old Hall Cottage, no buildings, roads or other development shall take place in the areas to the immediate south-west of these buildings (between the curtilage of Bolton old Hall and the quarry edge) or between Cheltenham Road and Brookwater Drive.”

(c) Page 55 – Amend the map to illustrate the areas which need to be kept free of development

2.5 The Council's position in regards to HE's proposed changes as set out in paragraph 2.4 of this statement are as follows. The Council are in agreement with HE that in order to safeguard

and enhance the setting of the Grade II* Listed Buildings of Bolton Old Hall and Bolton Old Hall Cottage an area of land around the listed hall and cottage should be left undeveloped. The Council consider that given the scale of the overall site allocation for Bolton Woods Quarry (BWQ1), there is the potential to provide an appropriate open setting required to preserve and enhance the significance of the heritage assets within the site boundary, while still delivering a significant number of new homes on the site. It should be noted that the estimated number of dwellings within the AAP is not based on the entire site being developed and therefore the site capacity already includes an allowance for on-site open space. The Council therefore disagree with HE under point (a) that the estimated number of dwellings for the site should be reduced to ensure the plan is sound.

- 2.6 The estimated level of housing delivery for residential sites in the AAP has been informed by evidence including the Strategic Housing Land Availability Assessment (SHLAA). The actual level of housing delivered on sites will be determined following detailed design and layout considerations, which will factor in topography, access, open space and appropriate buffers around the heritage assets undertaken as part of the planning application process in line with the policies and site allocation statements in the AAP and Local Plan. The Council will monitor the delivery of the allocated sites in the AAP. Any significant under delivery of residential units on sites will prompt a full or partial review of the AAP, where necessary. The Council therefore do not consider that there is justification at this stage for reducing the expected development of the site as no detailed evidence on what level of reduction would be necessary has been submitted. It is the Council's view that any reduction in the site capacity must be fully justified by detailed site design and layout considerations, including any open space buffer to the listed buildings, which will be informed by a detailed heritage evaluation undertaken at the planning application stage.
- 2.6 In relation to HE's proposed change as set out under point 'b', the Council agree with HE that the site allocation statement should identify the areas which are important to the setting of the identified heritage assets and which should be kept free from development. The Council is willing to propose a main modification to the SCRC AAP to amend the BWQ1 site allocation statement to ensure the AAP identifies broad areas within the site where built development would be inappropriate to ensure the AAP avoids or minimises harm to the identified heritage asset. However, the Council do not agree with the wording of HE's proposed modification under point 'b' as it is considered that the exact area to be safeguarded from development should be informed by a detailed heritage evaluation undertaken through a Heritage Impact Assessment in support of any planning application. The Council therefore consider that an alternative modification in relation to the site allocation statement BWQ1 should be made.
- 2.7 In regards to HE's proposed modification under point 'c', the Council do not agree that the AAP policies map should be amended to show areas which need to be kept free from development or the BWQ1 site boundary amended to remove the area around the listed buildings from the site allocation boundary for the following reasons. No detailed evidence or justification has been presented to the Council as part of the plan preparation to justify the extent of the areas HE propose should be kept free from development or excluded from the site boundary. It is considered by the Council that the extent of this area should be

decided through the detailed planning application process and informed by a detailed heritage evaluation. This will ensure any proposal will be expected to adequately take into account the need to protect the setting of the identified heritage assets.

- 2.8 It is considered that removing the area around the listed buildings from the site allocation boundary would have no benefit in terms of safeguarding or enhancing the setting of the heritage assets and would not enable a comprehensive approach to managing and mitigating any heritage impacts through the provision of managed landscaped open areas within the site boundary as part of overall design and layout of the scheme. The land has an existing planning approval for a working quarry scheme which could include quarrying operations and development within the setting of the listed buildings. The Council consider that any impacts on the heritage assets can best be avoided and mitigated by bringing the quarry site forward comprehensively, which will enable the long term protection and management of the setting and enable the identification of opportunities for enhancing the setting of the identified heritage assets within the site boundary.

Summary

- 2.8 The proposed site allocation BWQ1 is considered by the CBMDC to constitute sustainable development in line with the NPPF .The Council consider that the redevelopment of the quarry and delivery of significant numbers of new homes including affordable housing, enhanced open spaces and supporting community facilities on the site will contribute to the Council's housing land supply, help meet identified housing need and bring economic, environmental and public benefits and provide opportunities to enhance the setting of the listed buildings. In accordance with NPPF paragraph 134 where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 2.9 It is the Council's view that the proposed site allocation BWQ1 has the capacity and potential to preserve the setting of the identified heritage assets and deliver a significant number of new homes and that any potential harm through the allocation of the site to the setting of the listed buildings, can either be avoided or suitably mitigated through the policies and guidance set out in the AAP and through detailed layout and design considerations as part of the planning application processes.
- 2.10 To ensure the SCRC AAP fully takes into account the need to protect the setting of identified heritage assets the Council consider that a further a main modification to the site allocation statement for BWQ1 is necessary to ensure the plan is sound.

3. Actions and Proposed Modifications

- 3.1 In response to HE's representations on the SCRC AAP the CBMDC propose the following actions:

- Propose a main modification to the SCRC AAP to amend the site allocation statement for site BWQ1 to include additional text identifying the broad location of areas within the site, which contribute to the setting of the listed buildings, to be kept free from

development and the requirement for the extent of these areas to be defined at the planning application stage following a detailed evaluation of the heritage issues.

- 3.2 The CBMDC consider that the proposed modification to the site BWQ1, as set out below, is the most appropriate strategy when considered against the alternatives. The CBMDC do not consider that the AAP should define the exact extent of areas to be safeguarded as the detailed extent of these areas have not been justified and it is considered that this approach would be too prescriptive to enable the AAP to have sufficient flexibility for dealing with detailed design and layout considerations, which should be considered as part of any planning application.
- 3.3 It is considered by the CMDC that removing the area around the listed buildings from the proposed site allocation boundary would have no benefit in terms of safeguarding or enhancing the setting of the heritage assets and would not enable a comprehensive approach to managing and mitigating any heritage impacts through the provision of managed landscaped open areas within the site boundary as part of overall design and layout of the scheme.

Proposed Modification

1. Proposed Modification to site allocation BWQ1. Amend site allocation statement as follows:

BWQ1: Bolton Woods Quarry

Heritage and Design Considerations

Development should ensure elements which contribute to the character or setting of Grade II* Listed Bolton Old Hall and Bolton Old Hall Cottage are preserved. **Any new development should seek to avoid harm to the significance of these heritage assets and take opportunities within their setting to enhance or better reveal their significance. Any Scheme will be expected to include a well-designed and managed open landscaped setting that positively responds to the listed buildings, and provides effective separation between any new development and these heritage assets.**

In order to safeguard the setting of the Grade II* listed buildings Bolton Old Hall and Bolton Old Hall Cottage, an area of land to the immediate south-west of these buildings and northwest between Cheltenham Road and Brookwater Drive, should be kept free from any new residential development and buildings. The extent of these areas shall be determined by a detailed and comprehensive analysis in the form of a Heritage Impact Assessment, to be submitted in support of any planning application for development of the site. The Heritage Impact Assessment shall evaluate the contribution made by the setting of the identified heritage assets, including important views and other attributes that are important to the significance of the properties and their protection, and provide an open and landscaped setting that is required to sustain and enhance the significance of these assets.

Historic England Position

3.4 HE have reviewed the Council's actions and proposed modifications as set out in above and have the following comments to make regarding the suggested approach:-

(a) If the estimated number of dwellings for this site is not based upon the entire site being allocated for development and that the total given makes sufficient allowance for the area around Bolton Hall to remain open, then we would agree that the housing total for this site should remain unaltered.

(b) HE cannot support the proposed Modification for the following reasons:-

(i) It is not just buildings which would be likely to harm the setting of these Bolton Old Hall. Their setting could also be harmed by any development which urbanised the area around these buildings (such as the development of roads, street lighting etc). It is important, therefore, that this is reflected in the wording. It is suggested the proposed Modification is changed as follows:-

In order to safeguard the setting of the Grade II* listed buildings Bolton Old Hall and Bolton Old Hall Cottage, an area of land to the immediate south-west of these buildings and northwest between Cheltenham Road and Brookwater Drive, should be kept free **from any new residential development, roads or other buildings**. The extent of these areas shall be determined by a detailed and comprehensive analysis in the form of a Heritage Impact Assessment, to be submitted in support of any planning application for development of the site. The Heritage Impact Assessment shall evaluate the contribution made by the setting of the identified heritage assets, including important views and other attributes that are important to the significance of the properties and their protection, and provide an open and landscaped setting that is required to sustain and enhance the significance of these assets.

(ii) There is a need for the Plan to indicate precisely where development will or will not be acceptable. As a result, we consider that the most appropriate way to achieve this is to delete the areas which are important to the setting of the Grade II* Listed Buildings from Allocation BWQ1. HE submitted a plan to the Examination in which we identified the areas HE considered needed to be deleted but would be willing to meet the Council and Conservation Officer on site to discuss its precise extent further if this would help. The alternative approach that the Council have proposed (i.e. the production of a Heritage Impact Assessment to inform which areas should be kept open) provides no certainty and (as has been amply demonstrated by the current application) is likely to reopen the debate over where development should take place every time an application is submitted.

4. Matters of Agreement/Areas of Dispute

Matters of Agreement

4.1 In order to conserve the Grade II* listed buildings of Bolton Old Hall and Bolton Old Hall Cottage in a manner appropriate to their significance, the CBMDC and HE agree that the matters of concern originally raised in HE's representations should be addressed through a

main modification to the plan to ensure that that plan effective and consistent with national planning policy.

Areas of dispute

- 4.2 On the basis of this statement the CBMDC and HE have not been able to reach an agreed position in regards to the proposed modifications considered necessary to make the plan sound, which have been proposed by the Council and HE.
- 4.3 The CBMDC consider that the proposed main modification to the plan as set out in paragraph 3.3 of this statement will ensure that the AAP is effective in identifying and conserving identified heritage assets in a manner appropriate to their significance and is consistent with national planning policy, in particular with regard to NPPF paragraphs 123, 129 132, 134 and 137. The Council considers that, subject to the proposed modification (as set out in paragraph 3.3 of this statement), any potential harm through the allocation of the site BWQ1 to the setting of the listed buildings can either be avoided or suitably mitigated though the policies and guidance set out in the AAP and through detailed layout and design considerations as part of the planning application processes.
- 4.4 The Council do not consider that that the proposed modification by HE (paragraph 3.4 bi and bii) is justified taking into account the available evidence and that excluding areas to be safeguarded from all development from the proposed site allocation BWQ1 will not enable the identification of opportunities to enhance the setting of the heritage assets within the site, or enable a comprehensive approach to be taken to the overall layout and design of any proposed scheme. The Council also consider that HE's proposed modifications will not enable the redevelopment of the working quarry site to secure its optimum viable use or provide the necessary flexibility to allow any proposed scheme to respond to detailed site specific characteristic, issues and constraints. The Council consider that most appropriate strategy is to ensure that the AAP identifies the broad area that should be safeguarded within the site allocation boundary and sets out the requirement that this area must be informed by a detailed and comprehensive Heritage Impact Assessment as part of any planning application.

5. Conclusion

- 5.1. In response to the comments submitted by Historic England on the draft Plan the CBMDC has proposed modifications to the Shipley and Canal Road Corridor Area Action Plan, which the Council consider will be effective in overcoming the concerns raised by HE and ensure the AAP is consistent with National Planning Policy. As part of this Statement HE have responded to the Council's proposed modifications with further proposed changes that HE consider are necessary in order to make the plan sound. The relevant proposed modifications by the Council and HE are shown in Appendix 1.
- 5.2 The contents of this document are agreed for the purposes of the Shipley and Canal Road Corridor Area Action Plan Examination.

Appendix 1

CBMDC Proposed Modification

Page no.	Policy/paragraph	Proposed Modification	Reasons for Modification
55	BWQ1: Bolton Woods Quarry	<p>Site allocation text to be amended as follows:</p> <p>Heritage and Design Considerations</p> <p>Development should ensure elements which contribute to the character or setting of Grade II* Listed Bolton Old Hall and Bolton Old Hall Cottage are preserved. <u>Any new development should seek to avoid harm to the significance of these heritage assets and take opportunities within their setting to enhance or better reveal their significance. Any Scheme will be expected to include a well-designed and managed open landscaped setting that positively responds to the listed buildings, and provides effective separation between any new development and these heritage assets.</u></p> <p><u>In order to safeguard the setting of the Grade II* listed buildings Bolton Old Hall and Bolton Old Hall Cottage, an area of land to the immediate south-west of these buildings and northwest between Cheltenham Road and Brookwater Drive, should be kept free from any new residential development and buildings. The extent of these areas shall be determined by a detailed and</u></p>	<p>This modification is considered necessary to ensure the plan is effective and consistent with national policy and fully and incorporates the requirement to conserve and enhance the historic environment. The modification is made to ensure the plan identifies areas to be safeguarded and opportunities for the conservation and enhancement of identified heritage assets. This is considered consistent with the National Planning Policy Framework (123-137)</p>

		<p><u>comprehensive analysis in the form of a Heritage Impact Assessment, to be submitted in support of any planning application for development of the site. The Heritage Impact Assessment shall evaluate the contribution made by the setting of the identified heritage assets, including important views and other attributes that are important to the significance of the properties and their protection, and provide an open and landscaped setting that is required to sustain and enhance the significance of these assets.</u></p>	
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Historic England proposed modification

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55	BWQ1: Bolton Woods Quarry	<p>Site allocation text to be amended as follows:</p> <p>Heritage and Design Considerations</p> <p>Development should ensure elements which contribute to the character or setting of Grade II* Listed Bolton Old Hall and Bolton Old Hall Cottage are preserved. <u>Any new development should seek to avoid harm to the significance of these heritage assets and take opportunities within their setting to enhance or better reveal their significance. Any Scheme will be expected to include a well-designed and managed open landscaped setting that positively responds to the listed buildings, and provides effective separation between any new development and these heritage assets.</u></p> <p><u>In order to safeguard the setting of the Grade II* listed buildings Bolton Old Hall and Bolton Old Hall Cottage, an area of land to the immediate south-west of these buildings and northwest between Cheltenham Road and Brookwater Drive, should be kept free from any from any new residential development, roads or other buildings. The extent of these areas shall be determined</u></p>	<p>This modification is considered necessary to ensure the plan is effective and consistent with national policy and fully and incorporates the requirement to conserve and enhance the historic environment. The modification is made to ensure the plan identifies areas to be safeguarded from any development. This is considered compliant with the National Planning Policy Framework (123-137)</p>

		<p><u>by a detailed and comprehensive analysis in the form of a Heritage Impact Assessment, to be submitted in support of any planning application for development of the site. The Heritage Impact Assessment shall evaluate the contribution made by the setting of the identified heritage assets, including important views and other attributes that are important to the significance of the properties and their protection, and provide an open and landscaped setting that is required to sustain and enhance the significance of these assets.</u></p>	
150	BWQ1/Policies Map	<p>Delete the areas that HE consider are important to the setting of the Grade II* Listed Buildings from the site Allocation BWQ1 as illustrated in Appendix 2 or following a meeting with the Council and Conservation Officer on site to discuss the precise extent further</p>	<p>There is a need for the Plan to indicate precisely where development will or will not be acceptable. The most appropriate way to achieve this is to delete the areas which are important to the setting of the Grade II* Listed Buildings from Allocation BWQ1.</p> <p>This modification is considered necessary to ensure the plan is effective and consistent with national policy and fully and incorporates the requirement to conserve and enhance the historic environment.</p>

Appendix 2: Proposed modifications to SCRC AAP

The following plan was submitted to the SCRC AAP Examination by Historic England on 18th October 2016

