

# **Replacement Unitary Development Plan for the Bradford District**

## **Proposed Further Modifications**



## HOW TO READ THIS DOCUMENT

The following document sets out the Proposed Further Modifications for public consultation.

Where a **Statement Of Decision** has been re-published the table should have the following entries:

Column 1	<ul style="list-style-type: none"> <li>• SD Ref – each decision has a reference number comprising SD followed by a prefix for the relevant volume of the UDP e.g. PF for Policy Framework or BN for Bradford North.</li> <li>• UDP Case Ref – the relevant paragraph, policy or site name.</li> <li>• IR – a reference to the relevant part of the Inspector’s Report e.g. Policy Framework / Page 10, and paragraph number where applicable, or Bradford North / Page 55-57 etc.</li> </ul>
Column 2	<ul style="list-style-type: none"> <li>• Inspector’s Recommendation –copied in full from the Inspector’s Report</li> </ul>
Column 3	<ul style="list-style-type: none"> <li>• Decision –‘Accepted’</li> <li>• Reasons –one of the following approaches is used depending on the circumstances :             <ul style="list-style-type: none"> <li>○ <b>If the Council is accepting the Inspector’s recommendation</b> and the Inspector’s reasoning is thorough, factually accurate, and correct, then the following sentence, ‘For the reasons set out in the Inspector’s report’ appears in the table.</li> <li>○ <b>If the Council is accepting the Inspector’s recommendation but:</b></li> <li>○ there are aspects of the reasoning which are incorrect e.g. Legal tests; or</li> <li>○ additional reasons not mentioned by the Inspector need to be included; or</li> <li>○ while the Council agrees with the recommendation, it does not agree with all of the points the Inspector makes in reaching that conclusion, then a full and detailed explanation is given.</li> </ul> </li> </ul>
Column 4	<ul style="list-style-type: none"> <li>• Modification Reference Number – depending on whether a modification is proposed.</li> <li>• If the Council is accepting an Inspector’s recommendation not to change the plan, then there is no modification;</li> <li>• If the Council is rejecting a recommendation by the Inspector to change the Plan, and is not proposing any alternative change in its place, then again there is no modification.</li> </ul>

Each **Further Modification** has an entry / row in the following tables as follows:

Column 1	<ul style="list-style-type: none"> <li>• Further Modification reference – each further modification has a reference number comprising MOD followed by a prefix relating to the relevant volume of the UDP e.g. PF for policy framework, BN for Bradford North, followed by a number. Where applicable, this reference is the same as the reference number given in column 4 of the Statement of Decisions relating to the particular paragraph, policy or site.</li> <li>• UDP – the relevant paragraph, policy or site number</li> <li>• Site name – where relevant</li> <li>• IR – the Inspector’s Report reference e.g. Policy Framework / Page 10, and paragraph number where applicable, or Bradford North / Page 55-57 etc.</li> </ul>
Column 2	<ul style="list-style-type: none"> <li>• Existing UDP wording as set out in the Revised Deposit Version or as modified January 2005.</li> </ul>
Column 3	<ul style="list-style-type: none"> <li>• Proposed Further Modification – where relevant, the block of text in column 2 has been repeated, but with the proposed further modifications added using the following notations: <ul style="list-style-type: none"> <li>○ All changes in <b>bold</b></li> <li>○ Deleted text in <del>strikethrough</del></li> <li>○ New added text in <i>italics</i></li> </ul> </li> </ul>
Column 4	<ul style="list-style-type: none"> <li>• Reason For the Modification – this follows from the Statement of Decisions in Appendix A or a republished Statement of Decision.</li> </ul>

The map based changes are shown at the end of the document.

**LIST OF FURTHER MODIFICATIONS**  
**UDP – Policy Framework Chapter 5 Economy & Employment**

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) Modified ( January 2005) ( <i>whichever is the latest approved by Council</i> )	Proposed Further Modification	Reason for Modification
<p><b>FMOD -</b> FMOD/PF/E/5</p> <p><b>UDP – Policy E3A</b> Office Development</p> <p><b>IR – Policy</b> Framework paragraphs 5.33 – 5.38 Pages 44-45</p>	<p>“Policy E3A</p> <p>PROPOSALS FOR OFFICE DEVELOPMENT SHOULD WHEREVER POSSIBLE BE LOCATED IN THE CITY, TOWN AND DISTRICT CENTRES AND REFLECT THE SCALE AND CHARACTER OF THE CENTRE. OFFICE DEVELOPMENTS ON SITES OUTSIDE THESE CENTRES WILL BE ASSESSED AGAINST THE FOLLOWING CRITERIA:</p> <p>(1) WHETHER THE DEVELOPMENT TOGETHER WITH RECENT AND POTENTIAL DEVELOPMENT ARISING FROM UNIMPLEMENTED PLANNING PERMISSIONS FOR OFFICE DEVELOPMENT WOULD BR UNLIKELY TO HAVE AN ADVERSE EFFECT ON FUTURE PRIVATE INVESTMENT IN THE CITY,TOWN AND DISTRICT CENTRES;</p> <p>(2) WHETHER THERE WOULD BE CONVENIENT ACCESS TO THE PROPOSED DEVELOPMENT FOR THE WORKFORCE BY A RANGE OF TRANSPORT MODES;</p> <p>(3) WHETHER THE DEVELOPMENT WOULD NOT LEAD TO AN INCREASE IN THE NEED TO TRAVEL AND RELIANCE ON THE PRIVATE CAR;</p> <p>(4) WHETHER THE DEVELOPMENT WOULD NOT UNDERMINE THE STRATEGY FOR THE CITY AND TOWN CENTRES STATED IN THE PLAN.</p>	<p>“Policy E3A</p> <p>PROPOSALS FOR OFFICE DEVELOPMENT SHOULD WHEREVER POSSIBLE BE LOCATED IN THE CITY, TOWN AND DISTRICT CENTRES AND REFLECT THE SCALE AND CHARACTER OF THE CENTRE. OFFICE DEVELOPMENTS ON SITES OUTSIDE THESE CENTRES WILL BE ASSESSED AGAINST THE FOLLOWING CRITERIA:</p> <p>(1) WHETHER THE DEVELOPMENT TOGETHER WITH RECENT AND POTENTIAL DEVELOPMENT ARISING FROM UNIMPLEMENTED PLANNING PERMISSIONS FOR OFFICE DEVELOPMENT WOULD BR UNLIKELY TO HAVE AN ADVERSE EFFECT ON FUTURE PRIVATE INVESTMENT IN THE CITY,TOWN AND DISTRICT CENTRES;</p> <p>(2) WHETHER THERE WOULD BE CONVENIENT ACCESS TO THE PROPOSED DEVELOPMENT FOR THE WORKFORCE BY A RANGE OF TRANSPORT MODES;</p> <p>(3) WHETHER THE DEVELOPMENT WOULD NOT LEAD TO AN INCREASE IN THE NEED TO TRAVEL AND RELIANCE ON THE PRIVATE CAR;</p> <p>(4) WHETHER THE DEVELOPMENT WOULD NOT UNDERMINE THE STRATEGY FOR THE CITY AND TOWN CENTRES STATED IN THE PLAN.</p>	<p>To correct a grammatical error and improve the meaning of the policy.</p>

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**UDP – Policy Framework Chapter 5 Economy & Employment**

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) Modified ( January 2005) ( <i>whichever is the latest approved by Council</i> )	Proposed Further Modification	Reason for Modification
	(5) WHETHER THE NEED FOR THE DEVELOPMENT IN THE PROPOSED LOCATION MUST BE DEMONSTRATED"	(5) WHETHER THE NEED FOR THE DEVELOPMENT IN THE PROPOSED LOCATION <del>MUST BE</del> <b>HAS BEEN</b> DEMONSTRATED"	

## LIST OF FURTHER MODIFICATIONS

### UDP – Policy Framework Chapter 8 Transport & Movement

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) Post inquiry Modifications (January 2005) <i>(whichever is the latest approved by Council)</i>	Proposed Further Modification	Reason for Modification
<p><b>FMOD -</b> FMod/PF/TM/13</p> <p>UDP – Policy TM23 &amp; Paragraph 8.91 Aircraft Safety</p> <p><b>IR – N/A</b></p>	<p>“Policy TM23 DEVELOPMENT PROPOSALS THAT CREATE A POSSIBLE HAZARD TO THE SAFE OPERATION OF AIRCRAFT, AERODROMES OR AIRCRAFT NAVIGATION FACILITIES WILL NOT BE PERMITTED.</p> <p>8.91 There is a need to ensure the safe movement of aircraft in the District, both to the Leeds Bradford Airport and to the emergency helicopter landing sites for Bradford Royal Infirmary and Airedale General Hospital. Aircraft safety can be prejudiced by the construction of tall structures such as chimneys, masts or multi-storey buildings, particularly on high ground, whilst even more modest development close to the helicopter landing facilities may pose fatal dangers.</p> <p>8.91a A revised Aerodrome Safeguarding Area for Leeds and Bradford International Airport (LBIA) has been defined by the Civil Aviation Authority (CAA).</p>	<p>“Policy TM23 DEVELOPMENT PROPOSALS THAT CREATE A <b>POSSIBLE</b> HAZARD TO THE SAFE OPERATION OF AIRCRAFT, AERODROMES OR AIRCRAFT NAVIGATION FACILITIES WILL NOT BE PERMITTED.</p> <p>8.91 There is a need to ensure the safe movement of aircraft in the District, both to the Leeds Bradford Airport and to the emergency helicopter landing sites for Bradford Royal Infirmary and Airedale General Hospital. Aircraft safety can be prejudiced by the construction of tall structures such as chimneys, masts or multi-storey buildings, particularly on high ground, whilst even more modest development close to the helicopter landing facilities may pose fatal dangers.</p> <p>8.91aA revised Aerodrome Safeguarding Area for Leeds and Bradford International Airport (LBIA) has been defined by the Civil Aviation Authority (CAA). <b><i>In addition the protection zone for the technical area (concerned with air traffic control ) at Hameldon Hill, between Burnley and Accrington Lancashire affects a small area of the District. The safeguarded areas/protection zones are neither the responsibility nor the proposal of the local planning authority.</i></b></p>	<p>To take into account the provisions in the new ODPM Circular “ Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: Town and Country Planning (Safeguarding Aerodromes, technical Sites and Military Explosives Storage Areas) Direction 2002 and the most up to date Safeguarding area defined by the CAA for Leeds and Bradford International Airport (LBIA) and the Hameldon Hill Technical site. Provide clarification on the application of the policy and responsibilities.</p>

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**UDP – Policy Framework Chapter 8 Transport & Movement**

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) Post inquiry Modifications (January 2005) <i>(whichever is the latest approved by Council)</i>	Proposed Further Modification	Reason for Modification
	<p>8.91b Government Circular 01/2003 produced by the ODPM /DfT “ Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: Town and Country Planning (Safeguarding Aerodromes, technical Sites and Military Explosives Storage Areas) Direction 2002, places a duty on the Council to consult Leeds and Bradford International Airport on all planning applications falling within the Safeguarding Area and the provisions of the Direction, to ensure that development does not prejudice aircraft safety. In line with the requirements of ODPM/DfT Circular 01/2003, the outer boundary of the Aerodrome Safeguarding Area for Leeds and Bradford International Airport is shown on the proposals map. This represents the area where buildings and structures, erections and works over defined heights are deemed to be a potential problem for aviation safety. Within this outer boundary are sub areas defined by the CAA relating to the specific height of development and developments likely to attract birds.</p> <p>8.91c A separate Aerodrome Safeguarding Area for Leeds and Bradford International Airport in relation to wind turbine development has also been defined by the CAA. Circular 01/2003 places a duty on</p>	<p>8.91b Government Circular 01/2003 produced by the ODPM /DfT “ Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: Town and Country Planning (Safeguarding Aerodromes, technical Sites and Military Explosives Storage Areas) Direction 2002, <b>in particular paragraph 28</b>, places a duty on the Council to consult Leeds and Bradford International Airport on all planning applications falling within the Safeguarding Area and the provisions of the Direction, to ensure that development does not prejudice aircraft safety. In line with the requirements of ODPM/DfT Circular 01/2003, the outer boundary of the Aerodrome Safeguarding Area for Leeds and Bradford International Airport is shown on the proposals map (<b>A copy of the detailed safeguarding map can be viewed at the Bradford planning Office</b>). This represents the area where buildings and structures, erections and works over defined heights are deemed to be a potential problem for aviation safety. Within this outer boundary are sub areas defined by the CAA relating to the specific height of development and developments likely to attract birds.</p> <p>8.91c A separate Aerodrome Safeguarding Area for Leeds and Bradford International Airport in relation to wind turbine development has also been defined by the CAA. Circular 01/2003 places a duty on the Local Planning</p>	

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Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) Post inquiry Modifications (January 2005) <i>(whichever is the latest approved by Council)</i>	Proposed Further Modification	Reason for Modification
	<p>the Local Planning Authority to consult LBIA about proposed wind turbine developments within a 30KM radius of the Airport. The Whole of the District lies within this defined area for aerodrome safeguarding in relation to wind turbine development.</p> <p>8.91d The LPA may require additional information to be provided by an applicant, in order to fulfil its obligations to consult LBIA effectively under both the Circular and Direction.</p> <p>8.91e The LPA and /or LBIA may also request additional information on cranes, lighting and other equipment which may be in use during the construction period, to ensure aviation safety and developers should be aware of this need.”</p>	<p>Authority to consult LBIA about proposed wind turbine developments within a 30KM radius of the Airport. The Whole of the District lies within this defined area for aerodrome safeguarding in relation to wind turbine development.</p> <p>8.91d The LPA may require additional information to be provided by an applicant, in order to fulfil its obligations to consult LBIA effectively under both the Circular and Direction.</p> <p>8.91e The LPA and /or LBIA may also request additional information on cranes, lighting and other equipment which may be in use during the construction period, to ensure aviation safety and developers should be aware of this need.</p> <p><b>8.91f <i>With respect to the Hameldon Hill Technical Site consultations will be required for different heights of development depending upon their location within the safeguarded zone. This is because of the refracting effects of buildings upon radar signals and therefore the interference that can be caused affecting air safety. The area affected relates to a small area on the border with Calderdale at Stanbury Moor. It is not intended to show the detailed</i></b></p>	



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**UDP – Policy Framework Chapter 8 Transport & Movement**

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		<p><i>zoning on the proposals map. However generally within the area consultations will only be necessary for development in excess of 45.7metres high. On parts of high moorland, generally over about 390metres (1,280 feet) elevation, all planning applications will be referred for consultation. There is a sliding scale for consultations for varying heights of buildings. The detailed maps can be viewed at the Keighley Planning office during normal office hours."</i></p>	

**INSPECTORS REPORT – STATEMENT OF DECISIONS**  
**UDP – Policy Framework Chapter 10 Built Heritage & The Historic Environment**

SD Ref UDP – Case Ref IR – Page No.	Inspector’s Recommendation	CBMDC Decision and Reasons	Mod Ref
<p><b>SD</b> – SD/PF/BH/9</p> <p><b>UDP</b> –Policies BH18 &amp; BH19 , paragraphs 10.70 – 10.71 development Affecting Class I, II, III Archaeological Sites</p> <p><b>IR</b> – Policy Framework, paragraphs 10.21-10.27, pages 157-159</p>	<p>I recommend that the RDDR be modified as follows:</p> <p>[a] SECTION ENTITLED ‘ARCHAEOLOGICAL AREAS CLASS 1 11 AND 111’ – delete and replace with</p> <p>Archaeological Areas Class 1            10.70 Class 1 areas are site and landscapes of national importance which are protected as Scheduled Ancient Monuments under the terms of the Ancient Monuments and Archaeological Areas Act 1979</p> <p>Policy BH18            DEVELOPMENT WHICH ADVERSELY AFFECTS CLASS 1 ARCHAEOLOGICAL AREAS OR OTHER NATIONALLY IMPORTANT REMAINS AND THEIR SETTINGS WILL NOT BE PERMITTED</p> <p>[b] Para 10.71-delete and replace with</p> <p>10.71 Class 11 areas are sites and landscapes which are regionally important but unscheduled, and which merit preservation in situ. Class 111 areas are sites registered in the County Sites and Monuments Records as containing or likely to contain remains of archaeological importance. The locations and extent of all Archaeological Areas are shown on the County Sites and Monuments Records. Where a Class 11 or 111 archaeological site is adversely affected by a development proposal, it is important that an archaeological evaluation is undertaken to assist in determining the importance of the archaeological remains and the appropriate course of action. Therefore:</p>	<p><b>Decision</b> :: Accepted</p> <p><b>Reasons</b> : For the reasons set out in the Inspector’s report</p>	<p>FMOD/P F/BH/8</p>

## LIST OF FURTHER MODIFICATIONS

### UDP –Policy Framework Chapter 10 Built Heritage & The Historic Environment

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) Post inquiry Modifications (January 2005) <i>(whichever is the latest approved by Council)</i>	Proposed Further Modification	Reason for Modification
<p><b>FMOD -</b> FMOD/PF/BH/8</p> <p><b>UDP -</b> Policies BH18 &amp; BH19 , paragraphs 10.70 – 10.71 development Affecting Class I, II, III Archaeological Sites</p> <p><b>IR –</b> Policy Framework Paragraphs 10.70-10.71, Pages 157 - 159</p>	<p>“Archaeological Area Class 1 11 and 111</p> <p>Policy BH18</p> <p>DEVELOPMENT WHICH ADVERSELY AFFECTS CLASS 1 11 and 111 ARCHAEOLOGICAL AREAS OR OTHER NATIONALLY - IMPORTANT REMAINS AND THEIR SETTING WILL NOT BE PERMITTED</p> <p>10.70 Class I areas are sites and landscapes of national importance which are protected as Scheduled Ancient Monuments under the terms of the Ancient Monuments and Archaeological Areas Act 1979.</p> <p>Archaeological Areas Class 11 And Class 111</p> <p>10.71 Class 11 areas are sites and landscapes which are regionally important or of national importance but unscheduled, and which merit preservation in situ. Where a Class II or Class III archaeological area is adversely affected by a development proposal, it is important that an archaeological evaluation is undertaken to assist in determining the importance of the archaeological remains and the appropriate course of action. Therefore:</p>	<p>“Archaeological Area Class 1 <del>11 and 111</del></p> <p>Policy BH18</p> <p>DEVELOPMENT WHICH ADVERSELY AFFECTS CLASS 1 <del>11 and 111</del> ARCHAEOLOGICAL AREAS OR OTHER NATIONALLY - IMPORTANT REMAINS AND THEIR SETTING WILL NOT BE PERMITTED</p> <p>10.70 Class I areas are sites and landscapes of national importance which are protected as Scheduled Ancient Monuments under the terms of the Ancient Monuments and Archaeological Areas Act 1979.</p> <p>Archaeological Areas Class 11 And Class 111</p> <p>10.71 Class 11 areas are sites and landscapes which are regionally important <del>or of national importance</del> but unscheduled, and which merit preservation in situ. <b><i>Class 111 areas are sites registered in the County Sites and Monuments Records as containing or likely to contain remains of archaeological importance. The locations and extent of all Archaeological Areas are shown on the County Sites and Monuments Record.</i></b> Where a Class II or Class III archaeological area is</p>	<p>For the reasons set out in the Inspector’s report and incorporating Policy BH 18 Para.10.70 and Para 10.71 linking to Policy BH19 as drafted on page 22 of the Council’s proposed Pre Inquiry Changes, dated January 2003. Republishing the modification and statement of reasons due to error in list of modifications published January 2005.</p>

**LIST OF FURTHER MODIFICATIONS**  
**UDP –Policy Framework Chapter 10 Built Heritage & The Historic Environment**

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) Post inquiry Modifications (January 2005) <i>(whichever is the latest approved by Council)</i>	Proposed Further Modification	Reason for Modification
	<p>Policy BH19            WHERE PROPOSALS MAY ADVERSLY AFFECT CLASS 11 AND CLASS 111 ARCHAEOLOGICAL AREAS, DEVELOPERS WILL BE REQUIRED TO PROVIDE AN INDEPENDENT ARCHAEOLOGICAL EVALUATION WHICH WILL ASSIST IN DETERMINING WHETHER:</p> <p>(1) THE SITE MERITS PRESERVATION INSITU: OR            (2) THE SITE MERITS PRESERVATION BY RECORD; OR            (3) NO ACTION IS NECESSARY</p> <p>WHERE (2) APPLIES:</p> <p>(a) DEVELOPERS MUST DEMONSTRATE IN WRITING THAT ADEQUATE PROVISION WILL BE MADE FOR AN APPROPRIATE LEVEL OF INVESTIGATION.</p> <p>(b) DEVELOPMENT WHICH COULD RESULT IN THE UNRECORDED LOSS OF THE ARCHAEOLOGICAL REMAINS WILL NOT BE PERMITTED.</p> <p>10.72 Class II and Class III Archaeological Areas are sites and landscapes identified within the holdings of the County Sites and Monuments Record which are of Local or Regional importance or are Unscheduled areas of National importance. Archaeological significance is not confined solely to below-ground</p>	<p>adversely affected by a development proposal, it is important that an archaeological evaluation is undertaken to assist in determining the importance of the archaeological remains and the appropriate course of action. Therefore:</p> <p>Policy BH19            WHERE PROPOSALS MAY ADVERSLY AFFECT CLASS 11 AND CLASS 111 ARCHAEOLOGICAL AREAS, DEVELOPERS WILL BE REQUIRED TO PROVIDE AN INDEPENDENT ARCHAEOLOGICAL EVALUATION WHICH WILL ASSIST IN DETERMINING WHETHER:            ADVERSELY</p> <p>(1) THE SITE MERITS PRESERVATION INSITU: OR            (2) THE SITE MERITS PRESERVATION BY RECORD; OR            (3) NO ACTION IS NECESSARY</p> <p>WHERE (2) APPLIES:</p> <p>(a) DEVELOPERS MUST DEMONSTRATE IN WRITING THAT ADEQUATE PROVISION WILL BE MADE FOR AN APPROPRIATE LEVEL OF INVESTIGATION.</p> <p>(b) DEVELOPMENT WHICH COULD RESULT IN THE UNRECORDED LOSS OF THE ARCHAEOLOGICAL REMAINS</p>	

**LIST OF FURTHER MODIFICATIONS**  
**UDP –Policy Framework Chapter 10 Built Heritage & The Historic Environment**

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) Post inquiry Modifications (January 2005) <i>(whichever is the latest approved by Council)</i>	Proposed Further Modification	Reason for Modification
	<p>remains but may be also assigned to any or all structures on a site.</p> <p>10.73 In the case of (a) above, the Council in conjunction with the West Yorkshire Archaeology Service will determine the appropriate provisions necessary for a complete archaeological investigation to be made and the means of securing such record.”</p>	<p>WILL NOT BE PERMITTED.</p> <p>10.72 Class II and Class III Archaeological Areas are sites and landscapes identified within the holdings of the County Sites and Monuments Record which are of Local or Regional importance or are Unscheduled areas of National importance. Archaeological significance is not confined solely to below-ground remains but may be also assigned to any or all structures on a site.</p> <p>10.73 In the case of (a) above, the Council in conjunction with the West Yorkshire Archaeology Service will determine the appropriate provisions necessary for a complete archaeological investigation to be made and the means of securing such record.”</p>	

## LIST OF FURTHER MODIFICATIONS

### UDP – Policy Framework Chapter 11 Community Facilities

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) Post inquiry Modifications (January 2005) ( <i>whichever is the latest approved by Council</i> )	Proposed Further Modification	Reason for Modification
<p><b>Mod</b> - FMOD/PF/CF/3</p> <p><b>UDP</b> – POM/DW/CR/67/1 Policy CF5 Protection of Rural Shops and Community Facilities</p> <p><b>IR</b> – Policy Framework Volume Page 107 / Para. 7.62</p>	<p>“POLICY CF5</p> <p>OUTSIDE THE TOWNS AND RURAL SERVICE CENTRES (KEIGHLEY, BINGLEY AND ILKLEY) PROPOSALS WHICH, THROUGH CONVERSION OR REDEVELOPMENT, WOULD RESULT IN THE LOSS OF A COMMUNITY FACILITY (VILLAGE SHOPS, POST OFFICES, PUBLIC HOUSES, DOCTORS/DENTISTS SURGERIES AND VILLAGE HALLS) WILL ONLY BE PERMITTED WHERE IT CAN BE DEMONSTRATED THAT:</p> <p style="margin-left: 40px;">(i) THE FACILITY IS NO LONGER FINANCIALLY VIABLE; OR</p> <p style="margin-left: 40px;">(ii) THERE IS NO SIGNIFICANT DEMAND FOR THE FACILITY; OR</p> <p style="margin-left: 40px;">(iii) EQUIVALENT SERVICE / FACILITIES IN TERMS OF THEIR NATURE AND ACCESSIBILITY ARE AVAILABLE OR WOULD BE MADE AVAILABLE NEARBY.”</p>	<p>“POLICY CF5</p> <p>OUTSIDE THE <del>TOWNS AND RURAL SERVICE CENTRES (KEIGHLEY, BINGLEY AND ILKLEY)</del> <b>URBAN AREAS OF BRADFORD, SHIPLEY, BAILDON, AND THE RURAL SERVICE CENTRES OF KEIGHLEY, BINGLEY, QUEENSBURY AND ILKLEY</b> PROPOSALS WHICH, THROUGH CONVERSION OR REDEVELOPMENT, WOULD RESULT IN THE LOSS OF A COMMUNITY FACILITY (VILLAGE SHOPS, POST OFFICES, PUBLIC HOUSES, DOCTORS/DENTISTS SURGERIES AND VILLAGE HALLS) WILL ONLY BE PERMITTED WHERE IT CAN BE DEMONSTRATED THAT:</p> <p style="margin-left: 40px;">(i) THE FACILITY IS NO LONGER FINANCIALLY VIABLE; OR</p> <p style="margin-left: 40px;">(ii) THERE IS NO SIGNIFICANT DEMAND FOR THE FACILITY; OR</p> <p style="margin-left: 40px;">(iii) EQUIVALENT SERVICE / FACILITIES IN TERMS OF THEIR NATURE AND ACCESSIBILITY ARE AVAILABLE OR WOULD BE MADE AVAILABLE NEARBY.”</p>	<p>To clarify where the policy applies through defining the urban areas where it doesn't apply. To be based on the hierarchy of settlements set out in paragraph 8.32b of the rUDP as modified which defines the main urban areas where such a policy in the context of the Inspectors reasoning should not apply. The hierarchy defines the urban areas as Bradford, Shipley, Baildon, Bingley, Keighley, Ilkley and Queensbury.</p>

**LIST OF FURTHER MODIFICATIONS**  
**UDP –Bradford South Chapter 5 Economy & Employment**

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) Post inquiry Modifications (January 2005) <i>(whichever is the latest approved by Council)</i>	Proposed Further Modification	Reason for Modification
<p><b>FMOD-</b> FMOD/BS/E/4</p> <p><b>UDP –</b> SOM/BS/H1/149 (part of site BS/E1.9)</p> <p><b>Site –</b> Black Dyke Mills, Queensbury</p> <p><b>IR –</b> Bradford South Proposals volume Pages 35-36</p>	<p>“BS/E1.9 BLACK DYKE MILLS, BRIGHOUSE ROAD, QUEENSBURY 2.39</p> <p>Existing site reduced in size following the Inspectors report into the Replacement Plan. The site is greenfield and slopes toward the mill buildings. Access should be taken from a new junction with Brighthouse Road, which should be sufficient to serve new housing land designations on adjacent land to the west. (See BS/H1.43 and BS/H1.44)”</p>	<p>A) The text change to be made to the Bradford South Proposals Report to amend site area.</p> <p>b) The following changes be made to the Bradford South proposals map (see map FMOD/BS/E/4):</p> <ul style="list-style-type: none"> <li>• Reduce extent of BS/E1.9 designation.</li> </ul>	<p>Further modification to remove area granted permission for housing.</p>

**INSPECTORS REPORT – STATEMENT OF DECISIONS**  
**UDP – Bradford West Chapter 13 Green Belt**

SD Ref UDP – Case Ref IR – Page No.	Inspector’s Recommendation	CBMDC Decision and Reasons	Mod Ref
<p><b>SD - SD/BW/GB/11</b></p> <p><b>UDP –</b> SOM/BW/GB1/288 SOM/BW/H1/288</p> <p><b>SITE -</b> Ashwell Farm, Heaton, Bradford</p> <p><b>IR –</b> Bradford West Proposals volume pages 21-22</p>	<p>I recommend that the RDDP be modified by the deletion of the Green Belt designation from the site and its allocation for housing under Policy H2.</p>	<p><b>Decision :</b> Accept</p> <p><b>Reasons:</b> PPG2 states that boundaries should only be altered in exceptional circumstances where those circumstances necessitate a revision. The Inspector does not set out what are the exceptional circumstances which justify the deletion of this site from the Green Belt. The following however, is an example of the Inspector’s proper explanation of the exceptional circumstances for removing land from the green belt which can also be applied to this site: At paragraph 6.38 (Inspector’s report for the Bradford South constituency), the Inspector considers there to be insufficient land for housing and safeguarded land, as a result of decisions on other sites and limited opportunities within the urban area.</p> <p>The site is on the edge of the urban area and the Inspector concludes that the contribution of the site to the purposes of the Green Belt is not significant. The Council consider that the justification for releasing land from the green belt to fulfil the housing requirement does constitute an exceptional circumstance and that the site is required to make up the anticipated shortfall of phase 2 housing allocations generated as a result of other recommendations.</p> <p>It is recognised that the Inspector does not explicitly set out his conclusions on green belt purposes with regards to the site. However, in paragraph 6.76 of the Bradford West volume of his report, when considering this site, the Inspector notes that the site is surrounded on three sides by urban, although partly open, land uses and describes the land immediately to the north of the site, together with other land to the north as providing important separation of Bradford and Shipley. It is clear from that reasoning that the Inspector did not consider that the site itself performs any separating function. Further, it is implicit in paragraph 6.77 that the Inspector does not consider that the site, fulfils the green belt purposes through the description and his recognition of the site as a vacant site within the urban area. This shows that the Inspector did form a conclusion as to the sites green belt functions.</p> <p>The Inspector in determining the case considered in full all the evidence submitted to the inquiry. The role of the site in contributing to the five purposes of green belt was fully set out in both the evidence of the Council in rebutting the objector’s proposal to remove the site from Green belt and that of the objector in support of its removal. The way in which the Inspector expressed his reasoning shows that he agreed with the objector that the site did not perform a green belt purpose.</p>	<p>FMOD/ BW/GB/7</p>



**INSPECTORS REPORT – STATEMENT OF DECISIONS**  
**UDP – Bradford West Chapter 13 Green Belt**

SD Ref UDP – Case Ref IR – Page No.	Inspector's Recommendation	CBMDC Decision and Reasons	Mod Ref
		<p>The Inspector properly considered the basis on which the site should be allocated in phase 2, which the Council accepted. The Inspector relies on three factors: its green field status, the fact that it is on the edge of the urban area and the access constraint. The first two are sufficient to allocate it in phase 2. There is no policy requirement that a phase 2 site should be capable of development immediately. If the site is to be held back until a given time period, it is material, in the Council's view, to take into account constraints which prevent development immediately.</p> <p>For these reasons the Council accept that there are exceptional circumstances to justify removing this land from the Green Belt and allocating it for housing under Policy H2.</p>	

## LIST OF FURTHER MODIFICATIONS UDP – Bradford West Chapter 13 Green Belt

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) Post inquiry Modifications (January 2005) <i>(whichever is the latest approved by Council)</i>	Proposed Further Modification	Reason for Modification
<p><b>FMOD -</b> FMOD/BW/GB/7</p> <p><b>UDP –</b> SOM/BW/GB1/288 SOM/BW/H1/288 SOM/BW/GB1/288</p> <p><b>SITE -</b> Ashwell Farm, Heaton, Bradford</p> <p><b>IR –</b> Bradford West Proposals Volume pages 21-22</p>	None	<p>A) The following entry to be made under policy H2 of the Bradford west proposals report:</p> <p><b><i>“BW/H2.11 LAND AT ASHWELL FARM, HEATON 0.86</i></b></p> <p><b><i>New Greenfield site on the edge of the urban area, identified following the receipt of the Inspectors report into the Replacement Plan. Structural landscaping to be planted along the northern boundary to allow the development site to be integrated into neighbouring woodland.”</i></b></p> <p>B) The following changes to be made to the Bradford west proposals (See map MOD/BW/GB/7):</p> <ul style="list-style-type: none"> <li>• Delete green belt notation from the site</li> <li>• Identify the site as a phase 2 housing site with the reference H2.11</li> <li>• Correct anomaly created in the revised Green Belt boundary by the deletion of an additional small area of land adjacent to the proposal</li> </ul>	<p>PPG2 states that boundaries should only be altered in exceptional circumstances where those circumstances necessitate a revision. The Inspector does not set out what are the exceptional circumstances, which justify the deletion of this site from the Green Belt. The following however, is an example of the Inspector’s proper explanation of the exceptional circumstances for removing land from the green belt which can also be applied to this site: At paragraph 6.38 (Inspector’s report for the Bradford South constituency), the Inspector considers there to be insufficient land for housing and safeguarded land, as a result of decisions on other sites and limited opportunities within the urban area.</p> <p>The site is on the edge of the urban area and the Inspector concludes that the contribution of the site to the purposes of the Green Belt is not significant. The Council consider that the justification for releasing land from the green belt to fulfil the housing requirement does constitute an exceptional circumstance and that the site is required to make up the anticipated shortfall of phase 2 housing allocations generated as a result of other recommendations.</p> <p>It is recognised that the Inspector does not explicitly set out his conclusions on green belt purposes with regards to the site. However, in paragraph 6.76 of the Bradford West volume of his report, when considering this site, the Inspector notes that the site is surrounded on three sides by urban, although partly open, land uses and describes the land immediately to the north of the site, together with other land to the north as providing important separation of Bradford and Shipley. It is clear from that reasoning that the Inspector did not consider that the site itself performs any separating function. Further, it is implicit in paragraph 6.77 that the Inspector does not consider that the site, fulfills the green belt purposes through the description and his recognition of the site as a vacant site within the urban area. This shows that the Inspector did form a conclusion as to the sites green belt functions.</p> <p>The Inspector in determining the case considered in full all the evidence submitted to the inquiry. The role of the site in contributing to the five purposes of green belt was fully set out in both the evidence of</p>

**LIST OF FURTHER MODIFICATIONS**  
**UDP – Bradford West Chapter 13 Green Belt**

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) Post inquiry Modifications (January 2005) <i>(whichever is the latest approved by Council)</i>	Proposed Further Modification	Reason for Modification
			<p>the Council in rebutting the objector's proposal to remove the site from Green belt and that of the objector n support of its removal. The way in which the Inspector expressed his reasoning shows that he agreed with the objector that the site did not perform a green belt purpose.</p> <p>The Inspector properly considered the basis on which the site should be allocated in phase 2, which the Council accepted. The Inspector relies on three factors: its green field status, the fact that it is on the edge of the urban area and the access constraint. The first two are sufficient to allocate it in phase 2. There is no policy requirement that a phase 2 site should be capable of development immediately. If the site is to be held back until a given time period, it is material, in the Council's view, to take into account constraints which prevent development immediately.</p> <p>For these reasons the Council accept that there are exceptional circumstances to justify removing this land from the Green Belt and allocating it for housing under Policy H2.</p>

## LIST OF FURTHER MODIFICATIONS UDP – keighley Chapter 6 Housing

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) Post inquiry Modifications (January 2005) <i>(whichever is the latest approved by Council)</i>	Proposed Modification	Reason for Modification
<p><b>FMod -</b> FMOD/K/UR/7</p> <p><b>UDP -</b> K/UR5.25: (formerly K/H2.22) SOM/K/GB1/35 &amp; SOM/K/H1/35</p> <p><b>Site -</b> Shann Lane, Black Hill, Keighley</p> <p><b>IR –</b> Keighley Proposals volume, Page 30, 78 &amp; 127- 129</p>	<p>"H2.22 SHANN LANE, BLACK HILL, KEIGHLEY</p> <p>Site carried forward from the adopted UDP. Greenfield site within the urban form. Highway investment, as Shann Lane is narrow with poor junction alignments, is required."</p>	<p>H2.22 SHANN LANE, BLACK HILL, KEIGHLEY</p> <p>Site carried forward from the adopted UDP. Greenfield site within the urban form. <del>Highway investment, as Shann Lane is narrow with poor junction alignments, is required.</del> <b>Highway investment is required as Shann Lane is narrow with poor junction alignments, at Spring Gardens Lane ."</b></p>	<p>For the reasons set out in Appendix A to the 14 June Executive report with regards to MOD/K/UR/7. To provide clarity.</p>

**LIST OF FURTHER MODIFICATIONS**  
**UDP –Keighley Chapter 16 Pollution Hazards & Waste**

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) Post inquiry Modifications (January 2005) <i>(whichever is the latest approved by Council)</i>	Proposed Further Modification	Reason for Modification
<b>FMOD</b> FMOD/K/P/2  <b>UDP</b> – Policy P13 Active Landfill Site  <b>Site</b> – Blackmoor Farm Blackmoor Road, Oxenhope.  <b>IR</b> – Policy Framework page 210.		A) The following changes be made to the keighley proposals map (see map FMOD/K/P/2): <ul style="list-style-type: none"> <li>• Delete incorrect site and designate correct site.</li> </ul> No change to text required	Wrong site identified in the proposed modifications published January 2005. Further modification to correct error to identify correct site.

**LIST OF FURTHER MODIFICATIONS**  
**UDP –Shipley Chapter 12 Open Land In Settlements**

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) ( <i>whichever is the latest approved by Council</i> )	Proposed Further Modification	Reason for Modification
<b>FMOD</b> FMOD/S/H/3  <b>UDP</b> – Shipley Proposals volume  <b>Site</b> – Crow Nest, Bingley  <b>IR</b> – Shipley Proposals volume pages 112-113		A) The following changes be made to the Shipley Proposals Map (see map FMOD/S/H/3): <ul style="list-style-type: none"> <li>• Delete private gardens from designation</li> </ul> No change to text required	Amend site to remove private gardens, which are not appropriate to include in an open space designation.