

A Planning Considerations

B Glossary

Appendices

7.00 Appendix A

7.01 The use of and development of land is controlled by the planning system. The system is regulated and controlled at a local level by the Local Planning Authority – in this case Bradford Council. In order for planning applications for development proposals to be considered acceptable, proposals should broadly comply with National, Regional and Local Planning Policies.

7.02 In preparing a planning framework for the site, development options must respect the requirements of the RUDP as well as National Planning Guidance. The following policies and plans therefore form the starting point in establishing the guiding principles for development upon the sites, as any new development must contribute in a positive manner towards securing policy objectives.

National Planning Guidance

7.03 Planning Policy Statement 1 – Delivering Sustainable Development
This statement sets out the Government's overarching policy objectives on the delivery of sustainable development through the planning system. It emphasises the need on Local Planning Authorities to integrate and promote the key themes of sustainable development, economic development, social inclusion, environmental protection and the prudent use of natural resources. There is also an emphasis on community involvement in planning and the promotion of a planning system that is transparent, accessible and accountable and which promotes effective public participation.

7.04 Planning Policy Statement 3 – Housing
This note emphasises the Government's commitment to encouraging more sustainable patterns of development and the better use of previously developed land. New development should be built at minimum densities of 30

– 50 dwellings per hectare (dph) net except within the city and town centres and in good quality public transport corridors where densities of 50 dph plus are expected. The guidance introduces the sequential approach to site selection for housing. New housing and residential environments should be well designed and should make a positive contribution to promoting urban renaissance and improving the quality of life.

7.05 Planning Policy Guidance Note 13 – Transport
This note sets out the Government's objectives towards integrating planning and transport at the national, regional, strategic and local level and to promote more sustainable transport choices. Developments should seek to increase accessibility to jobs, shopping and leisure facilities by public transport, walking and cycling and to reduce the need to travel, especially by car.

7.06 Planning Policy Guidance Note 15 – Planning and the Historic Environment
This note provides a full statement of Government policies for the identification and protection of historic buildings, conservation areas and other elements of the historic environment.

7.07 Planning Policy Statement 25 (PPS25) – This sets out Government policy on development and flood risk. It's aims are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe, without increasing flood risk elsewhere, and, where possible, reducing flood risk overall.

7.08 Planning Policy Statement 9 (PPS9) – This sets out planning policies on protection of biodiversity and geological conservation through the planning system.

7.09 Regional Planning Policies are currently compatible with and complement national planning guidance.

7.10 Local Planning Guidance as set out in the Replacement Unitary Development Plan

7.11 There are many policies in the RUDP that are relevant in working up a planning framework for the site. A number of policies are fairly strategic and others are much more detailed. The following policies are considered to be strategic policies with general applications:-

7.12 UDP1 – Promoting Sustainable Patterns of Development
A policy which promotes the sustainable development of the District.

7.13 UDP3 – Quality of the Built and Natural Environment
A policy that requires the quality of both the natural and built environment to be maintained and where appropriate enhanced.

7.14 UDP5 – Needs of Communities in appropriate locations
A policy that looks at community provision to ensure that social provision such as health and education is made and to make provision to meet the district leisure and recreation needs including playing fields and children's play areas.

7.15 UDP7 – Reducing the need to Travel
A policy that aims to promote more sustainable transport choices and to reduce the need to travel especially by car. Improved accessibility should be promoted through enabling the use of public transport, cycling, walking and reducing the dependency on the private car.

7.16 UR2 – Promoting Sustainable Development
This policy is an overarching policy on Urban Renaissance that permits development whereby it would contribute to the social, economic and environmental aspects of sustainable development.

7.17 UR4 – The Sequential Approach to Accommodating Development
A policy that requires adopting a sequential approach to accommodating new development.



a Dicks Garth Road
b Derry Hill - North



- 7.18 H2 – Phase 2 Housing Sites
A policy that looks at when such sites should be released for housing development. This policy has no implications in working up development options for the sites but is relevant when justifying why the site has been allocated as Phase 2, what it actually means and what exceptions to policy may be.
- 7.19 H3 – Monitoring the Supply
A policy that would be relevant in justifying the timing of the release of Derry Hill and Bingley Road for housing. It advises on the necessity for the Council to produce an Annual Monitoring Report analysing the number of dwellings with consent, under construction or completed when assessed against the number of dwellings required over the plan period. This policy has no implications in working up development options for the sites.
- 7.20 The strategic policies as identified above are complemented by more detailed policies. These detailed policies are identified below:-
- 7.21 D1 – General Design Considerations
A fundamental ‘development control’ policy which expects all development proposals to make a positive contribution to the environment and quality of life through high quality design, layout and landscaping. New development should:-
- Be well related to the existing character of the locality in terms of design, scale, massing, height and materials;
 - Provide a quality setting for the development;
 - Retain and where appropriate enhance important ecological and landscape features;
 - Not intrude onto prominent skylines;
 - Relate to existing natural and built features, landmarks or views that contribute to the area;
 - Incorporate adequate design arrangements for servicing, waste handling, recycling and storage;
 - Allow for flexibility to adapt to meet changing needs and circumstances and provide for access for those with physical disabilities;
 - Not harm the amenity of prospective or existing users and residents.
- 7.22 Development options for the site will need to respond to the local context where appropriate. The presentation boards show a number of ‘options’ whereby different densities may be developed in different areas having regard to characteristics of the area. The provision of green space and landscaping areas is also very important in maintaining an appropriate relationship between the new developments and the countryside.
- 7.23 H7 – Housing Density
A policy that is consistent with the requirements of PPG3 advocating development at minimum densities of 30 – 50 dwellings per hectare net. The Inspector arrived at a ball park figure of up to 300 dwellings for the Bingley Road site (46.15 dph) and up to 150 dwellings for the Derry Hill site (27.83 dph).
- 7.24 Any new development must therefore be in accordance with national and local planning guidance unless extenuating circumstances are identified. It may be possible to achieve these densities through a mixture of dwelling types and numbers.
- 7.25 H9 – Affordable Housing
A policy that sets out the affordable housing requirements for different housing market areas within the Bradford District. Menston is within the Wharfedale Housing Market Area where there is a requirement for 40% of new dwellings in substantial residential schemes developments. Affordable units must be appropriately integrated within development schemes to ensure they are of a similar style and quality to open market dwellings to promote social inclusion.
- 7.26 D5 – Landscaping and NE3 and NE3 A and NE4 – Landscape Character Areas
These policies that requires development proposals to be designed so that important existing and new landscape features are incorporated as an integral part of the proposal. New development must:-
- Conserve and integrate existing natural features,
 - Use new landscaping features such as planting, shelter belts, green wedges and green corridors to integrate development with the wider landscape,
 - Integrate new and existing development at the boundaries through the continuity of landscape
 - Create areas of habitat value from additional planting rather than purely decorative planting
- 7.27 This policy is very important given the proximity of the sites to the Green Belt and countryside. The developments should look like an organic extension to the village and not just ‘bolted on’ to the existing settlement. This could be achieved by way of retaining existing hard and soft landscaping and supplementing them where appropriate.
- 7.28 UR6 – Planning Obligations and Conditions
The Council will seek to impose conditions or require obligations (known as S106 legal agreements) where development proposals would not be acceptable without the provision of physical infrastructure, the mitigation of adverse environmental impacts and or the enhancement of the environment and social infrastructure.
- 7.29 The requirement for such obligations must arise from a clear need as a result of proposed developments. The Council also has the discretion to either reduce the number of obligations required or the level of contribution required in special circumstances where significant abnormal costs may be incurred in bringing a site forward for development.
- 7.30 Other legal agreements can be secured with the developer in relation to works to the public highway (known as S278 legal agreements) and these may include junction remodelling to incorporate roundabouts, improved or new street lighting, traffic signals etc.



a Hargrave Crescent
b Derry Lane

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- 7.32 Other legal agreements can be secured with the developer in relation to works to the public highway (known as s278 legal agreements) and these may include junction remodelling to incorporate roundabouts, improved or new street lighting, traffic signals etc.
- 7.33 TM1 – Transport Assessment and TM2 – Traffic and its Mitigation
These policies are very important when looking at the resultant impact the development either of these sites, in isolation or cumulatively may have on the free flow of traffic within the village. Traffic issues are considered in more detail in a separate presentation board.
- 7.34 TM12 – Parking Standards for Residential Development
Current guidelines require 1.5 spaces per dwelling to be incorporated into new residential schemes. Lower car parking standards may be applied to affordable units.
- 7.35 OS5 – Provision of Recreation Open Space and Playing Fields in new development
New residential development will be required to make appropriate provision of or equivalent commuted payment for recreation open space, including children's play space and informal open space and playing fields. Provision is expected to be made within the site however where this is inappropriate, off site provision or improvements to existing local provision can be suitable alternatives. Developers will be expected to make arrangements for adequate maintenance of any new provision.

- 7.36 CF2 – Education Contributions in New Residential Development. A policy which requires developers to provide a commuted sum to the Local Authority in order to secure the provision of, or contribution towards, new or extended school facilities in circumstances where new residential development would result in an increased demand for educational facilities which cannot be met by existing provision.
- 7.37 CF7A – Built Facilities for Community Sport and Recreation
Where major development proposals would result in an increased demand for built recreational facilities which cannot be met by existing facilities, a developer may be required to secure the provision of or contribution towards new or extended facilities.
- 7.38 D2 – Energy Efficiency and Sustainable Design
Development opportunities are expected to maximise opportunities to conserve energy and water resources through the layout and design of development. Development options will need to embrace the objectives of the Council's Sustainable Design Guide.
- 7.39 D4 – Crime Prevention through Improved Design
This would be integral to the overall detailed design of any development.

- 7.40 Other considerations which developers should be aware of:

Environmental Impact Assessment
Potential developers should approach the Local Planning Authority at an early stage for a screening opinion to establish if an Environmental Impact Assessment will be required. The request for a screening opinion should include a plan, a description of the nature and purpose of the proposal including its possible environmental effect, giving a broad indication of their likely scale.
- 7.41 **Residential Development on Greenfield Land**
Paragraph 39 of Planning Policy Guidance Note 3: Housing advises that the Secretary of State should be notified of proposals which in themselves or as part of a wider but contiguous allocation for housing relate to a site of 5 hectares or more of greenfield land, or comprise 150 dwellings or more regardless of the size of the site, and which the Local Planning Authority resolve to approve. The notification requirements set out in the Town and Country Planning (Residential Development on Greenfield Land) (England) Direction 2000, provide the Secretary of State with an opportunity to check general compliance with the guidance set out in PPG3 and to consider whether an application should be called in for his own determination.



a Wall
b Walker Road



Appendix B

Affordable Housing – Low cost market and subsidised housing (irrespective of tenure, ownership – whether exclusive or shared – or financial arrangements) that will be available to people who cannot afford to rent or buy houses generally available on the open market.

Amenity – Any physical, social, recreational or cultural feature of an area which contributes to the quality of life of its inhabitants

Allocation – The land use assigned to a parcel of land in the Development Plan.

Building Regulations – A set of national standards set by Government to ensure buildings are constructed in a safe manner. New building work and most refurbishment requires a Building Regulations consent from the Local Authority.

Circular – Government advice which clarifies and explains matter of both Law and Policy.

Commuted Sum – A financial payment made by a developer, under a planning obligation, to a Local Authority, to provide or contribute to the provision of, facilities that are needed as an essential part of the development and necessary for the granting of planning permission. For example payments to provide recreation provision.

Conservation Area – An area of special architectural or historic interest designated by the Council under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 where development is controlled more tightly in order to preserve or enhance their special character and qualities.

Development Boundary – The boundary drawn around a settlement or development area outside of which countryside policies apply.

Development Brief – A set of guidelines usually produced by the Local Planning Authority to advise would be developers on how to satisfactorily develop a particular site; includes advice on such matters as means of access landscaping, use of materials on buildings to be put on the site etc.

Development Control – The process of determining applications for planning permission. It is carried out by the Council in order to ensure appropriate use of land and buildings in the context of legislation Government guidance and the Development Plan.

Development Plan – Statutory document(s) (including written text and maps) produced by Regional Assemblies and Local Planning Authorities which set down policies and proposals for the development and other use of land in their area. The Regional Spatial Strategy for Yorkshire and the Humber and the Replacement Unitary Development Plan comprise the Development Plan for Bradford District.

Development Proposal – Development activities such as the construction of new buildings, demolition of buildings (in certain cases), making changes to the use of buildings or land, the alteration or demolition of listed buildings, demolition of buildings within Conservation Areas, display of advertisements where the proposal is subject of planning permission.

Environmental Assessment – A written statement the Local Planning Authority may require (although it is mandatory in some cases) from planning applicants setting out in detail the effect that a proposed new development where significant effects on the environment are likely.

Green Belt – An area of open land defined in the Plan in accordance with Government guidance where strict controls on development are applied in order to check the unrestricted sprawl of large built up areas, safeguard the countryside from encroachment, prevent neighbouring towns from merging into one another, preserve the special character of historic towns, and assist in urban regeneration.

Local Development Framework – Unitary Development Plans (UDPs) and Supplementary Planning Guidance (SPGs) will be replaced by a range of documents that will form the Bradford District Local Development Framework (LDF). The LDF will be made up of different types of planning document known as Local Development Documents (LDDs) which will include Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs), and will set out the guidelines for spatial development in the Bradford District in conformity with the Regional Spatial Strategy.

Local Development Scheme – The timetable for producing the documents is set out in the Local Development Scheme (LDS), which sets out the details for producing, monitoring and reviewing Local Development Documents.

Local Planning Authority – The body responsible for carrying out the statutory and discretionary planning functions of the District – for Bradford District, the City of Bradford Metropolitan Council.

Material Consideration – Factors that have to be taken into account when determining planning applications. To be 'material' they must fairly and reasonably relate to the application being considered. E.g. the quality of the access road to a site.

Metro – See West Yorkshire Passenger Transport Executive.

National Playing Fields Association – A national voluntary organisation which campaigns for the provision and protection of playing fields, public open space, and children's play space.

Planning Conditions – Planning permission for development may be conditional on other work or undertaking being carried out by the developer, provided they are reasonable and justifiable in planning terms.

Planning Frameworks – similar to development briefs but typically covering a wide area and setting out planning policy for that area as a non-statutory plan for the purposes of guidance for the public and developers. Will usually become Supplementary Planning Guidance.

Planning Obligations/Legal Agreement – A legally binding agreement between the Local Planning Authority and an interested party under various legislation (e.g. Section 106 of the Town and Country Planning Act 1990) by which the developer may carry out works, or agree to certain conditions covering matters which are outside the scope of a normal planning permission and which may also include offsite works.

Planning Permission – The prior, written consent of the Local Planning Authority which all development, except permitted development, must have before commencements and which may expire within a certain time period.

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS) – Guidance issued by the Department of Local Government and the Regions which further explains what is set down in the Planning Acts and explains Government policy in the context of the Acts. Being updated and replaced by Planning Policy Statements.

Proposals Map – Maps showing the detailed land use proposals in a Development Plan on an Ordnance Survey base map. eg shows areas of protection; sites for housing, employment and other land uses. An obligatory part of the UDP.

Proposals Reports – Written statements providing additional details and justification on the UDP proposals shown on the Proposals Maps.

Recreation Open Space – Open spaces within the built up areas which are defined in the Plan and are protected because of their importance for informal recreational use (e.g. parks and recreation grounds).

Registered Social Landlords – independent housing organisations registered with the Housing Corporation under the Housing Act 1996. Most are housing associations, but there are also trusts, co-operatives and companies.

Sequential Approach – A means of site selection for types of development. Housing sites are encouraged to locate on previously developed land in urban settings in the first instance rather than greenfield sites although exceptions can apply.

Statement of Community Involvement (SCI) – The SCI is the Council's statement on how the local community, stakeholders and other interested parties will be consulted on:

a) The portfolio of documents that make up the Local Development Framework. The Local development Framework is the new name for the development plan that will cover the District ultimately replacing the Replacement Unitary Development Plan.

b) All planning applications

Supplementary Planning Guidance/Supplementary Planning Documents – These are non statutory documents issued by the Local Planning Authority in order to provide detailed guidance for applicants in relation to specific policies and proposals of a development plan. They can take the form of development briefs and design guides, and may be a material consideration in determining planning applications. They do not carry the same weight of a policy or proposal contained within a development plan.

Sustainability Appraisal (SA) – Sustainability Appraisal is an iterative process that identifies and reports on the likely significant effects of the plan and the extent to which implementation of the plan will achieve the social, environmental and economic objectives by which sustainable development can be defined. Sustainability Appraisal aims to promote better integration of sustainability objectives in the preparation and adoption of local development documents.

Sustainable Development – The principle of stewardship and responsibility in the use and management of resources and achieving a balance between economic growth and technological developments and environmental considerations. Sustainable Development is defined as:-

“Development which meets the needs of the present without compromising the ability of future generations to meet their own needs”. This means that the sum total of decisions in the planning field should not deny future generations the best of today's environment.

Sustainable Urban Drainage System (SUDS) – A type of drainage system that uses vegetation (via landscaping within the development) to absorb rain water.

Travel Plan – A plan of local transport proposals usually concentrated on a specific land use. The general aim of travel plans or green travel plans is to encourage sustainable transport use.

West Yorkshire Passenger Transport Executive – The professional transport co-ordinating body which implements the policies of the Passenger Transport Authority (a political body consisting of members nominated from the 5 Metropolitan District Councils). Policies include subsidising non-commercial bus services and working in conjunction with the train operating companies to provide the local rail service.