

Report of the Assistant Director of Planning to the meeting of Shipley Area Planning Panel to be held on 23 July 2009

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Subject:

The Panel are asked to consider the recommendation made by the Assistant Director to approve a framework brief to guide development for the Sty Lane development site (S/H2.10 of the Proposals Statement for Shipley Constituency :Replacement Unitary Development Plan 2005).

Summary statement:

The site has been allocated as a 'Phase 2' housing site in the Councils Replacement Unitary Development Plan. This means that the site has been considered suitable for release for housing development from 2009 onwards. The Inspectors comments on this site are that a development brief was to be prepared to address the identified issued as well as ensuring that the site was developed in a comprehensive manner.

It is considered that many of the issues related to this site can be adequately and appropriately addressed through comprehensive pre-application discussions between the applicant, key stakeholders (including key external organisations such as Metro, British Waterways, Natural England, Environment Agency etc.) and Council officers. These discussions would also include public consultations. As such, it is advised that a Development Team Approach (in accordance with the Statement of Community Involvement which was adopted in July 2008) should be pursued as the most appropriate way forward.

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**Improvement Area:
Regeneration and Economy**

1. **Summary**

- 1.1 The considerations of the report of the Assistant Director of Regeneration are attached as appendix A.
- 1.2 The Panel are asked to consider the recommendation made by the Assistant Director to approve a framework brief to guide development for the Sty Lane development site (S/H2.10 of the Proposals Statement for Shipley Constituency :Replacement Unitary Development Plan 2005).

2. **Background**

- 2.1 Attached at Appendix A is a copy of the development framework which identifies a proposed way forward for a comprehensive assessment of development issues on the phase 2 housing site.

3 **Other considerations**

- 3.1 None.

4. **Options**

- 4.1 The Shipley Area Planning Panel has the options of:
 - i) Accepting the recommendation from the Assistant Strategic Director that the framework brief should be approved as a way forward to guide development on the site and recommending accordingly to the Appeals and Regulatory Committee
 - ii) Refuse to accept discussions and consultations in the form of a framework document for reasons to be given by this Committee and recommending accordingly to the Appeals and Regulatory Committee.

5. **Financial and resource appraisal**

- 5.1 The processing of this framework has been undertaken within the normal budgetary considerations.

6. **Legal appraisal**

6.1 The acceptance of the framework proposal is within the Council's powers as Local Planning

7. **Other implications**

7.1 **Equal Rights**

There are no equal rights implications for the Council relevant to this application.

7.2 **Sustainability implications**

It is considered that the proposed development to be discussed within the framework pre-application process could make a positive contribution to the achievement of sustainable development. Sustainability issues will be addressed as part of the Environmental Statement which will be submitted as part of any application.

7.3 **Community safety implications**

There are no community safety implications for the Council relevant to this application.

7.4 **Human Rights Act**

Articles 6 and 8 and Article 1 of the first protocol all apply (European Convention on Human Rights).

7.5 **Trade Union**

None.

8. **Not for publication documents**

8.1 None.

9. **Recommendations**

9.1 That the Shipley Area Planning Panel approve the 'Framework Document' as part of a strategy to guide the implementation of housing allocation (S/H2.10) which is located between Crossflatts and Bingley.

10. **Appendices**

Appendix A – Strategic Director, Regeneration’s Technical Report –
18th June 2009

11. **Background documents**

Replacement Unitary Development Plan for the Bradford District.
Proposals for the Shipley Constituency: Replacement Unitary
Development Plan

APPENDIX A

STY LANE FRAMEWORK DOCUMENT

THE WAY FORWARD

This document seeks to obtain approval from Members to pursue a 'Framework Brief' to guide the implementation of housing allocation (S/H2.10) which is located between Crossflatts and Bingley.

The site has been allocated as a 'Phase 2' housing site in the Councils Replacement Unitary Development Plan. This means that the site has been considered suitable for release for housing development from 2009 onwards. The Inspectors comments on this site are that it is a:

"large Greenfield site constituting an urban extension. Centrally located between Crossflatts and Bingley, the site is accessible to Crossflatts railway station and Bingley Town Centre. Constrained by the need for a bridge closure and canal diversion to obtain vehicular access. Combined public sewer and watercourse cross the site. Any development will need to be sympathetic to surrounding historic environment due to presence of listed buildings on site and proximity to Leeds-Liverpool Canal Conservation Area. Adjacent to the Leeds- Liverpool Canal SEGI development will need to ensure that it does not adversely affect the canal ecology. A grassland survey is required to establish if the site is of ecological value. Tree protected by TPO on site. A Development Brief to be prepared to address the above and any other issues as well as ensuring that the site is developed in a comprehensive manner"(officer underlining).

It is considered that many of the issues related to this site can be adequately and appropriately addressed through comprehensive pre-application discussions between the applicant, key stakeholders (including key external organisations such as Metro, British Waterways, Natural England, Environment Agency etc.) and Council officers. These discussions would also include public consultations. As such, it is advised that a Development Team Approach (in accordance with the Statement of Community Involvement which was adopted in July 2008) should be pursued as the most appropriate way forward.

Essentially, the Development Team Approach is one where the Council will encourage the developers to carry out early community consultations regarding their proposals prior to the submission of any formal major planning application. This will ensure that the community, local groups and councillors

can have an input to the formation of the development proposal at an early stage.

It is expected that the scheme will evolve as pre-application discussions within the Development Team and undertaken within a number of design workshops. Once the formal application is submitted, the applicant will be expected to submit, as part of the supporting information, a Statement of Consultation. This will clearly describe the extent of consultation, any outcomes and how the proposals have been amended to reflect outcomes from consultation with the community and officers. It is expected that the minutes of meetings and actions arising from the design workshops will be submitted with the Statement of Consultation. It must be recognised however that community concerns will not always be overcome through this consultation exercise. The Statement of Consultation will recognise this and provide a response as to why certain issues cannot be overcome.

As well as the Statement of Consultation, an application of this magnitude and sensitivity will be fully supported by:-

- Environmental Statement
- Affordable Housing Statement
- Air quality Assessment
- Biodiversity Survey and Report
- Design and Access Statement
- Flood Risk Assessment
- Foul Sewage and Utilities Assessment
- Heritage Statement
- Land Contamination Assessment
- Landscaping Details
- Noise Impact Assessment
- Open Space Assessment
- Parking Provision
- Planning Obligations – Draft heads of Terms
- Planning Statement
- Transport Assessment
- Travel Plan
- Tree Survey/Arboricultural Statement

Recommendation

It is considered that the above approach will address the issues raised by the Planning Inspector in the Replacement Unitary Development Plan and will provide a sound, robust and flexible basis upon which to determine any submitted application. As such, Members are requested to approve this framework brief as an appropriate way forward which will guide development in a comprehensive manner.