

Report of the Strategic Director of Corporate Resources to the meeting of the Executive to be held on 4th October 2022.

S

Subject:

Council owned land at Elliott Street, Silsden.

Summary statement:

This report is to consider the decision made by the Executive in July 2016 to dispose of the former playing field at Elliott Street, Silsden, in conjunction with the Executive considering the petition received regarding the future use of the site.

EQUALITY & DIVERSITY:

Equality assessments - At this stage there are no specific equality and diversity issues.

Joanne Hyde
Strategic Director Corporate Resources

**Portfolio: Regeneration, Transport &
Planning**

Report Contact: Alistair Russell
Acquisitions & Disposals Manager
Phone: 07973 885399
E-mail: alistair.russell@bradford.gov.uk

Overview & Scrutiny Area: Corporate

1. SUMMARY

This report is to consider the decision made by the Executive in July 2016 to dispose of the former playing field at Elliott Street, Silsden, in conjunction with the Executive considering the petition received regarding the future use of the site.

The petition reads “We the undersigned petition the council to take note of our strong message that as a community, we do not want to see the green field adjoining ‘The Hive’ in Silsden sold or developed for housing. This land which is one of the only green spaces in Silsden, is of huge importance to our community and heavily utilised by all ages for recreation, leisure and sport purposes. Bradford Council must listen to local people and we demand that our local authority do not build on this precious green open space.”

The petition has attracted in the region of 1649 signatories and as such the matter was referred to the Council’s Executive. This report provides an update on the proposals for this site with a recommendation to the Executive.

2. BACKGROUND

The land is the former playing field of the junior schools at Hothfield & Aire View. The site extends to approximately 2.39 acres (9,674 sq. m). Please refer to the attached plan at Appendix 1, No 144, with the site edged in red.

The land excludes the former Daisy Chain Children’s Centre and Silsden Youth Club, now known as ‘The Hive’, and also the Multi-Use Games area (MUGA) which are the subject of a Community Asset Transfer (CAT) application that is currently being progressed through the CAT process with the Council.

The Secretary of State granted approval to the disposal of the site on 4th May 2020, on the basis that the facility was being replaced by a new playing field at the new Silsden Primary School, Hawber Cote Lane, Silsden BD20 0JJ.

The new Silsden 3FE Primary school was opened to pupils on 10th January 2022. The new school is located at less than 1 mile (about a 15-minute walk) to the north west of the Elliott Street site. The new playing pitch will be open and accessible to the new School and the local community, however access will need to be controlled and managed through the School for safeguarding reasons. Whilst the new School was opened in January 2022, the new playing pitches will not be available until mid-late 2023 given the grass is still maturing. The new playing pitches will be made available for use by both the new School and the local community, prior to any development of either part or the entire of the subject site.

Executive Decision July 2016

The Council’s Executive Committee on 19th July 2016 approved the allocation of Basic Need funding and other incomes towards the cost of the new school building. This decision allowed for the expansion project to replace Aire View Infants and Hothfield Junior Schools with a new 3FE Primary school building in order to accommodate the demand from additional pupil numbers in the area.

That decision also authorised that the funds received from the sale of the two primary school buildings and the sale of the Elliott Street Land was “ring fenced” in order to contribute towards the funding of the new school building and accommodation.

The Executive decision at that time identified that the funding came through the Fair Funding Formula which allocated funding to schools based on pupils attending the school. This was to be partly funded through capital allocations from “Basic Need” funding from the education Funding Agency; section 106 contributions and Local Authority School Condition Allocation grant.

The remaining cost element was to be funded through the anticipated capital receipts received from the sale of the existing school sites being the educational establishments of Hothfield & Aire View schools and the schools’ playing field at Elliott Street.

3. CURRENT POSITION

The planning policy context for this site is formed of national planning policy – National Planning Policy Framework (July 2021 Update) and National Planning Practice Guidance (NPPG) and the statutory development plan for Bradford District. The current statutory Development Plan consists of a number of documents, of which the following are of relevance to this site and location:

- Bradford Replacement Unitary Development Plan (RUDP) – Saved Policies (June 2020 schedule)
- Core Strategy DPD (2017)
- Steeton with Eastburn & Silsden Neighbourhood Development Plan (2021).

The Council is currently in the process of preparing a new single District Local Plan for the Bradford District. The emerging plan sets out detailed policies and proposals (including site allocations) to support the growth and development of the District over the plan period. This plan is in development. A preferred options consultation (Regulation 18) was undertaken in Spring 2021 and the Council is currently working on the Regulation 19 plan which is due for consultation next year.

At this stage, the emerging Local Plan carries limited weighting in decision making for planning applications, as it is at an early stage of preparation and there are unresolved objections to policies and allocations. In this context it is considered that full weight should continue to be afforded to the policies of the development plan including saved RUDP policies and the adopted Core Strategy (2017) that are in compliance with current national planning policy.

Please note that this report is not a commentary on the likely success or otherwise of a planning application on the land although clearly in the absence of such local opposition to development this would become a planning matter.

The site is allocated as playing pitches and any forthcoming residential development proposal would likely meet the policy exception tests in this respect however, in reality the site has more recently been utilised as public open space in a recreational sense, and this ‘new’ use has likely been increased by the recent pandemic and various lockdowns experienced over recent times.

Other issues which need to be considered include:

Core Strategy Policy HO1: The District's Housing Requirement sets out the District's remaining requirement over the plan period (up to 2030) of 42,100 homes with *Policy HO3: Distribution of Housing Development* indicating a housing need for 1200 units for Silsden, this is significantly higher than the new Draft Local Plan which proposes a minimum settlement target of 700 units (up to 2038), although as noted previously the emerging plan is at an early stage of development.

Open Space Audit (Draft Report): As part of the evidence to the emerging Local Plan the Council has published an Open Space Audit (Draft Report) in February 2021. The audit provides a quantitative assessment of the supply of open space across the District. This information provides the baseline position with regards to existing levels of open space and helps to identify those important spaces which should be protected. In combination with population data, local open space provision standards have been established and used to identify the priority areas where additional open space is required or where a re-balancing between types of open space could be considered.

The audit generally indicates at a headline level that there is sufficient open space (defined as outdoor sports – playing field) to meet standards within Silsden. However, it should be noted that:

- The amount of outdoor sports open space detailed in the audit is 'skewed' by the inclusion of the large golf course site to the south east. When this is taken into account, and excluded from the calculation, there is a deficit of outdoor sports space within Silsden.
- On the geographical profile of the settlement - the western side of Silsden has limited recreational open space with Silsden Park situated to the east of Silsden together with the new Silsden Primary School.
- Silsden contains deficits (various levels) against open space standards for amenity greenspace, cemeteries, civic spaces, natural/semi-natural greenspace; open land in settlements; parks and gardens and provision for children and young people.
- Although formally classified as playing fields, the Elliott Street land does have local use features associated with amenity greenspace of which Silsden has a moderate need for increased provision.

In addition, the budget for the new school provided for a total contribution from the sale of the two existing school sites, plus the Elliott St pitch. The former Aire View and Hothfield School buildings are currently on the market, and a number of offers have been received. These are currently being reviewed and assessed with a view to entering into a contract with the successful party, on either or both. From the level of offers received, at this stage it is expected that the property values reported to the Executive in 2016 will be achieved, and may be exceeded.

Taking into account the above information, and in particular the following:

The fact that the nearest area of Public Open Space to the subject site is Silsden Park, which is approximately 15 mins walk and to access it from the Elliott Street site area includes crossing the busy A6034 route through the town;

That offers have been received in excess of expectations for the former Aire View and Hothfield School sites, and

Although there is still significant housing demand to be met in Silsden, it is acknowledged that there is a balance required between the demand for additional housing and the retention of Public Open Space, along with the fact that development of the entire site for housing would make a small contribution towards meeting overall housing need for Silsden.

It is proposed that a more modest residential development is progressed, thus allowing the much of the Elliott St pitch to be retained as Public Open Space for the benefit of the local community. This strategy will still contribute a capital receipt, albeit reduced, to the cost of the new school.

5. FINANCIAL & RESOURCE APPRAISAL

The budget provided for a contribution from the sale of existing school sites, including the Elliott St pitch. Any reduction in this capital receipt would mean that additional funding would need to be identified. If this was from Council's corporate borrowing, then there would be an unbudgeted additional impact on capital financing revenue budgets – principal and related interest charge.

The former Aire View and Hothfield School buildings are currently on the market. A number of expressions of Interest were received. These are currently being reviewed and assessed with a view to entering into a contract with the successful party, on either or both. At this stage the Council is expecting the land values reported to the Executive in 2016 to be achieved, and may well be exceeded.

6. RISK MANAGEMENT AND GOVERNANCE ISSUES

Not applicable

7. LEGAL APPRAISAL

The Council owns the freehold interest in the Elliott Street pitch.

As the land is former school playing field, Secretary of State consent is required for any disposal under Schedule 1 of the Academies Act 2010 and Section 77 of the School Standards and Framework Act 1998. The necessary consents from the Secretary of State has been obtained.

The land is also Public Open Space and any proposed disposal will need to comply with the provisions of s.123 (2A) of Local Government Act 1972 which requires that the Council advertises the proposed disposal of all or part of the site for two consecutive weeks in a newspaper circulating in the area in which the land is situated, and considers any objections to the proposed disposal which may be made to them.

The Hive nominated the Elliott Street Playing Field, Silsden, BD20 0DE as an Asset of Community Value and the Strategic Director of Corporate Resources listed it as such on 10th September 2021. On commencement of any proposed sale, local community groups will therefore be given up to 6 months to secure the funds to make a bid to purchase the

site in accordance with the Localism Act 2011, however the Council is not obliged to accept any such bid.

8. OTHER IMPLICATIONS

8.1 SUSTAINABILITY IMPLICATIONS

There are no sustainability issues at this time.

8.2 GREENHOUSE GAS EMISSIONS IMPACTS

There are no greenhouse gas emission implications at this time.

8.3 COMMUNITY SAFETY IMPLICATIONS

There are no community safety implications at this time.

8.4 HUMAN RIGHTS ACT

There are no Human Rights issues at this time.

8.5 TRADE UNION

There are no trade union implications at this time.

8.6 WARD IMPLICATIONS

All the sites sit within the Craven ward.

8.7 IMPLICATIONS FOR CORPORATE PARENTING

None

8.8 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

Not applicable.

9. NOT FOR PUBLICATION DOCUMENTS

None

10. OPTIONS

1. To accept the Petition and retain the land as playing fields or public open space managed by the Hive.
2. To reject the petition and seek to sell the land to provide much needed housing in Silsden thus obtaining a capital receipt that accords with previous Council Executive's decision.
3. To reject the Petition, but taking into account the current housing demand in Silsden it is recommended that a more modest development is progressed to deliver much needed housing in the area thus allowing the majority of the Elliott St pitch to be retained for the benefit of the local community. The form of development to be

considered in conjunction with the Hive and the local community. The surplus land to ultimately be managed by the Hive via a Community Asset Transfer or equivalent vehicle.

11. RECOMMENDATIONS

It is recommended that Option 3 is progressed thus allowing the majority of the Elliott St pitch to be retained for the benefit of the local community, whilst still providing a small area of land for much needed housing.

12. APPENDICES

1. Appendix 1 – Site plan.

13. BACKGROUND DOCUMENTS

None