

INDEPENDENT EXAMINATION OF THE BRADLEYS BOTH NEIGHBOURHOOD DEVELOPMENT PLAN

INDEPENDENT EXAMINER:
Christopher Collison BA(Hons) MBA MRTPI MIED IHBC

To Craven District Council and Bradleys Both Parish Council

By email to [REDACTED], Spatial Planning Officer, Craven District Council;
and [REDACTED], Clerk, Bradleys Both Parish Council

Dated 16 February 2023

Dear [REDACTED] and [REDACTED]

Bradleys Both Neighbourhood Development Plan Independent Examination – Examiner letter seeking clarification of matters

Further to my initial letter of 31 January 2023 I am writing to seek clarification of the following matters:

Policy ENV1

1. Please confirm it is intended Policy ENV1 should designate Local Green Spaces.
2. Please confirm it is intended Policy ENV1 should establish that management of development within those Local Green Spaces will be consistent with those for Green Belts (in accordance with paragraph 103 of the NPPF).
3. Part d) of Policy ENV1 refers to “the defined curtilage of a domestic building”. Please identify any curtilage, or part curtilage, of a domestic building included in any of the proposed LGSs and advise me of the reason for such inclusion.
4. Proposed LGS 4 Canal Towpath is identified on the Village Inset Map but not on the Parish Wide Policy Map. Is it intended the designation should only relate to the length of towpath within the inset map?
5. In Table 1 of Appendix 3 it is stated in respect of both proposed LGS 6 Rear of Ings Drive, and proposed LGS 10 Land between Crag Lane and Silsden Road, under the heading of Planning History “see planning history table below”. Please explain those statements.
6. In Table 2 of Appendix 3 in respect of historic significance of the proposed LGS 6 Rear of Ings Drive is the statement “see Bradley Village Character Assessment” a reference to paragraph 4.2.2 Medieval Arable Fields?
7. In Table 2 of Appendix 3 it is stated in respect of proposed LGS 6 Rear of Ings Drive “The site maintains medium range views to the canal from Bradley village”. Please explain this statement.

Policy ENV3

8. Please direct me to the explanation of the term “views and vistas”

Policy ENV6

9. The NPPF defines best and most versatile agricultural land as land in grades 1, 2, and 3a of the Agricultural Land Classification. Please explain the first bullet point in this context.
10. Is the final sentence of the third bullet point a reference to natural environment assets?

Policy ENV7

11. The term “inconsiderate” is imprecise. Is it intended that proposals would not be supported where they would result in additional on-street parking?

Policy HOU1

12. Paragraph 34 of the NPPF states Plans should set out the contributions expected from development and that such policies should not undermine the deliverability of the plan. I am concerned the requirement in Appendix 4 Site Brief to provide a footway along Skipton Road to a point opposite the entrance sign to Bradley Village is an obligation that does not meet the tests set out in paragraph 57 of the NPPF. I welcome comment on a possible modification to replace the second sentence of the eleventh design parameter of Appendix 4 Site Brief with “Subject to viability assessment the footway should be continued along Skipton Road from the site boundary to a point opposite the entrance sign to Bradley Village.”

Policy HT2

13. Should the references to “footpaths” and “footpath” be to “footways” and “footway”?

Policy CFS1

14. My reading of the policy is that it would accommodate support for development proposals that include satisfactory alternative provision of the value of a community facility or service on a site that is equally accessible for users. Please confirm this understanding.

Policy CFS2

15. I invite comment on a modification to replace the first bullet point with “the facility will benefit the residents of Bradley Parish” as I cannot see justification for the requirement that a facility should be for the benefit of residents of Bradley Parish exclusively.

Policy ELB1

16. Please identify “the areas of variable pasture quality” referred to.
17. The NPPF defines the best and most versatile agricultural land as that in grades 1, 2 and 3a of the Agricultural Land Classification. Please explain the first sentence in this context.
18. Should the reference be to the “benefits of the development outweigh”?

Policy ELB2

19. The reference to Airedale Business Centre and Acorn Business Park in the final bullet point only, has the potential to cause confusion. The reference to “surrounding environment” in the opening text and the restriction “to within the site boundary” in the final bullet point has the potential to cause confusion also. The term “upgrade” is imprecise. I invite comment on a modification to delete the final bullet point and replace the opening text with “Development proposals relating to the existing buildings and sites within the boundaries of the Airedale Business Centre and Acorn Business Park (shown hatched pink on the Policies Map at Appendix 2) will be supported provided that:”
20. The reference to “existing employment” is not sufficiently justified and should refer to “existing employment levels”.
21. The third bullet point relating to additional floorspace does not have sufficient regard for the sequential test referred to in paragraph 87 of the NPPF, which does envisage circumstances when out of centre sites may be an acceptable location for main town centre uses. The third bullet point is not in general conformity with Craven Local Plan Policy EC5 which includes “Proposals for main town centre uses in locations outside of defined town centres as identified on the policies map, will be required to demonstrate that there are no sequentially preferable locations that are available and suitable for the proposed development, and that the proposal will not result in a significant adverse impact on vitality and viability.” Paragraph 16 f) of the NPPF states policies should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework), where relevant). I invite comment on a modification to delete the third bullet point of Policy ELB2.

Policy ELB3

22. The spatial area of application of Policy ELB3 is unstated and therefore must be taken to apply to the entire Neighbourhood Area. The policy does not have sufficient regard for the sequential test referred to in paragraph 87 of the NPPF nor is it in general conformity with Strategic Policy EC5. I invite comment on a modification to delete Policy ELB3.

Policy ELB4

23. The third bullet point is imprecise, and does not have sufficient regard for paragraph 111 of the NPPF which states “development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.” I invite comment on a modification to replace the third bullet point with “do not result in additional on-street parking”.

I request any response to these matters is agreed as a joint response of the Parish and District Councils wherever possible. This request for clarification and any response should be published on the District Council website.

In order to maintain the momentum of the Independent Examination I would be grateful if any reply could be sent to me by 12.00 Noon on Friday 24 February 2023. An earlier reply would be appreciated.

For the avoidance of doubt recommendations of modification of the Neighbourhood Plan that may be contained in my report of Independent Examination will not be limited to those matters in respect of which I have requested clarification.

I should be grateful if the District Council and the Parish Council could acknowledge receipt of this email.

Best regards

Chris Collison
Independent Examiner
Planning and Management Ltd
[REDACTED]