

Mrs Carole Howarth  
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## Response to Proposal 20/03617/MAF

**Proposal:** Construction of 49 Dwellings with new church car park and public open space.  
**Grid Ref:** 417180 446194  
**Location:** Land At Grid Ref 417194 446187 Burley Bypass Burley In Wharfedale Ilkley

Dear Mrs Howarth,

Burley Parish Council wishes to make the below comments regarding the proposal to construct 49 dwellings with new church car park and public open space (20/03617/MAF):

### Green Belt

The applicant must show that 'very special circumstances' apply to warrant the release of Green Belt land for development.

- **Investment in St Mary's Church;**

The creation of parking provision for the church is not a 'very special circumstance' to develop the Green Belt. If the parking provision was created, it is likely that residents would use the space and therefore it would not benefit the Church. Furthermore, the Church has categorically stated that it has not been consulted by the developer on this matter.

- **Creation of New Public Parkland;**

The Parish Council does not believe that the creation of public parkland should be deemed as a 'very special circumstance'.

- **Economic Benefits of New Development**

This development will not contribute to the economy of village.

- **Housing Requirement and Supply and Provision of Affordable Housing**

If car parking for the church (Desk Study page6, point 6.5) and affordable housing is being put forward as 'very special circumstances', along with a single suggestion from the design document, section 2 Context, noted as "*Whilst it is clear that Burley in Wharfedale is a prosperous settlement, the lack of substantial new housing, either market or affordable, over the past two decades has led to a sharp increase in house prices.*"

To suggest that a lack of substantial new housing is the cause of a sharp increase in house prices is ridiculous. We would point out that nationally, there has been a sharp increase in house prices.

This case put forward by the developer is particularly weak, clearly demonstrating that they have not carried out enough background research about the village, and in particular the conservation area, consequently this application must fail.

- In terms of Burley in Wharfedale, significant affordable housing (up to 150 units) have been put forward by the developer of Sun Lane, a 500-dwelling scheme.

- The village has had around 85 houses delivered recently as infill.
- Furthermore, Greenholme Mills has already received planning permission for residential dwellings which will include 98 Apartments and 23 houses, 6 of which are affordable housing units and construction is already underway. In the light of these schemes there is no need to release further Green Belt in this location.
- Scalebor Park received planning permission in March 2000 for 125 houses. However, there were subsequent applications for additional housing in late 2001, 2002 and the development did start to delivery housing until early 2005. The total number of houses delivered at the time increased from 125 to 163.
- The Wellfield Lane estate was granted planning permission and Section 106 agreements were made in December 1999. Housing delivery of 40 units, didn't commence until mid-2000.

The proposed development lies within an area defined as Green Belt on the Replacement Unitary Development Plan wherein there is a strong presumption against inappropriate development. The proposed development would constitute inappropriate development in the Green Belt and in the absence of any very special circumstances, which may warrant the proposal being treated as an exception, the proposed development is, by definition, harmful to the Green Belt in accordance with the **NPPF paragraph 143-145**.

Application 20/00785/FUL to develop land at Scalebor Park Farm has recently been refused by the Regulatory and Appeals Committee for the following reason:

*"The site is in the Green Belt and the proposed dwelling would be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The National Policy Planning Framework confirms the great importance of the Green Belt, whose fundamental aim is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*

*The proposed dwelling would form a very noticeable encroachment of new development into open countryside beyond the well-defined, permanent Green Belt boundary formed by the Wharfedale railway. Such a prominent and isolated development could not be accommodated within this part of the Green Belt whilst maintaining the integrity of the wider Green Belt and the purposes of the Green Belt between Burley-in-Wharfedale and Ilkley. It would appear as noticeable sprawl and encroachment contrary to the purposes of the Green Belt. It would undermine the strategic function of Green Belt and conflict with Core Strategy Development Plan Document Policy SC7. The Local Planning Authority has considered the applicant's reference to National Policy Planning Framework paragraph 79 and claims that the design of the dwelling is exceptional. However, the Local Planning Authority is charged with ensuring that substantial weight is given to any harm to the Green Belt and, in this instance, the degree of harm to the Green Belt would be significant and the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from this proposal, is not clearly outweighed by the claimed merits of the design. Such merits do not amount to very special circumstances sufficient to outweigh harm to the Green Belt by reason of inappropriateness, and any other harm resulting from this proposal."*

The proposed development is unacceptable against **Policy GB1** of the Replacement Unitary Development Plan, **Policy SC7** of the Core Strategy Development Plan Document and national policy contained in the National Planning Policy Framework.

## Planning Inconsistencies

The area of land identified in this scheme is 2.28Ha, however, the flood risk assessment states that the scheme is for 1.995Ha.

## Design constraints & Burley in Wharfedale Conservation Area

The developer identifies that the site is within the Conservation Area, “consequently housing needs to be of an acceptable standard to the surround grade 1 & 2 listed buildings.” This is to accord with core strategy **policy HO9**, so the materials to be used should be of a specification that matches the grade 1 & grade 2 listed buildings in which it would be embedded. This policy is further reinforced by Neighbourhood Plan **policy BW1**.

The 2004 conservation assessment carried out by Bradford Council states on **page 19**:

*'The most impressive views into the conservation area, and Burley itself, are from the east. The openness of the surrounding farmland exposes images of the settlement most distinctive and impressive structures in their leafy setting: the spire of St. Mary's Church, Burley House and Burley Lodge greet the visitor, portraying a grand image of this small Yorkshire village.'*

Conservation Area status does not preclude development, but such development must enhance the character of the area. The applicant proposes external facing materials that are foreign to this situation and demonstrates a failure to understand the special nature of this location.

The boundary of the conservation area has deliberately included this field because of its important role of complementing the historic buildings adjoining.

**Page 20** refers to the Yorkshire stone that characterises the buildings and field boundary walls.

Finally, **Page 30** refers to '*utilising the very best in principles of design and materials of construction*'.

This layout and use of materials fall well short of what is required in this area. Any uplift in the specification would potentially make the scheme economically unviable. We believe that this is the wrong scheme for this important Conservation Area.

## Listed Buildings and their Group Setting

Almost all the buildings that abut the proposed site are Grade 2 listed because of their historic interest and group value. These listed buildings which include the Grade 1 listed Burley House are on the main thoroughfare. They have a direct relation to the village green, with its mature trees which further enhance the Conservation Area.

The land setting to the rear of the listed buildings is of equal importance. This constitutes a distinctive boundary with a strong interface with the rural setting. This serves to enhance the setting of this group of buildings.

The external facing materials of the proposed buildings and the quality of external materials is not in accord to such an historic area. The planning application refers to UPVC windows, composite roofing materials, rendering, close boarded fencing, and 2-metre-high acoustic fencing.

This shows that the developer lacks an understanding of the importance of this site. Financial viability is one thing, but suitability to the external historic environment is another.

The Burley Neighbourhood Plan Policy BW1 refers to the '*appropriate use of materials with traditional natural materials needed where possible.*' This would contribute to the enhancement of this scheme, particularly given its location in the conservation area.

## Ecological Appraisal

This area obviously needs to be addressed in more detail. The developer and consultants have correctly identified that this site is within 87 metres of the Nidderdale Area of Outstanding Natural Beauty (AONB). The ecological appraisal fails to consider or indeed to look at any functional link

between the AONB and the proposed site. Nor is there any consideration shown to the potential visual impact that the site might have on the AONB.

## **Flood Risk Assessment**

Although the majority of the site is classed as Flood Zone 1, the flood risk assessment shows that the risk of flooding is medium, and that the risk is from groundwater, pluvial run off and sewers. The developer states that, "*The flow rates from any proposed impermeable area will be attenuated to below existing greenfield run off rates.*" There are, however, no plans for water storage to achieve a release rate of less than the identified 13.25L/sec.

Looking at the calculations for winter rainfall, taking the highlighted median figure of 600m<sup>3</sup> from the study, then adding the fact that release of water from impermeable water is to be less than 13.25L/sec, we note that there's no provision in the proposal to store an absolute minimum of 600m<sup>3</sup> of water.

On-site run off provision is dealt with in section 2.7, however, there appears to be no planned mitigation for areas affected by the site run off.

## **Desk Study**

Page 4 states that the development is to be built adjacent to a 'Busy bypass roundabout.' This affects the boundary treatment. The topography of the proposed access onto the A65 (40mph limit) and the length of the visibility splay are questionable (86.56 metres) from the midway point, plus there is a concealed curve and a traffic island that add to visibility constraints.

The walking distance given to and from the local amenities is around 1.0km. Bus stops are within 500m walking distance on Main Street and the Railway station is 1.5km from the site. Some of these distances are too far to walk. This was a serious concern expressed by officers about a recent application at Apperley Bridge.

The development will also bring additional families and therefore additional school places will be required at primary and secondary schools. Education is not an area in which the developer is involved, however, given recent changes to admission policies at Prince Henry's Grammar School in Otley, the Parish Council has severe concerns about the lack of local (and district wide) school places and infrastructure.

## **Statement of Community Engagement**

The application states in the following sections:

- 3.4** *The consultation period has run for six weeks, and 20 responses in total have been received during this period, indicating that residents are reasonably involved in local planning matters.*
- 3.5** *Of the 20 responses received, 2 were positive (10%), 3 were neutral (15%), and the remainder broadly objected to the proposals (75%). Clearly the number of objecting residents outweighs those who are neutral or feel positively towards the proposed development. However, the fact that 25% of commenters do not object to the proposals is felt to be a not insignificant result, given the general presumption amongst residents against new development in their area.*

A leaflet was distributed by the developer to a small area of the village in July 2020, well in advance of the application having been received by City of Bradford MDC on 10<sup>th</sup> September 2020. The leaflet campaign needs to be included within the planning application as it is classified as advertising material.

Received replies are therefore based only on the content of the leaflet campaign, so the neutrality of responses (15%) could be based on insufficient clarity and or detail to construct an informed response.

The developer states that '25% of commentators (5 people) are not felt to be an *insignificant result*.' The sample size is statistically insignificant. The leaflet was sent to approximately 30 homes out of almost 3,500 houses in the village. 5 people equates to 0.07% of the population of the village (population of 7,041).

No conclusions can be made from such a small sample size, so in effect the whole report carries no weight whatsoever.

## Conclusion

The Parish Council suggests that this proposal should be **REFUSED** by City of Bradford MDC on the following basis:

1. The proposal would constitute inappropriate development in the Green Belt.
2. The size and residential nature of the proposal would harm the landscape character and appearance of the area, contrary to policies DS2 and EN4 of the adopted Core Strategy Development Plan Document and the National Planning Policy Framework.
3. The proposal fails to provide suitable visibility splays and would result in the creation of a substandard access on to an extremely busy district distributor road resulting in conditions prejudicial to highway safety. As such, the proposal would be contrary to policy DS4 of the adopted Core Strategy Development Plan Document and the National Planning Policy Framework.