

LIST OF MODIFICATIONS

UDP – Policy Framework Chapter 10 Built Heritage and the Historic Environment

Mod Ref UDP Ref Site Ref IR Page No.	Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) (<i>whichever is the latest approved by Council</i>)	Proposed Modification	Reason for Modification
Mod - Mod/PF/BH/1 UDP - Paragraph 10.34 IR – N/A	<p>“10.34 A total of 56 Conservation Areas have been designated in the District to date with the aim of conserving the special architectural or historic interest of the buildings and their surroundings. The boundaries of the conservation areas are currently being reviewed as part of a programme of conservation area assessments and a review of the district to identify potential new conservation areas. Strategies for their preservation and enhancement will be prepared as part of the conservation area assessment programme.”</p>	<p>“10.34 A total of 56 58 Conservation Areas have been designated in the District to date with the aim of conserving the special architectural or historic interest of the buildings and their surroundings. The boundaries of the conservation areas are currently being reviewed as part of a programme of conservation area assessments and a review of the district to identify potential new conservation areas. Strategies for their preservation and enhancement will be prepared as part of the conservation area assessment programme.”</p>	<p>Take account of new designated conservation areas.</p>
Mod - Mod/PF/BH/2 UDP - Paragraph 10.44 IR – Policy Framework Paragraphs 10.6-10.8, Pages 153 - 154	<p>“10.44 Where the applicant can demonstrate that the building, (including walls, structures or features) is beyond repair, is incapable of beneficial use, or where it can be demonstrated that its removal/partial removal and the subsequent redevelopment of the site would preserve and enhance the historic character or appearance of the Conservation Area then permission will be granted subject to conditions. In the case of buildings, retention of primary elevations will be a requirement where the applicant can show that the retention of the whole building or structure is not viable. Demolition of any wall, feature or building will only be granted on the approval of a planning application for the replacement new development and conditional upon the letting of a contract for the implementation of the works and</p>	<p>“10.44 Where the applicant can demonstrate that the building, (including walls, structures or features) is beyond repair, is incapable of beneficial use, or where it can be demonstrated that its removal/partial removal and the subsequent redevelopment of the site would preserve and enhance preserve or enhance the historic character or appearance of the Conservation Area then permission will be granted subject to conditions. In the case of buildings, retention of primary elevations will be a requirement where the applicant can show that the retention of the whole building or structure is not viable. Demolition of any wall, feature or building will only be granted on the approval of a planning application for the replacement new development and conditional upon the letting of a contract</p>	<p>For the reasons set out in the Inspector’s report</p>

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	where appropriate, a programme of recording has been agreed and implemented.”	for the implementation of the works and where appropriate, a programme of recording has been agreed and implemented.”	
Mod - Mod/PF/BH/3 UDP- Paragraph 10.48 IR – Policy Framework Paragraphs 10.13- 10.14, Page 155	<p>“10.48 To retain the character of the Conservation Areas development which takes place within or adjacent to the boundaries should carefully follow the form and scale of the existing urban form. In previous years this has not always been possible as highway standards, sight lines and facing distances have required greater and greater amounts of land is left between buildings. By carefully adjusting standard road and building types and carefully planning layouts leaving boundary walls insitu, positioning entrances to minimise the need for visibility splays, new development in or adjacent to Conservation Areas can be closed right down to replicate the local character of different settlements and thereby be more easily integrated into Conservation Area settings.”</p>	<p>“10.48 To retain the character of the Conservation Areas development which takes place within or adjacent to the boundaries should carefully follow the form and scale of the existing urban form. In previous years this has not always been possible as highway standards, sight lines and facing distances have required greater and greater amounts of land is to be left between buildings. By carefully adjusting standard road and building types and carefully planning layouts leaving boundary walls insitu, and positioning entrances to minimise the need for visibility splays, new development in or adjacent to Conservation Areas can be closed right down to replicate the local character of different settlements and thereby be more easily integrated into Conservation Area settings.”</p>	For the reasons set out in the Inspector’s report and incorporating Para 10.48 changes as drafted on page 20 of the Council’s proposed Pre Inquiry Changes, dated January 2003
Mod - Mod/PF/BH/4 UDP - Policy BH12 IR – Policy Framework Paragraphs 10.15-	<p>“Policy BH12 CHANGES TO THE PUBLIC REALM WITHIN CONSERVATION AREAS MUST DEMONSTRATE THAT:</p> <p>(1) THE DESIGN, MATERIALS AND LAYOUT OF TRAFFIC MANAGEMENT AND PARKING</p>	<p>“Policy BH12 CHANGES TO THE PUBLIC REALM WITHIN CONSERVATION AREAS MUST DEMONSTRATE THAT:</p> <p>(1) THE DESIGN, MATERIALS AND LAYOUT OF TRAFFIC MANAGEMENT AND</p>	For the reasons set out in the Inspector’s report

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10.16, Page 156	<p>AREAS MINIMISE THE ADVERSE VISUAL IMPACT WHICH MAY ARISE FROM SUCH DEVELOPMENT.</p> <p>(2) NEW AND REPLACEMENT STREET FURNITURE IS OF AN APPROPRIATE DESIGN AND MATERIAL THAT PRESERVE OR ENHANCE THE CHARACTER OF THE SURROUNDING STREET SCENE</p> <p>(3) PROPOSALS FOR THE INTRODUCTION OF PUBLIC ART WILL ENHANCE THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA. IN CERTAIN CONSERVATION AREAS THE INTRODUCTION OF PUBLIC ART AND STREET FURNITURE WILL BE ENCOURAGED</p>	<p>PARKING AREAS MINIMISE THE ADVERSE VISUAL IMPACT WHICH MAY ARISE FROM SUCH DEVELOPMENT.</p> <p>(2) NEW AND REPLACEMENT STREET FURNITURE IS OF AN APPROPRIATE DESIGN AND MATERIAL THAT PRESERVE OR ENHANCE THE CHARACTER OF THE SURROUNDING STREET SCENE</p> <p>(3) PROPOSALS FOR THE INTRODUCTION OF PUBLIC ART WILL ENHANCE THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA. PROPOSALS FOR THE INTRODUCTION OF PUBLIC ART WILL PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA. IN CERTAIN CONSERVATION AREAS THE INTRODUCTION OF PUBLIC ART AND STREET FURNITURE WILL BE ENCOURAGED</p>	
Mod - Mod/PF/BH/5 UDP Policy BH14 World Heritage Site	<p>“Policy BH14 THERE WILL BE A PRESUMPTION IN FAVOUR OF THE PRESERVATION OF THE WORLD HERITAGE SITE AND ITS SETTING. DEVELOPMENT WHICH WOULD ADVERSELY AFFECT THE CHARACTER, APPEARANCE, SETTING OR VIEWS INTO OR OUT OF THE PROPOSED WORLD HERITAGE</p>	<p>“Policy BH14 THERE WILL BE A PRESUMPTION IN FAVOUR OF THE PRESERVATION OF THE WORLD HERITAGE SITE AND ITS SETTING. DEVELOPMENT WHICH WOULD ADVERSELY AFFECT THE CHARACTER, APPEARANCE, SETTING OR VIEWS INTO OR OUT OF THE PROPOSED WORLD HERITAGE SITE WILL</p>	<p>To take account of the formal designation of the World Heritage Site at Saltaire.</p>

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IR – N/A	<p>SITE WILL NOT BE PERMITTED. THEREFORE:</p> <p>(1) WITHIN THE BOUNDARY OF THE PROPOSED WORLD HERITAGE SITE, AS DEFINED ON THE PROPOSAL MAP, APPLICANTS WILL BE REQUIRED TO DEMONSTRATE THAT FULL ACCOUNT HAS BEEN TAKEN OF THE IMPACT OF THEIR PROPOSALS UPON THE WORLD HERITAGE SITE AND ITS SETTING AND THAT THEIR SCHEME WILL HAVE NO ADVERSE AFFECT UPON IT.</p> <p>(2) DEVELOPMENT WITHIN THE BUFFER ZONE, AS DEFINED ON THE PROPOSALS MAP, DEVELOPMENT WHICH WOULD BE LIKELY TO ADVERSELY AFFECT VIEWS INTO OR OUT OF THE WORLD HERITAGE SITE WILL ONLY BE PERMITTED WHERE A SUITABLE PROGRAM OF MITIGATION IS PROPOSED AS PART OF THE APPLICATION.”</p>	<p>NOT BE PERMITTED. THEREFORE:</p> <p>(1) WITHIN THE BOUNDARY OF THE PROPOSED WORLD HERITAGE SITE, AS DEFINED ON THE PROPOSAL MAP, APPLICANTS WILL BE REQUIRED TO DEMONSTRATE THAT FULL ACCOUNT HAS BEEN TAKEN OF THE IMPACT OF THEIR PROPOSALS UPON THE WORLD HERITAGE SITE AND ITS SETTING AND THAT THEIR SCHEME WILL HAVE NO ADVERSE AFFECT UPON IT.</p> <p>(2) DEVELOPMENT WITHIN THE BUFFER ZONE, AS DEFINED ON THE PROPOSALS MAP, DEVELOPMENT WHICH WOULD BE LIKELY TO ADVERSELY AFFECT VIEWS INTO OR OUT OF THE WORLD HERITAGE SITE WILL ONLY BE PERMITTED WHERE A SUITABLE PROGRAM OF MITIGATION IS PROPOSED AS PART OF THE APPLICATION.”</p>	
<p>Mod - Mod/PF/BH/6</p> <p>UDP Policy BH16 Historic Parks</p> <p>IR – N/A</p>	<p>“Policy BH16 THE LOCAL PLANNING AUTHORITY WILL PAY SPECIAL REGARD TO SITES INCLUDED IN THE ENGLISH HERITAGE REGISTER OF PARKS AND GARDENS OF SPECIAL HISTORIC INTEREST AND WILL ONLY PERMIT DEVELOPMENT WITHIN OR WHICH WOULD AFFECT THE SETTING OF REGISTERED PARKS AND GARDENS AS SHOWN ON THE PROPOSALS MAP, WHERE IT CAN BE DEMONSTRATED THAT THE PROPOSALS:</p>	<p>“Policy BH16 THE LOCAL PLANNING AUTHORITY WILL PAY SPECIAL REGARD TO SITES INCLUDED IN THE ENGLISH HERITAGE REGISTER OF PARKS AND GARDENS OF SPECIAL HISTORIC INTEREST AND WILL ONLY PERMIT DEVELOPMENT WITHIN OR WHICH WOULD AFFECT THE SETTING OF REGISTERED PARKS AND GARDENS AS SHOWN ON THE PROPOSALS MAP, WHERE IT CAN BE DEMONSTRATED THAT THE PROPOSALS:</p>	Take account of recent designations.

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	<p>(1) WOULD NOT INVOLVE THE LOSS OF FEATURES CONSIDERED TO FORM AN INTEGRAL PART OF THE SPECIAL CHARACTER, OR APPEARANCE.</p> <p>(2) WOULD NOT DETRACT FROM THE ENJOYMENT, LAYOUT, DESIGN, CHARACTER APPEARANCE OR SETTING.</p> <p>(3) CONFORM TO A MANAGEMENT PLAN AGREED BETWEEN THE OWNERS AND WHERE APPROPRIATE LOCAL PLANNING AUTHORITY AND ENGLISH HERITAGE.</p> <p>10.59 The following sites are included in the Register of Parks and Gardens of Special Historic Interest in England.</p> <p>Heathcote Ilkley GD 2226 Grade ii Lister Park Bradford G2229 Grade ii Roberts Park Saltaire GD 2233 Grade ii Undercliffe Cemetery Bradford GD 2820 Grade ii Peel ParK Bradford GD 3330 Grade ii Bowling Park Bradford GD 3332 Grade ii Horton Park Bradford GD 3331 Grade ii Lund Park Keighley GD 3327 Grade ii Prince of Wales Park Bingley GD 3346 Grade ii Scholemoor Cemetery Bradford GD 3414 Grade ii”</p>	<p>(1) WOULD NOT INVOLVE THE LOSS OF FEATURES CONSIDERED TO FORM AN INTEGRAL PART OF THE SPECIAL CHARACTER, OR APPEARANCE.</p> <p>(2) WOULD NOT DETRACT FROM THE ENJOYMENT, LAYOUT, DESIGN, CHARACTER APPEARANCE OR SETTING.</p> <p>(3) CONFORM TO A MANAGEMENT PLAN AGREED BETWEEN THE OWNERS AND WHERE APPROPRIATE LOCAL PLANNING AUTHORITY AND ENGLISH HERITAGE.</p> <p>10.61 The following sites are included in the Register of Parks and Gardens of Special Historic Interest in England.</p> <p>Heathcote Ilkley GD 2226 Grade ii Lister Park Bradford G2229 Grade ii Roberts Park Saltaire GD 2233 Grade ii Undercliffe Cemetery Bradford GD 2820 Grade ii Peel ParK Bradford GD 3330 Grade ii Bowling Park Bradford GD 3332 Grade ii Horton Park Bradford GD 3331 Grade ii Lund Park Keighley GD 3327 Grade ii Prince of Wales Park Bingley GD 3346 Grade ii Scholemoor Cemetery Bradford GD 3414 Grade ii Whinburn Keighley GD3519 Grade ii Central Park Haworth GD3386 Grade ii”</p>	

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<p>Mod - Mod/PF/BH/7</p> <p>UDP - Policy BH17 Local Historic Parks & Gardens</p> <p>IR – Policy Framework Paragraphs 10.17- 10.20, Pages 156- 157</p>	<p>“Policy BH17 DEVELOPMENT LIKELY TO HAVE AN ADVERSE AFFECT ON THE FOLLOWING LOCAL INTEREST PARKS, GARDENS, AND OPEN AREAS WILL NOT BE PERMITTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE ARE REASONS FOR THE PROPOSAL WHICH OUTWEIGH THE NEED TO SAFEGUARD THE SITE.</p> <p>WHINBURN KEIGHLEY HEBER’S GHYLL ILKLEY MILNER FIELD GILSTEAD CLIFFE CASTLE AND DEVONSHIRE PARK KEIGHLEY BIERLEY HALL WOOD BRADFORD</p> <p>(sites may be added or removed from the list over the life of the plan, as required.)”</p>	<p>“Policy BH17 DEVELOPMENT LIKELY TO HAVE AN ADVERSE AFFECT ON THE FOLLOWING LOCAL INTEREST PARKS, GARDENS, AND OPEN AREAS WILL NOT BE PERMITTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE ARE REASONS FOR THE PROPOSAL WHICH OUTWEIGH THE NEED TO SAFEGUARD THE SITE.</p> <p>WHINBURN KEIGHLEY HEBER’S GHYLL ILKLEY (<i>Map ref: 409447</i>) MILNER FIELD GILSTEAD (<i>Map ref: 412439</i>) CLIFFE CASTLE AND DEVONSHIRE PARK KEIGHLEY (<i>Map ref: 405441</i>) BIERLEY HALL WOOD BRADFORD (<i>Map ref: 417429</i>)</p> <p>(sites may be added or removed from the list over the life of the plan, as required.)”</p>	<p>For the reasons set out in the Inspector’s report and incorporating Policy BH 17 as drafted on page 21 of the Council’s proposed Pre Inquiry Changes, dated January 2003</p>

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<p>Mod - Mod/PF/BH/8</p> <p>UDP - Policy BH18 Para 10.70 Para 10.71 BH19</p> <p>IR – Policy Framework Paragraphs 10.70- 10.71, Pages 157 - 159</p>	<p>“Archaeological Area Class 1 11 and 111</p> <p>Policy BH18 DEVELOPMENT WHICH ADVERSELY AFFECTS CLASS 1 11 and 111 ARCHAEOLOGICAL AREAS OR OTHER NATIONALLY - IMPORTANT REMAINS AND THEIR SETTING WILL NOT BE PERMITTED</p> <p>10.70 Class I areas are sites and landscapes of national importance which are protected as Scheduled Ancient Monuments under the terms of the Ancient Monuments and Archaeological Areas Act 1979.</p> <p>Archaeological Areas Class 11 And Class 111</p> <p>10.71 Class 11 areas are sites and landscapes which are regionally important or of national importance but unscheduled, and which merit preservation in situ. Where a Class II or Class III archaeological area is adversely affected by a development proposal, it is important that an archaeological evaluation is undertaken to assist in determining the importance of the archaeological remains and the appropriate course of action. Therefore:</p> <p>Policy BH19 WHERE PROPOSALS MAY ADVERSLY AFFECT CLASS 11 AND CLASS 111 ARCHAEOLOGICAL AREAS, DEVELOPERS WILL BE REQUIRED TO PROVIDE AN INDEPENDENT ARCHAEOLOGICAL EVALUATION WHICH WILL ASSIST IN</p>	<p>Archaeological Area Class 1 11 and 111</p> <p>Policy BH18</p> <p>DEVELOPMENT WHICH ADVERSELY AFFECTS CLASS 1 11 and 111 ARCHAEOLOGICAL AREAS OR OTHER NATIONALLY - IMPORTANT REMAINS AND THEIR SETTING WILL NOT BE PERMITTED</p> <p>10.70 Class I areas are sites and landscapes of national importance which are protected as Scheduled Ancient Monuments under the terms of the Ancient Monuments and Archaeological Areas Act 1979.</p> <p>Archaeological Areas Class 11 And Class 111</p> <p>10.71 Class 11 areas are sites and landscapes which are regionally important or of national importance but unscheduled, and which merit preservation in situ. Where a Class II or Class III archaeological area is adversely affected by a development proposal, it is important that an archaeological evaluation is undertaken to assist in determining the importance of the archaeological remains and the appropriate course of action. Therefore:</p> <p>Policy BH19 WHERE PROPOSALS MAY ADVERSLY AFFECT CLASS 11 AND CLASS 111 ARCHAEOLOGICAL AREAS, DEVELOPERS WILL BE REQUIRED TO</p>	<p>For the reasons set out in the Inspector’s report and incorporating Policy BH 18 Para.10.70 and Para 10.71 linking to Policy BH19 as drafted on page 22 of the Council’s proposed Pre Inquiry Changes, dated January 2003</p>

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	<p>DETERMINING WHETHER:</p> <p>(1) THE SITE MERITS PRESERVATION INSITU: OR</p> <p>(2) THE SITE MERITS PRESERVATION BY RECORD; OR</p> <p>(3) NO ACTION IS NECESSARY</p> <p>WHERE (2) APPLIES:</p> <p>(a) DEVELOPERS MUST DEMONSTRATE IN WRITING THAT ADEQUATE PROVISION WILL BE MADE FOR AN APPROPRIATE LEVEL OF INVESTIGATION.</p> <p>(b) DEVELOPMENT WHICH COULD RESULT IN THE UNRECORDED LOSS OF THE ARCHAEOLOGICAL REMAINS WILL NOT BE PERMITTED.</p> <p>10.72 Class II and Class III Archaeological Areas are sites and landscapes identified within the holdings of the County Sites and Monuments Record which are of Local or Regional importance or are Unscheduled areas of National importance. Archaeological significance is not confined solely to below-ground remains but may be also assigned to any or all structures on a site.</p> <p>10.73 In the case of (a) above, the Council in conjunction with the West Yorkshire Archaeology Service will determine the appropriate provisions necessary for a complete archaeological investigation to</p>	<p>PROVIDE AN INDEPENDENT ARCHAEOLOGICAL EVALUATION WHICH WILL ASSIST IN DETERMINING WHETHER:</p> <p>(1) THE SITE MERITS PRESERVATION INSITU: OR</p> <p>(2) THE SITE MERITS PRESERVATION BY RECORD; OR</p> <p>(3) NO ACTION IS NECESSARY</p> <p>WHERE (2) APPLIES:</p> <p>(a) DEVELOPERS MUST DEMONSTRATE IN WRITING THAT ADEQUATE PROVISION WILL BE MADE FOR AN APPROPRIATE LEVEL OF INVESTIGATION.</p> <p>(b) DEVELOPMENT WHICH COULD RESULT IN THE UNRECORDED LOSS OF THE ARCHAEOLOGICAL REMAINS WILL NOT BE PERMITTED.</p> <p>10.72 Class II and Class III Archaeological Areas are sites and landscapes identified within the holdings of the County Sites and Monuments Record which are of Local or Regional importance or are Unscheduled areas of National importance. Archaeological significance is not confined solely to below-ground remains but may be also assigned to any or all structures on a site.</p> <p>10.73 In the case of (a) above, the</p>	

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	be made and the means of securing such record.”	Council in conjunction with the West Yorkshire Archaeology Service will determine the appropriate provisions necessary for a complete archaeological investigation to be made and the means of securing such record.”	
<p>Mod - Mod/PF/BH/9</p> <p>UDP – Policy BH20</p> <p>IR – Policy Framework Paragraphs 10.28- 10.29, Page 159</p>	<p>“Policy BH20</p> <p>DEVELOPMENT PROPOSALS ALONGSIDE OR HIGHLY VISIBLE FROM THE LEEDS LIVERPOOL CANAL SHOULD MAINTAIN OR WHERE PRACTICAL MAKE A POSITIVE CONTRIBUTION TO ITS RECREATIONAL, TOURISM AND ENVIRONMENTAL VALUE BY:</p> <p>(4) ACCESS IMPROVEMENTS TO THE CANAL TOW PATH FOR WHEELCHAIR, PRAM OR CYCLE USE,</p> <p>(5) RETAINING FEATURES OF HISTORICAL IMPORTANCE TO THE CANAL</p> <p>(6) INCORPORATING APPROPRIATE HARD AND SOFT LANDSCAPING</p> <p>(7) THE USE OF DESIGNS, MATERIALS AND DETAILING WHICH TAKE FULL ACCOUNT OF THEIR CONTENT.”</p>	<p>“Policy BH20</p> <p>DEVELOPMENT PROPOSALS ALONGSIDE OR HIGHLY VISIBLE FROM THE LEEDS LIVERPOOL CANAL SHOULD MAINTAIN OR WHERE PRACTICAL MAKE A POSITIVE CONTRIBUTION TO ITS RECREATIONAL, TOURISM AND ENVIRONMENTAL VALUE BY:</p> <p>(1) ACCESS IMPROVEMENTS TO THE CANAL TOW PATH FOR WHEELCHAIR, PRAM OR CYCLE USE,</p> <p>(2) RETAINING FEATURES OF HISTORICAL IMPORTANCE TO THE CANAL</p> <p>(3) INCORPORATING APPROPRIATE HARD AND SOFT LANDSCAPING</p> <p>(4) THE USE OF DESIGNS, MATERIALS AND DETAILING WHICH TAKE FULL ACCOUNT OF THEIR CONTENT CONTEXT.”</p>	For the reasons set out in the Inspector’s report.

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<p>Mod - Mod/PF/BH/10</p> <p>UDP Policy Omission BH4 (a) Setting of Listed Buildings</p> <p>IR – Policy Framework Paragraphs 10.30-10.33, Pages 159- 160</p>	(No text)	<p>New policy and supporting text to be inserted:</p> <p><i>“Setting of Listed Buildings</i></p> <p><i>10.26 a The setting of a listed building is very important to its special architectural or historic interest. Settings are often planned to include gardens, grounds, views and vistas of the buildings best features, as well as displaying its wider visual context. The setting of a listed building must always be considered when new developments are being proposed. In some instances the setting may be related to the close grain and texture of the surrounding area where as in other instances the setting may extend into open landscape and be distanced from the listed building and its historical boundaries. Every effort must be made to ensure that new development proposals take into account the need to protect the setting of listed buildings</i></p> <p><i>Policy BH4A PROPOSALS FOR DEVELOPMENT WILL NOT BE PERMITTED IF THEY WOULD HARM THE SETTING OF A LISTED BUILDING”</i></p>	For the reasons set out in the Inspector’s report.