

LIST OF MODIFICATIONS

UDP – Keighley Chapter 4 Urban Renaissance

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
<p>Mod - Mod/K/UR/1</p> <p>UDP – SOM/K/UR4/104 & SOM/K/OS7/104</p> <p>Site – Land at Green End Road, East Morton</p> <p>IR – Keighley / Pages 198-199</p>		<p>A) The following change be made to the Keighley Proposals Map as shown on plan number Mod/K/UR/1:</p> <ul style="list-style-type: none"> • Allocate the site as Village Greenspace under Policy OS7. <p>B) The following text to be inserted in the Keighley Proposals Report:</p> <p><i>K/OS7.13 Green End Road, East Morton</i></p> <p><i>A sloping site consisting of open grassland and mature tree cover. The land makes a considerable contribution to the character and setting of the village and conservation area.</i></p>	For the reasons set out in the Inspector's Report.
<p>Mod - Mod/K/UR/2</p> <p>UDP - K/UR5.2 and SOM/K/H1/228</p> <p>Site – Lyon Road, Steeton with Eastburn</p> <p>IR – Keighley, Page 10-11</p>	<p>K/UR5.2 LYON ROAD, STEETON WITH EASTBURN 0.80</p> <p>A new greenfield site, allocated for housing in the adopted UDP and located within the settlement. The site is susceptible to flooding and to noise disturbance from nearby industrial uses.</p>	<p>A) The text of the plan be amended as follows:</p> <p>K/UR5.2 LYON ROAD, STEETON WITH EASTBURN 0.80</p> <p>A new greenfield site, allocated for housing in the adopted UDP and located within the settlement. The site is susceptible to flooding and to noise disturbance from nearby industrial uses.</p> <p>B) The RDDP Proposals Map is modified by the deletion of the site's safeguarded land designation K/UR5.2 as shown in plan number Mod/K/UR/2.</p>	For the reasons set out in the Inspector's report.

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<p>Mod - Mod/K/UR/3</p> <p>UDP - K/UR5.13, SOM/K/H2/69, SOM/K/GB1/69 & SOM/K/OS7/69</p> <p>Site - Denholme Road, Oxenhope</p> <p>IR – Keighley, Pages 20-22</p>	<p>K/UR5.13 DENHOLME ROAD, OXENHOPE 0.98</p> <p>A new greenfield site, allocated for housing on the adopted UDP and located within the settlement. The site is somewhat isolated from local and District facilities. Development would need to ensure a positive contribution to the Leeming Conservation Area is made.</p> <p>K/OS7.12 DENHOLME ROAD, OXENHOPE</p> <p>One of the areas in Leeming that provides open character to the settlement pattern and contributes to its setting in the surrounding landscape.</p>	<p>A) The text in chapters 4 and 12 of the Keighley volume be amended as follows:</p> <p>K/UR5.13 DENHOLME ROAD, OXENHOPE 0.98</p> <p>A new greenfield site, allocated for housing on the adopted UDP and located within the settlement. The site is somewhat isolated from local and District facilities. Development would need to ensure a positive contribution to the Leeming Conservation Area is made.</p> <p>K/OS7.12 DENHOLME ROAD, OXENHOPE</p> <p>One of the areas in Leeming that provides open character to the settlement pattern and contributes to its setting in the surrounding landscape.</p> <p>K/OS7.14 NORTH OF DENHOLME ROAD, OXENHOPE</p> <p><i>This land contributes to the character and appearance of the area by providing a break in development, bringing the countryside setting right up to the roadside and reinforcing the rural nature of the settlement.</i></p> <p>B) The proposals map be amended as shown in plan number Mod/K/UR/3 to reflect the new Village Greenspace designation.</p>	<p>The Council accepts the Inspector’s conclusions that the site performs poorly in terms of its sustainability and in terms of the sequential approach to allocating land for housing set out in RPG Policy H2. It therefore also accepted his recommendation that the site’s safeguarded land status should be deleted. Policy UR5.13 is therefore deleted.</p> <p>The Council accepts the Inspector’s judgement at paragraph 4.57 that the site contributes to the character and appearance of the area by providing a break in development, bringing the countryside setting right up to the roadside and reinforcing the rural nature of the settlement. It agrees with the Inspector’s recommendation to afford it protection from development through a designation as Village Greenspace. A suitable policy is therefore added to chapter 13 of the Keighley volume of the revised UDP. The land is referred to as ‘North’ of Denholme Road to distinguish it from the preceding policy OS7.12.</p>

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<p>Mod - Mod/K/UR/4</p> <p>UDP – UR5.16 Former K/H2.10 & SOM/K/H2/31, SOM/K/OS7/31</p> <p>Site – Wharfe Park, Addingham</p> <p>IR – Keighley, Pages 24-5</p>	<p>K/UR5.16 WHARFE PARK, ADDINGHAM 1.70</p> <p>A new greenfield site, allocated for housing in the adopted UDP and located within the settlement. Development must include a landscaped buffer to the Village Green Space to the south.</p>	<p>A) The Keighley volume be amended as follows:</p> <p>K/UR5.16 WHARFE PARK, ADDINGHAM 1.70</p> <p>A new greenfield site, allocated for housing in the adopted UDP and located within the settlement. Development must include a landscaped buffer to the Village Green Space to the south.</p> <p>B) The Proposals map be amended as shown in plan number Mod/K/UR4.</p>	<p>For the reasons set out in the Inspector's Report.</p>

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<p>Mod - Mod/K/UR/5</p> <p>UDP – UR5.17 K/H2.12 & SOM/K/OS1/229</p> <p>Site - Higherwood Close, Long Lee, Keighley</p> <p>IR – Keighley, Page 121</p>	<p>K/UR5.17 HIGHERWOOD CLOSE, LONG LEE, KEIGHLEY 1.03</p> <p>A new greenfield site, allocated for housing in the adopted UDP and located on the edge of the urban form. Access to the development would be dependent on highway constraints at Coney Lane Bridge being resolved. Development must include a landscaped buffers to the adjacent Urban Green Space.</p>	<p>A) Delete the site reference within chapter 4 as follows:</p> <p>K/UR5.17 HIGHERWOOD CLOSE, LONG LEE, KEIGHLEY 1.03</p> <p>A new greenfield site, allocated for housing in the adopted UDP and located on the edge of the urban form. Access to the development would be dependent on highway constraints at Coney Lane Bridge being resolved. Development must include a landscaped buffers to the adjacent Urban Green Space.</p> <p>B) Allocate the site as part of the Parkwood Urban Green Space under policy K/OS1.7.</p> <p>C) The proposals map will be amended as shown in plan Mod/K/UR/5.</p>	<p>For the reasons set out in the Inspector's Report.</p>

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<p>Mod - Mod/K/UR/6</p> <p>UDP – K/UR5.22 (K/H2.17 and SOM/K/H1/420)</p> <p>Site - Park Lane, Parkwood, Keighley</p> <p>IR – Keighley , Page 26, 115, 123-4</p>	<p>K/UR5.22 PARK LANE, PARKWOOD, KEIGHLEY 2.78</p> <p>A new greenfield site, allocated for housing in the adopted UDP and located on the edge of the urban form. Before development of the site is undertaken an ecological survey is required. Access to the development would be dependent on highway constraints at Coney Lane Bridge being resolved. Listed milestone to Park Lane must be incorporated in to the development of the site.</p>	<p>A) Delete the following text from chapter 4:</p> <p>K/UR5.22 PARK LANE, PARKWOOD, KEIGHLEY 2.78</p> <p>A new greenfield site, allocated for housing in the adopted UDP and located on the edge of the urban form. Before development of the site is undertaken an ecological survey is required. Access to the development would be dependent on highway constraints at Coney Lane Bridge being resolved. Listed milestone to Park Lane must be incorporated in to the development of the site.</p> <p>B) Insert the following into chapter 6 :</p> <p><i>K/H2.17 PARK LANE, PARKWOOD, KEIGHLEY 2.78</i></p> <p><i>Site carried forward from adopted UDP. A greenfield site on the edge of the urban form. Before development of the site is undertaken an ecological survey is required. Access to the development would be dependent on highway constraints at Coney Lane Bridge being resolved. Listed milestone to Park Lane must be incorporated into the development of the site.</i></p> <p>C) Amend the proposals map as shown in plan number Mod/K/UR/6.</p>	<p>For the reasons set out in the Inspector’s report.</p>

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<p>Mod - Mod/K/UR/7</p> <p>UDP - K/UR5.25: (formerly K/H2.22) SOM/K/GB1/35 & SOM/K/H1/35</p> <p>Site - Shann Lane, Black Hill, Keighley</p> <p>IR – Keighley, Page 30, 78 & 127-129</p>	<p>K/UR5.25 SHANN LANE, BLACK HILL, KEIGHLEY 4.78</p> <p>A new greenfield site, allocated for housing in the adopted UDP and located within the urban form. Highway investment, as Shann Lane is narrow with poor junction alignments at Spring Gardens Lane, and off-site infrastructure for surface water are required.</p>	<p>A) The following change is made to the text of the Plan:</p> <p>K/UR5.25 SHANN LANE, BLACK HILL, KEIGHLEY 4.78</p> <p>A new greenfield site, allocated for housing in the adopted UDP and located within the urban form. Highway investment, as Shann Lane is narrow with poor junction alignments at Spring Gardens Lane, and off-site infrastructure for surface water are required.</p> <p>H2.22 SHANN LANE, BLACK HILL, KEIGHLEY</p> <p>Site carried forward from the adopted UDP. Greenfield site within the urban form. Highway investment, as Shann Lane is narrow with poor junction alignments, is required.</p> <p>B) The proposals map be amended as shown in plan number Mod/K/UR/7 to reflect the new allocation above.</p>	<p>For the reasons set out in the Inspector's Report.</p>
<p>Mod - Mod/K/UR/8</p> <p>UDP – K/UR5.26</p> <p>Site – North Dean Avenue, Guard House, Keighley</p> <p>IR – N/A</p>	<p>K/H5.26 NORTH DEAN AVENUE, GUARD HOUSE, KEIGHLEY 6.73</p>	<p>K/UR5.26 NORTH DEAN AVENUE, GUARD HOUSE, KEIGHLEY 6.73</p>	<p>This change first appeared in the Council's Pre Inquiry Changes document published in January 2003. The purpose of the change was to correct a typographical error.</p>

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<p>Mod - Mod/K/UR/9</p> <p>UDP - K/UR5.32: (formerly K/H2.32) SOM/K/H1/39, SOM/K/BH7/39, SOM/K/OS1/39 & SOM/K/OS7/39</p> <p>Site - Off Lees Lane (South), Haworth</p> <p>IR – Keighley, Pages 33, 80, 135-137, 172, 184, & 197</p>	<p>K/UR5.32 OFF LEES LANE (SOUTH), HAWORTH 0.83</p> <p>A new greenfield site within the settlement. Development must include a landscaped buffer to the Village Green Space to the south-west.</p>	<p>A) The following changes be made to the text of the Plan:</p> <p>K/UR5.32 OFF LEES LANE (SOUTH), HAWORTH 0.83</p> <p>A new greenfield site within the settlement. Development must include a landscaped buffer to the Village Green Space to the south-west.</p> <p>B) The proposals map be amended as shown in plan number Mod/K/UR/9</p>	<p>For the reasons set out in the Inspector’s Report.</p>
<p>Mod - Mod/K/UR/10</p> <p>UDP - UR5.33 (former K/H2.33) & SOM/K/CF3/78, SOM/K/OS1/78 & SOM/K/OS7/78</p> <p>Site - Ashlar Close, Haworth, Keighley</p> <p>IR – Keighley, Pages 137-8, 178, 184-5 & 198</p>	<p>K/UR5.33 ASHLAR CLOSE, HAWORTH</p> <p>A new greenfield site within the settlement. Development must incorporate the public footpath that crosses the site and investment in water supply and drainage infrastructure is required.</p>	<p>A) The following changes be made to the text of the Plan:</p> <p>K/UR5.33 ASHLAR CLOSE, HAWORTH</p> <p>A new greenfield site within the settlement. Development must incorporate the public footpath that crosses the site and investment in water supply and drainage infrastructure is required.</p> <p>B) The proposals map be amended as shown in plan number Mod/K/UR/10 to reflect the deletion of the safeguarded land allocation.</p>	<p>For the reasons set out in the Inspector’s Report.</p>
<p>Mod - Mod/K/UR/11</p> <p>UDP - UR5.34 –</p>		<p>A) The following text be deleted from chapter 4 of the Keighley volume of the Plan:</p>	<p>The Inspector’s Report in relation to this site, set out in paragraphs 6.327 to 6.335 covers a number of substantive issues.</p>

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<p>formerly K/H2.35: SOM/K/BH7/41, SOM/K/CF3/41, SOM/K/OS2/41 & SOM/K/GB1/41</p> <p>Site - Weavers Hill, Haworth, Keighley</p> <p>IR – Keighley, Pages 139-41, 173, 177, 190- 1, 212-3</p>	<p>K/UR5.34 WEAVERS HILL, HAWORTH 1.11</p> <p>A new greenfield site, allocated for housing in the adopted UDP and located on the edge of the settlement. The listed Old Hall and the Haworth Conservation Area lie to the east. Part of the conservation area is within the site future development must respect the historic context of this location.</p>	<p>K/UR5.34 WEAVERS HILL, HAWORTH 1.11</p> <p>A new greenfield site, allocated for housing in the adopted UDP and located on the edge of the settlement. The listed Old Hall and the Haworth Conservation Area lie to the east. Part of the conservation area is within the site future development must respect the historic context of this location.</p> <p>B) The following text be added to chapter 12 of the Keighley volume of the Plan:</p> <p><i>OS7.15 WEAVERS HILL, HAWORTH An open area of land adjoining one the villages' main visitor car parks and which contributes to the special interest, character and experience of the village.</i></p> <p>C) The proposals map be amended as shown in plan Mod/K/UR/11 to reflect the :</p> <ul style="list-style-type: none"> • Deletion of the site's safeguarded land designation; and • Designation of the field to the west of Weavers Hill as Village Greenspace. 	<p>At paragraph 6.327 the Council notes and agrees with the Inspector's assertion that this site has never been part of the Green Belt. This is a key point which affects the consideration of which designation would be appropriate for the site. The Council returns to this issue in detail below.</p> <p>At paragraph 6.328 the Inspector reaches the conclusion that the site could be genuinely capable of development in the future. The Council agrees with this assessment but notes that simply because a site is capable of being developed does not in itself mean that a site should be identified for development. Other considerations ranging from the detailed issues of the impact of the development on the local area to how the development would accord with local, regional and national strategy for directing development to the most sustainable locations also need to be taken into account.</p> <p>In paragraph 3.329 the Inspector concludes that in locational terms Haworth is classified in the Replacement Plan as a less well located settlement. The Council agrees with this assessment. It follows that the Plan should only be identifying sufficient land – both for the plan period through allocations, and for the longer term through the identification of safeguarded land – to meet local housing need.</p> <p>Having established the importance of providing for these local housing needs, the remainder of the Inspector's deliberations, covering paragraphs 6.331 to 6.335 assess the potential impacts of development of the site on the character and setting of the village and in particular its conservation area. At the inquiry the Council took the view that assuming high standards of design, the development of the site need not have an adverse impact on the setting of the conservation area. This possibility has been considered by the Inspector and rejected. The Council therefore accepts the Inspector's conclusion that the open setting of the fields adjoining the car park greatly contributes to the special interest and character of the village and that that this would be lost in part by the development irrespective of the form or quality of what could be built. It therefore follows that the Inspector's conclusion that the site should not be identified as safeguarded land is logical and this conclusion is therefore also accepted.</p>

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			<p>The Council, however, does not consider that the Inspector has made an adequate or compelling case for the addition of the site to the Green Belt. The Council has reached this view by reference to the tests set out both in national planning policy and established in law. In order for land to be added to the Green Belt exceptional circumstances must exist. This is in line with the general principle set out in paragraph 2.6 of PPG2 that 'Once the general extent of the Green Belt has been approved it should be altered only in exceptional circumstances.' The Inspector sets out, at paragraph 6.333 a number of issues which he considers represent 'good reasons' why the majority of the site should be included within the Green Belt. However good reasons for making such a change do not necessarily represent 'exceptional circumstances' - demonstrating exceptional circumstances is in the Council's view is a far more rigorous test. The Council therefore considers that the analysis in paragraph 6.333 does not set out a convincing basis for adding the land to the Green Belt.</p> <p>The Inspector does state at Paragraph 6.334 that he considers that exceptional circumstances exist for adding land to the Green Belt. However he makes no mention of what these circumstances are in this specific case. He merely refers to his comments in the Policy Framework of his report. Given that the Inspector does not give a specific reference to where this assessment in the Policy Framework occurs, the Council can only presume that he is referring to pages 9-12 which deal with Policy UDP2. The analysis in this part of his report does consider the general extent of the Green Belt but makes no specific mention of this site or the issues which could potentially lead to its addition to the Green Belt. The general thrust of pages 9-12 is to call for a further general green belt review and deletion of currently designated green belt land on the basis of a presumed deficiency of phase 2 housing land and safeguarded land. Notwithstanding the fact that the Council does not agree with the Inspector's conclusions on the need for an immediate further green belt review (as set out in the Council's Statement number SDxxxx), this argument does not appear to relate to the issues relevant to this site.</p> <p>The Courts in a case Copas v The Royal Borough of Windsor and Maidenhead ([2001] J.P.L. 1169) has led to a very specific test which should to be applied when adding land the green belt. This test</p>

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			<p>provides that exceptional circumstances which necessitate an addition to an adopted Green Belt will not exist unless 'some fundamental assumption which caused the land initially to be excluded from the Green Belt is thereafter clearly and permanently falsified by a later event'. The Inspector makes no mention of whether or how this test is met in relation to the land at Weavers Hill. There is therefore no basis on which to include the modification to the green belt as recommended by the Inspector. Moreover it is the Council's view that there are convincing reasons to suggest that the Copas tests cannot be met in this case. This is firstly because any policy changes – whether local, regional, or national – cannot be considered to be permanent changes of circumstance, and secondly because it is doubtful whether there have been any significant changes since the Green Belt in this area was first defined and the land in question was left out of the Green Belt.</p> <p>Given that the Council accepts that the site cannot be developed without some harm to the character of the area, and its conclusion that one of the potential means of protecting it – through green belt designation – is not appropriate, another form of designation which would prevent development is necessary. Paragraph 12.42 of the Policy Framework volume of the Replacement UDP states that, "<i>There are some other areas of greenspace which have an important local amenity value, contributing to the character and setting of the village. Development of these areas, some of which may be privately owned or include areas of Recreation Open Space, would be harmful to the visual, quality, character and setting of the village.</i>"</p> <p>It is the Council's view that the land to the west of Weavers Hill meets this description and would therefore be most appropriately designated as Village Greenspace. While not representing the level of protection or permanence of protection afforded by Green Belt, this designation would recognize many of the attributes of the land as described by the Inspector and the contribution the Inspector considers it makes to the setting of the village. Policy OS7 would give the land robust protection for the lifetime of the Plan whilst providing a degree of flexibility in the much longer term should a future Plan review find the need for land to meet local development needs so overwhelming and the options for meeting that need to be so constrained as to outweigh the harm to the setting of the village</p>

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			which development would bring.

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<p>Mod - Mod/K/UR/12</p> <p>UDP - SOM/K/UR5/107, SOM/K/H1/107, SOM/K/H2/107 & SOM/K/GB1/107:</p> <p>Site - Land within the Curtilage of 23 Crossfield Rd, Oxenhope.</p> <p>IR – Keighley, Pages 35-36</p>		<p>Amend the boundary of the Green Belt as shown in plan number Mod/K/UR/12 .</p>	<p>The Council accepts the recommendation though it does not fully accept the reasoning given by the Inspector in paragraph 4.121 of his report. In particular it considers that the Council’s review of the Green Belt as part of the preparation of this plan is not in itself an exceptional circumstance which justifies a green belt deletion.</p> <p>However in paragraphs 3.19 and 3.20 of his report into the Policy Framework volume of the Plan, the Inspector does point out the two main exceptional circumstances which could justify Green Belt deletions. These are firstly the removal of land to meet the district’s development needs and secondly to remove anomalies in the original delineation of Green Belt boundaries or anomalies which have arisen since the boundaries were first defined. The latter circumstance applies in this instance as it is clearly – as implied by the Inspector in paragraph 4.121 – an anomaly that the Green Belt boundary in this location has been drawn to exclude the curtilages of all the other properties along the south side of Crossfield Road but not that of number 23.</p>
<p>Mod - Mod/K/UR/13</p> <p>UDP – K/UR7.1</p> <p>Site – Worth Valley Mixed Use Area</p> <p>IR – N/A</p>	<p>Use classes permitted in Worth Valley would be:</p> <p>B1 Business</p> <p>B2 General Industry</p> <p>C3 Dwelling Houses</p> <p>Uses A1 (retail), A3 (food and drink) and D2 uses (leisure and recreation) may be acceptable if they are of a scale appropriate to supporting the needs of the local community.</p>	<p>Use classes permitted in Worth Valley would be:</p> <p>B1 Business</p> <p>B2 General Industry</p> <p>C3 Dwelling Houses</p> <p>Uses A1 (retail), A3 (food and drink) and D2 uses (leisure and recreation) may be acceptable if they are of a scale appropriate to supporting the needs of the local community and are in accordance with the relevant policies elsewhere in the Plan.</p>	<p>This change first appeared in the Council’s Pre Inquiry Changes document published in January 2003. The purpose of the change was to clarify the implementation of the Plan.</p> <p>No objections were received to the change when the Pre Inquiry Changes document was published for comment.</p>