

LIST OF MODIFICATIONS

UDP – Keighley Chapter 8 Transport and Movement

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/TM/1</p> <p>UDP – SOM/K/TM7.4</p> <p>Site – Ben Rhydding Station</p> <p>IR – Keighley pages 161-164</p>	<p>K/TM7.4 BEN RHYDDING STATION</p> <p>Several options are being considered to provide additional parking at this station.</p>	<p>A) The following changes be made to the Keighley volume:</p> <p>K/TM7.4 BEN RHYDDING STATION</p> <p>Several options are being considered to provide additional parking at this station. <i>The Scout headquarters land, however, will only be considered for parking purposes if it becomes available.</i></p> <p>B) Proposals Map changes - Movement of Park and Ride ‘P’ symbol on the Proposals Map so that it is wholly contained within the field to the east of Wheatley Lane, to the north of the Scout headquarters as shown on plan number Mod/K/C/2.</p>	<p>The Scout headquarters land would not be required for parking whilst the headquarters are located there, but should the Scouts choose to relocate then this land would be considered for parking purposes.</p>
<p>Mod - Mod/K/TM/2</p> <p>UDP – K/TM20.1 & SOM/K/GB1/81</p> <p>Site – Silsden Eastern Bypass, Silsden</p> <p>IR – Keighley pages 165-166</p>	<p>K/TM20.1 SILSDEN EASTERN BYPASS, SILSDEN</p> <p>Carried forward from the Adopted UDP. This scheme will be funded by the private sector to improve Silsden’s highway network by providing a primary access road for new development that will also act as a bypass for the town centre. It is essential that construction of the section of the by-pass to the south of the canal is co-ordinated with the development of sites K/E1.4 and K/H2.37, and construction of the remainder of the by-pass, to the north of the canal, is co-ordinated with the development of sites K/H2.7 and K/H2.8. The by-pass must only be opened to public</p>	<p>A) The following changes be made to the text:</p> <p>K/TM20.1 SILSDEN EASTERN BYPASS, SILSDEN</p> <p>Carried forward from the Adopted UDP. This scheme will be funded by the private sector to improve Silsden’s highway network by providing a primary access road for new development that will also acting as a bypass for the town centre <i>and providing a primary access road for new development when the safeguarded land allocations on the eastern side of the settlement be brought forward for development. The scheme would be likely to be funded by the private sector and built only when the adjoining safeguarded land comes forward</i></p>	<p>In considering the merits of the Silsden Eastern bypass proposal the Inspector considers a number of substantive issues. However the most important issue for the Inspector, covered in his very first paragraph (8.24) wrongly in the Council’s view, that the bypass is included in the Plan only because of the development allocations in the settlement. The Inspector gives no explanation on how he has reached this conclusion. The Council’s expert transport planning witness at the Public Inquiry provided considerable data and other evidence demonstrating the nature of existing traffic flows through the settlement and a range of existing traffic and highways concerns. For example at paragraph 3.15 of his proof of evidence, the Council’s witness Ian Gallagher outlines a number of issues such as narrow roads and footpaths through the town, numerous sub-standard junctions, recent traffic growth following improvements to the Aire Valley route which leads him to make the comment that ‘existing traffic volumes in Silsden are a source of some concern’, while at paragraph 4.2 he explicitly states that the bypass performs two functions – removing existing through traffic movements from</p>

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	<p>traffic once it is fully completed throughout its entire length.</p>	<p>for development . It is essential that construction of the section of the by-pass to the south of the canal is co-ordinated with the development of sites UR5.36 & UR5.40 KE1.4 and KH2.37, and construction of the remainder of the by-pass, to the north of the canal, is co-ordinated with the development of sites UR38 and UR39 KH2.7 and KH2.8, in order to minimize impacts on the town and its facilities. The by-pass must only be opened to public traffic once it is fully completed throughout its entire length.</p> <p>B) The Proposals Map be amended as shown on plan number Mod/K/TM/2.</p>	<p>roads in the town centre and minimising the impacts of new development traffic by providing an alternative route for vehicles from these areas.</p> <p>The Inspector's Report not only fails to offer a conclusion on whether it has rejected this aspect of the Council's case but does not even mention existing traffic levels and issues within the town. It is therefore not clear as whether he considers that there are existing traffic problems within the settlement or whether he has rejected these claims. The Council considers this to be a serious omission given that in paragraphs 8.24 and 8.29, the Inspector's conclusions seem so clearly linked to his assertion that the bypass is only needed because of the other allocations.</p> <p>In considering whether to accept or to reject the Inspector's recommendations relating to the Silsden bypass, the Council also has to take account of other decisions it has made elsewhere in this report. In its statements (see housing and employment sections of this report) , the Council has rejected the recommendations made by the Inspector to delete a number of the major development sites and add them to the Green Belt, suggesting that they should instead be designated as Safeguarded Land, for potential development in the longer term. It has also suggested that the role and status of Silsden in the District's settlement hierarchy may need to be re-examined in the light of the new Regional Spatial Strategy. These conclusions suggest to the Council that it would be wrong and premature to delete the line of the Silsden Eastern Bypass from the replacement Plan despite the reduced level of development envisaged in the short and medium term.</p> <p>In paragraphs 8.25 to 8.28 the Inspector considers the potential environmental impacts of the bypass proposal. The Council considers a number of the conclusions within these paragraphs to be questionable. Firstly within paragraph 8.25, the Inspector asserts that without the development it is meant to serve, the bypass would appear as a scar on the landscape around Silsden. However as the Council never proposed to develop the bypass in isolation and is not proposing the insertion of the adjoining development sites within the Green Belt, this point loses its relevance.</p>

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			<p>In paragraph 8.25 the Inspector mentions that no design evidence was presented to show how the roads proximity to the Brunthwaite Conservation Area would be handled to avoid harm, while in paragraph 8.26 he concludes that in the absence of details of bridges and embankments the visual impacts would be harmful. However this is not to say that such designs could not be achieved nor is, in the view of the Council, a UDP inquiry the best place to definitively resolve such issues. Detailed designs would be considered as a part of a planning application where any scheme which did not satisfactorily resolve these issues would be refused. At the time of the inquiry, detailed investigations were in hand to address these issues. In its proof of evidence on landscape issues associated with the bypass, the Council reported that a scoping report for an Environmental Impact Assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 had been prepared. This would ensure that all the points raised by the Inspector would be addressed as part of the planning application process.</p> <p>The Inspector's failure, in the view of the Council, to adequately address the issues and evidence relating to the need for the bypass, also undermines his conclusions on the environmental impacts of the scheme since it is only possible to judge whether any environmental effects which would occur are justified when considering them against an accurate appraisal of the need and thus benefits of the scheme.</p> <p>Finally in paragraph 8.29 the Inspector considers what the land identified for the bypass should be allocated for and concludes that it should be included within the Green Belt. The Council considers that this recommendation is also flawed. If accepted, the Inspector's recommendation would result in land being added to the Green Belt. PPG2, at para 2.6, advises that "once the general extent of a Green Belt has been approved it should only be altered in exceptional circumstances". Paragraph 2.7 of PPG2 provides that the exceptional circumstance should "necessitate" a revision to the Green Belt boundary. The court case Copas v The Royal Borough of Windsor and Maidenhead ([2001] J.P.L. 1169) led to a very specific test being applied when adding land to the Green Belt. The case provides that there will be no exceptional circumstances which</p>

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			<p>necessitate an addition to the green belt unless “some fundamental assumption which caused the land initially to be excluded from the Green Belt is clearly and permanently falsified by a later event”. Nowhere in his report does the Inspector consider whether these tests for including land within the Green Belt are met in the case of the land covered by the Silsden bypass.</p> <p>In conclusion the Council has carefully assessed the analysis set out by the Inspector. It has rejected his recommendations for a number of reasons. The Inspector’s conclusions on the need for the bypass are rejected in part because he appears to have failed to assess the existing traffic problems within Silsden and partly because the Council has rejected his recommendations to delete the development sites on the eastern side of the settlement. The Council also considers that the Inspector has reached conclusions on the environmental impacts of the scheme without the necessary detailed designs which would normally form the required basis for doing so. Finally the Inspector has not demonstrated that the necessary exceptional circumstances exist which would necessitate adding the land to the Green Belt. The Council takes the view that in the light of the potential development of the land on the eastern side of the settlement in the longer term and the re-assessment of the role which the settlement should play within the forthcoming Regional Spatial Strategy it would be prudent to retain and safeguard the bypass line within the replacement plan.</p> <p>The Proposals Map will however be amended to reflect agreements reached with both the Environment Agency and Countryside Strategic Properties to make minor amendment to the line of the bypass to avoid encroachment into the functional floodplain. These amendments were submitted to the Inspector at the Inquiry and are accepted by him within paragraph 8.28 of his report.</p>

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<p>Mod - Mod/K/TM/3</p> <p>UDP – K/TM20.3</p> <p>Site – Elliot Street/Keighley Road Junction, Silsden</p> <p>IR – Keighley pages 167-168</p>	<p>K/TM20.3 ELLIOT STREET/KEIGHLEY ROAD JUNCTION, SILSDEN</p> <p>Land protected for a highway improvement scheme at the junction of Elliot Street and Keighley Road.</p>	<p>A) Chapter 8 of the Keighley volume be amended as follows:</p> <p>K/TM20.3 ELLIOT STREET / KEIGHLEY ROAD / CLOG BRIDGE JUNCTION, SILSDEN</p> <p>Land protected for a highway improvement scheme at the junction of Elliot Street, Clog Bridge and Keighley Road.</p> <p>B) The proposals map be amended as shown in plan number Mod/K/TM/3.</p>	<p>For the reasons set out in the Inspectors Report.</p>
<p>Mod - Mod/K/TM/4</p> <p>UDP – SOM/K/TM20/82</p> <p>Site – Wharfedale Cycleway, Wheatley Lane/A65, Ilkley</p> <p>IR – Keighley pages 168-170</p>		<p>Proposals Map change - Delete that part of the cycle route shown on Proposals Map bisecting the field between Wheatley Grange and Wheatley Lane, Ben Rhydding and substitute with a route passing down the western and northern boundaries of the field as shown in plan number Mod/K/TM/4.</p>	<p>For the reasons set out in the Inspectors Report.</p>