

12/06/12

John Eyles
Major Development Manager
Department of Regeneration
Planning Service
Jacobs Well
Manchester Road
Bradford
West Yorkshire BD1 5RW

8th June 2012

Ref: IGB/ys

Dear John

Bradford Shipley Regeneration Corridor Strategic Development Framework

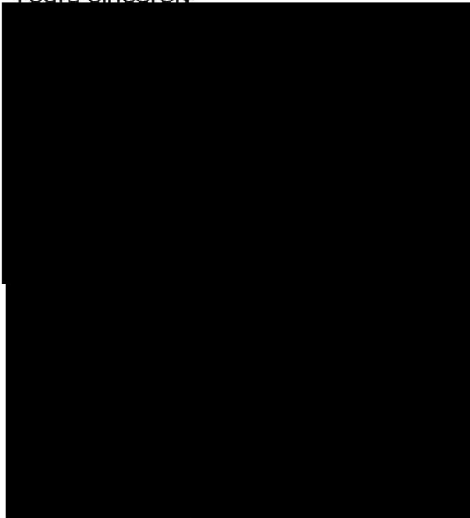
I write on behalf of my clients the Marshall Group and attach for your consideration representations made on their behalf to the Bradford Shipley Regeneration Corridor Strategic Development Framework Consultation Event Proposals.

I have also sent a copy of this document to our colleague Simon Woodhurst and to Andrew Teage at BDP.

I very much look forward to receiving your collective response to the comments made and for my clients to become a part of the team driving this initiative forward in the near future.

Kind regards.

Yours sincerely



IAIN BATH PLANNING

FILE COPY

**Bolton Woods Quarry
Canal Road, Bradford**

Bradford Shipley Regeneration Corridor

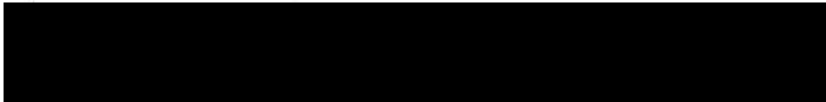
Strategic Development Framework

Comments on Consultation Event Proposals

On behalf of the Marshall Group

June 2012

Agency | Development | Investment | Valuation



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1.0 Introduction

- 1.1 These comments are submitted by Iain Bath Planning on behalf of the Marshall Group who own the 40 plus hectare Bolton Woods Quarry site on Canal Road in Bradford.
- 1.2 The comments are made in relation to the Strategic Development Framework (SDF) proposals for the Bradford Shipley Regeneration Corridor which forms part of the emerging Bradford Local Development Framework exercise (LDF).

Representations to the Bradford LDF Core Strategy document were made on behalf of the Marshall Group in respect of this site earlier this year.

- 1.3 It is requested that these comments are given careful consideration and inputted into the SDF process so that appropriate proposals for integrating the site into a wider comprehensive master plan for the corridor area form part of the published Preferred Option later this year.

2.0 Site Ownership – Marshall Group

- 2.1 The Marshall Group fully support this initiative and are committed to playing a key role in the regeneration of this area of the district and to bringing their land ownership forward at an early stage as part of the investment proposals for the Bradford Shipley Corridor.
- 2.2 The Marshall Group have continuously operated a commercial business at the Bolton Wood Quarry for over 55 years. The current operation involves a dimension stone quarry which produces blockstone and bulk fill crushed stone. This business employs 3 staff on site. The dimension stone output is transferred to the groups other Bradford quarry based at Fagley Road.
- 2.3 The Marshall Group have already entered into a collaboration agreement with Bradford Council and adjoining landowners at Fagley Lane which will ensure, subject to planning approval that a major site in North Bradford is delivered for development within the very near future.
- 2.4 The Group are equally committed to bringing the Bolton Wood Quarry site forward in a similar manner which will see their current modest commercial operation succeeded by comprehensive regeneration of the Bradford Shipley corridor. In this respect they are keen to become an integral part of the team driving this forward.

3.0 Site Details

- 3.1 At present Bolton Woods Quarry is an existing working quarry approaching the end of its life and it will become available for redevelopment in the short term.
- 3.2 At over 40 plus hectares, the quarry site is of strategic size and scale and occupies an urban setting in the heart of the Bradford Shipley Canal Road Corridor.
- The site is previously developed land and represents the largest brownfield site in the district.
- 3.3 The site is well connected to adjoining residential areas by an established road network with multiple access point opportunities.
- 3.4 At present the site is a physical scar on the local landscape but is capable of rapid transformation by self contained remodelling of quarry spoil heaps and cuttings. Redevelopment would enable a comprehensive 'earthworks' solution to be achieved and remove any prejudicial effect that an undeveloped quarry site would have on the wider corridor initiative.
- 3.5 The site is located in a highly sustainable context and forms a fundamental centralised part of the Canal Road Corridor benefitting from close links to services and facilities and existing established infrastructure.
- 3.6 A location plan and aerial photograph of the site are included at Appendix 1.
- 3.7 Over the last 2 years work has been ongoing with officers of Bradford Council to bring forward comprehensive redevelopment proposals for the Canal Road Corridor Area. The quarry site, given its size and single ownership context represents an integral part of this initiative.
- 3.8 A collaboration process is underway with the Council and its partner Canal Road Urban Village Ltd. Discussions are also underway with the Council's advisors to bring forward a strategic comprehensive redevelopment proposal for the corridor area, including the quarry site.
- These comments build on this established context and aim to assist the overall masterplanning process.
- 3.9 The quarry site is available and deliverable in the short term and as a consequence the masterplan phasing for the corridor area should acknowledge its early potential in redevelopment, regeneration, investment and environmental improvement terms.

4.0 Comments on Master Plan Proposals

Introduction

- 4.1 The Marshall Group support the principal objective of the SDF to provide a vision and framework to guide future investment in the corridor and assist in meeting the strategic needs of Bradford district as outlined in the LDF Core Strategy.

A comprehensive masterplan framework for the area is considered the most appropriate mechanism to achieve this.

i) Study Context

- 4.2 The inclusion of the quarry site within the study area is welcomed.

Within this context it is important to recognise the scale of the site, its central location within the corridor area and its key relationship characteristics. The site forms an integral part of the study area.

- 4.3 The LDF Core Strategy acknowledges the district's high population growth and identifies the potential for up to 5,000 new dwellings within the corridor area up to 2028.

The quarry site is well placed to assist with delivering a significant proportion of this requirement and particularly within early phases of development given its brownfield, urban context and the district's current housing land availability position.

- 4.4 The quarry site has extremely good sustainability credentials and has the ability to add significant betterment to this part of the urban area.

- 4.5 The Marshall Group request that they become a key stakeholder and an integrated part of this process and their initial proposals which are included at Appendix 2 included within this Preferred Option for the area with finer details being worked up and discussed over the coming months.

ii) Community Consultation To Date

- 4.6 The Marshall Group are already a principal landowner within the study area and discussions have taken place over the last 2 years.

In this respect they have confirmed that the quarry site is available, achievable and deliverable as part of this initiative. They now wish to have detailed involvement in the realisation of this initiative.

- 4.7 The key issues identified following recent consultation events are noted and it is considered could all be addressed in a positive and beneficial manner as part of a co-ordinated, integrated and comprehensive master plan proposal for the corridor area, including the quarry site.

iii) Vision

- 4.8 The Marshall Group confirm their support for the stated vision and note the identification of the quarry site within the central section of the corridor area. To be consistent with the LDF and SDF processes however they consider the vision period should be extended to 2028.

- 4.9 Also noted are the identified components of the vision and the initial proposals included at Appendix 2 have been developed with these objectives in mind. Specifically in relation to the vision for the central section it is considered that the quarry site provides the principal opportunity to achieve these various aspects and it is therefore requested that the Marshall Group be involved in more detailed dialogue in the near future so as to enable their proposals to be incorporated into the wider comprehensive framework.

iv) Development Scenarios

- 4.10 The Marshall Group advocate support for development Scenario 3. Such an approach would be consistent with the principles of the LDF Core Strategy, National Planning Policy Framework guidance and the timeframe to 2028 as set out within the LDF.

- 4.11 As a comprehensive masterplanning initiative for the regeneration of a key corridor area it is considered fundamental and of vital importance to set a context that enables growth, investment and opportunities to come forward without obstacle and delay and within as flexible a framework as possible.

It is understood that such an exercise will require careful consideration of land uses, infrastructure requirements, sustainability aspects and the phasing and manner of development.

- 4.12 Whilst market forces are acknowledged as a relevant consideration endeavours should be made in establishing the framework to promote a positive context which is encouraging of early development in line with government policy advice.

The Marshall Group would reiterate their desire to play their part in the delivery of this regeneration project with the inclusion of the quarry site as a key component.

v) Scenario 1: Lower Growth Scenario

- 4.13 In general terms the Marshall Group do not support this scenario although do note that a quantum of new development would be generated, including identification of the quarry site.

- 4.14 It is not considered that this scenario is reflective of LDF Core Strategy objectives nor the recent advice published in the national planning policy framework.

The scenario appears to take an overly pessimistic view of market conditions going forward which is contrary to key government messages and importantly the need to identify an appropriate supply of housing land for both the LDF plan period and maintain a five year plus supply of deliverable housing land at all times.

- 4.15 This scenario would also run a very real risk of failing to deliver wider comprehensive objectives for the corridor area and in particular infrastructure and environmental improvements and associated community services and facilities.

vi) Scenario 2: Higher Growth Scenario

- 4.16 Once again the Marshall Group do not consider this scenario is the optimum one to progress, principally for the reasons advocated in relation to Scenario 1. Whilst an increased quantum of development is anticipated within this scenario, again involving the quarry site, it is considered that with proper assessment of LDF Core Strategy requirements and government policy advice as well as adopting a phasing programme based upon the life span of the LDF a much more appropriate

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comprehensive framework can be established for the corridor area which would enable the identified vision to be delivered.

vii) Scenario 3: Long Term Scenario

4.17 This represents the favoured scenario of the Marshall Group who consider this context best able to achieve the vision of the areas regeneration and which sits most consistently with local, regional and national planning policy advice. It is important to maximise the development potential of this large brownfield site which would naturally include green infrastructure aspects.

4.18 It is of course acknowledged that adopting such an approach requires certain assumptions to be made with regards to the mix of land uses, the manner of development, the phasing of development and infrastructure and technical detail.

However these are decisions that can be taken using a flexible non-prescriptive approach and establishing a comprehensive framework consistent with LDF Core Strategy requirements, national policy advice and appropriate assessment and analysis of local characteristics and requirements.

This in essence is the purpose of establishing a masterplan and a comprehensive context within which development can proceed as time moves forward.

4.19 The Marshall Group consider that the delivery of Scenario 3 is achievable and in this respect are keen, given the significance of their land asset within the corridor area to play their part fully in progressing and developing this initiative to the benefit of the local area and the wider district and to ensuring that the site comes forward as an early phase of the overall initiative.

Furthermore, it is noted from the central section of Scenario 3 that the quarry is referenced specifically. It is considered that additional text should be added within this context to reference the quarry's ability to deliver substantial residential development.

viii) Transport Options

4.20 The Marshall Group appreciate the significance of Canal Road as an integral and primary part of the district's highway infrastructure.

They also acknowledge that in seeking to deliver such a significant regeneration project issues such as highway capacity, traffic generation, highway improvements and sustainable modes of transport are all key components of delivering optimum and beneficial development for the years ahead.

4.21 It is within this context that addressing proposals in as comprehensive a manner as possible provides more informed detailed assessment and analysis upon which logical, and to a degree flexible, judgements can be made on the location of development, the appropriate mix of uses, how development is best phased and which developments should provide which improvements and when.

4.22 Given the size of the quarry site and its centralised location within the corridor area it is vital that the Marshall Group become involved at an early stage in discussing and agreeing such aspects, particularly given the availability of their land holding to provide for early phase development.

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ix) **Blue/Green Infrastructure Options**

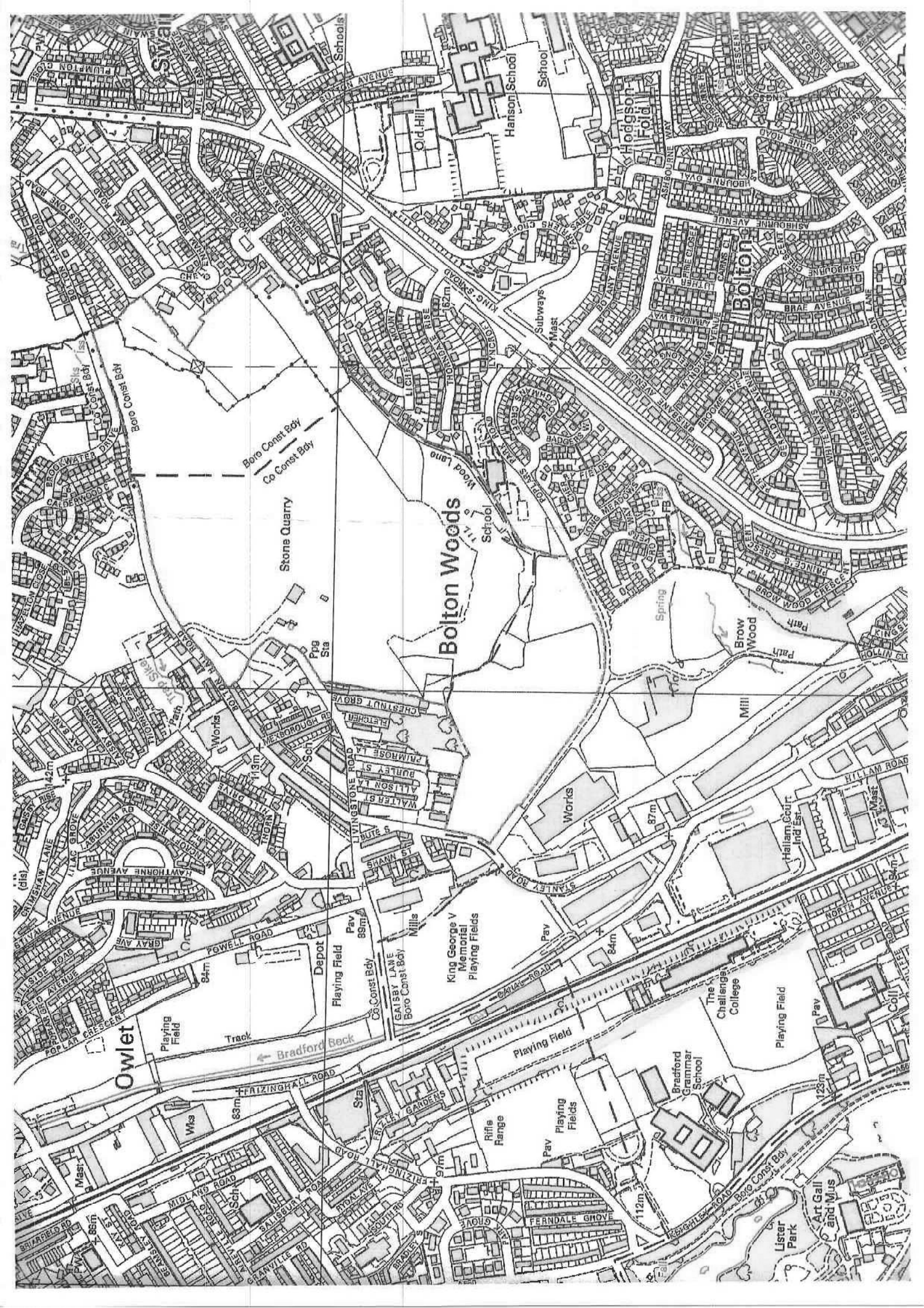
- 4.23 The quarry site is situated within a highly sustainable location within the corridor area and its redevelopment offers the potential to secure significant and beneficial environmental improvements both to the site itself and via connections to adjacent existing facilities, features and routes.
- 4.24 As part of the wider comprehensive masterplan the integration of the quarry site into adjacent proposals will also enable a considered approach to be taken to enhancing sustainability features and delivering green/blue infrastructure improvements.

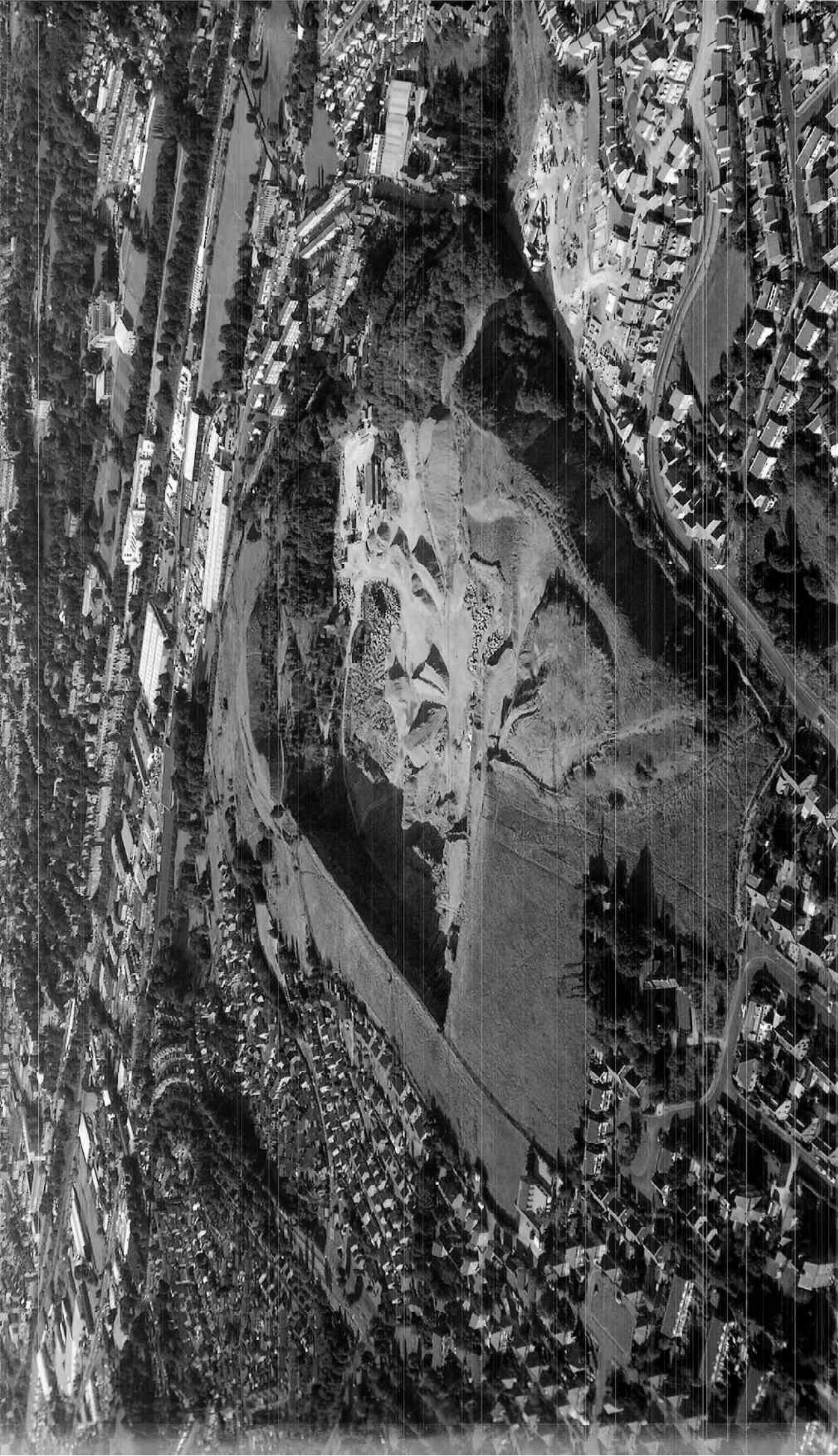
The Marshall Group has an appointed design team with experience of all such aspects and would welcome the early opportunity to assist in maximising the sustainability/environmental context within the corridor area.

5.0 Summary

- 5.1 The Marshall Group ownership of Bolton Woods Quarry is hugely significant within the context of delivering the Bradford Shipley Corridor initiative. The site occupies a remarkable urban setting within the heart of the corridor area.
- 5.2 The site represents the largest previously developed land opportunity within the district, is within single ownership and is available, deliverable and achievable at an early stage within the context of the overall framework.
- 5.3 Opportunities exist as part of the site's redevelopment to provide significant and much needed levels of residential development and supporting facilities as well as potential improvements and linkages to Canal Road and parallel linkages throughout the Bolton Woods area fulfilling the visionary objectives of both the SDF and LDF documents.
- 5.4 The removal of the quarry use and its transformation to a redevelopment site will provide considerable environmental improvements to sit aside the economic, social, infrastructural and residential benefits that would come forward with the scheme proposals and the integration into the wider corridor area initiative.
- 5.5 Vacant possession will be available as the quarry operations are coming towards the end of their viable life. Redevelopment will provide clear improvements to the local community which can be the subject of discussion as the process moves forward.
- 5.6 The Marshall Group are a stable, well resourced long established business with 50 years experience of large scale housing and commercial development and investment within the West Yorkshire area. They are extremely keen to play a key and worthwhile role in delivering the corridor regeneration opportunity and bring their expertise and experience to assist as part of the wider team in achieving the set vision for this area of the district.
- 5.7 The Marshall Group's vision for the quarry site is illustrated on the plan attached at Appendix 2 and they would very much welcome the opportunity for further engagement and dialogue in the coming weeks to integrate these thoughts into the optimum comprehensive masterplan for the corridor area.
- They have an established relationship with Bradford Council, have resources and a design team in place, a site of major significance to the overall delivery of the framework and wish to ensure through collaboration with appropriate partners that the outputs and benefits to Bradford district are optimised through the achievement of the most deliverable scheme with appropriate phasing and sustainability objectives.
- 5.8 The Marshall Group very much look forward to becoming part of the core group in this process and look forward to early engagement on the comments made within this statement.

Appendix A

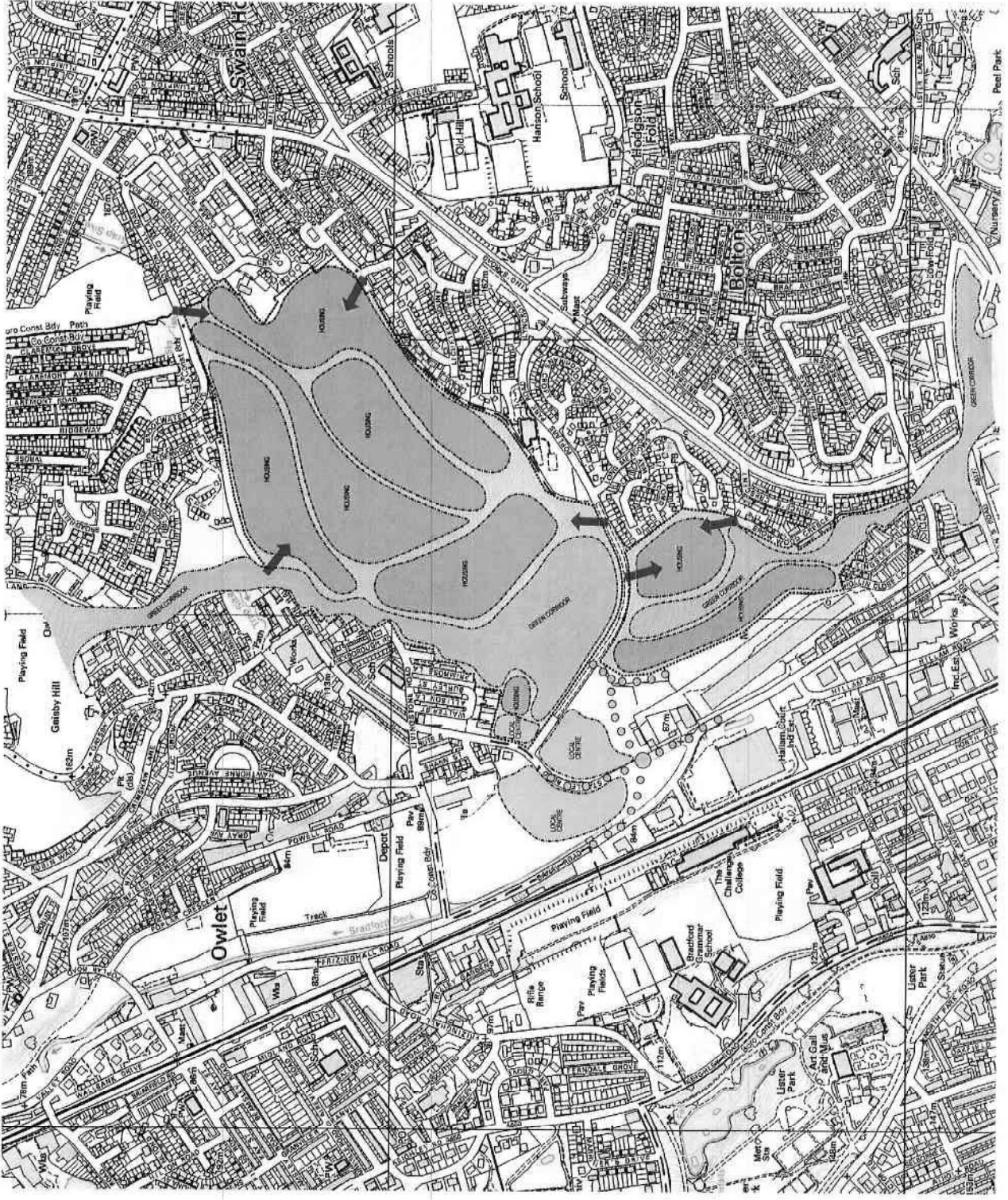




119 Acre Strategic Site
Canal Road, Bolton Woods
Bradford

DOVE HAIGH PHILLIPS

Appendix B



FILE COPY

[REDACTED] Marsh

Manchester
M1 [REDACTED]

2 October 2012

IGB/tp

Dear Madam

**New Bolton Woods
Comment on Presentation of Initial Masterplan Proposals**

1. Introduction

I write on behalf of my clients the Marshall Group who own the 40+ ha Bolton Woods Quarry site as illustrated on the enclosed plan. I attach comments in relation to the above document which I would ask be acknowledged and recognised in moving this particular project forward.

These comments supplement representations made to the Bradford Local Development Framework Core Strategy in January this year and also to comments made to the Bradford/Shipleigh Regeneration Corridor Strategic Development Framework (SDF) in June this year.

A copy of the SDF based representations are enclosed by way of background information.

I have also forwarded this submission to all relevant parties involved in the current promotion of this initiative so they are fully aware of my client's views and objectives.

2. Context

The SDF proposals for the Bradford/Shipleigh Regeneration Corridor form part of the emerging Bradford Local Development Framework exercise. It is important therefore that any work and proposals contained within the masterplan area for New Bolton Woods is consistent with the proposals that are being progressed within the SDF and LDF arenas.

Within the SDF document my client's site is included within the study area in its entirety. This is welcomed and supported by my clients. The comments submitted in June this year emphasised my client's desire to become an integrated part of the Core Group delivering this project and for their significant land ownership to be included as an element of a comprehensive masterplan for the wider corridor area.

The document attached outlines my client's comments in detail.

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3. The Initial Masterplan Proposals

- i) My clients do not have an objection per se to the work being carried out in relation to this exercise.
- ii) However the initial masterplan proposals currently exclude my client's site and this is considered to be both inconsistent with the other development plan work progressing and remiss in terms of not taking proper account of an available significant land resource that would play a valuable role as part of the overall project.
- iii) As such my client's request that the defined site area be extended to incorporate their entire land ownership, that the overall document be revised going forward to include appropriate reference to their site and the opportunities inherent in its availability and that my clients also become an integral part of the masterplanning team to assist the emerging plans as part of this exercise which will also feed into the ongoing work on the SDF and LDF processes. This will result in a co-ordinated, consistent and comprehensive approach being achieved.

4. The Planning Process

Within the context of the comments made above I attach two pieces of correspondence which are also considered important as matters are being progressed.

The first letter, from my client's legal advisors, Walker Morris, sets out advice in relation to the planning process and particularly those aspects that require to be covered by the emerging plans to ensure "soundness".

The second letter is from my client's property advisors, Dove Haigh Phillips, and sets out relevant background detail relative to the agreement in place between Urbo, Bradford Council and Arnold Laver.

Both letters reference important points which do need to be given very careful consideration in association with my client's input to this project.

Summary and Conclusion

In summary there is strong support, full policy support and a large number of significant benefits to including my client's site within the masterplan proposal area. This should be done in a consistent manner between the current progressing documents. Ultimately this will enable the Local Planning Authority to produce a document that would be sound and withstand scrutiny in the future.

My clients are a stable, well resourced, long established business with 50 years experience of large scale housing and commercial development and investment within the West Yorkshire area. They are extremely keen to play a key and worthwhile role in delivering the corridor regeneration opportunity and bring their expertise and experience to assist as part of the wider team in achieving the set vision for this area of the district.

The Marshall Group therefore very much look forward to becoming part of the core group in this process and look forward to early engagement on the comments made within this statement and embodied within their previous submissions to the SDF exercise.

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I look forward to hearing from you in due course.

Yours sincerely

[Redacted signature]

[Redacted address line 1]

[Redacted address line 2]

Mr I Bath

Our ref AJW/VCM/

Leeds
LS1

Your ref

7 August 2012

Dear Iain

Bolton Woods Quarry

Further to our meeting on Thursday 26th July, 2012, we have reviewed all the relevant documents and have a few concerns that we believe the Local Planning Authority (Bradford City Council- "the LPA") should be made aware of to ensure that the Bradford- Shipley Canal Road Area Action Plan ("the AAP") being produced will be sound.

By way of background, we understand that there are two documents in the process of being prepared. Firstly, the Council are due to commence work on the AAP in November 2012. At present, it appears that this document will include our clients land and the land being promoted by Urbo and the Arnold Laver Group. This is evident from the consultation material circulated in May this year.

In addition to the AAP, Urbo and the Council have formed a development partnership named "New Bolton Woods Ltd". This partnership has actively been consulting on plans for the redevelopment of all the land in the AAP area but excluding our clients land. As we have discussed, we do not have any objections to the work being carried out by New Bolton Woods Ltd and we suggest that you submit comments on the most recent consultation being carried out to this effect along with the suggestion that the development potential of our clients land should also be recognised.

However, we have some concerns regarding the process of preparing the AAP that will be gaining momentum later this year. We would not want the LPA to encounter any delay in the preparation of the AAP due to any procedural inaccuracies or unintentional mistake. As such, we have set out below our initial views on the work that has been carried out to date and how matters should proceed in the future.

It is clear that the New Bolton Woods Ltd proposed master plan area excludes the Bolton Woods Quarry that is in the ownership of our clients. This in itself does not give rise to any procedural problems providing that the LPA do not proceed in also excluding our clients land when preparing the draft AAP in November this year. One area of concern relating to this issue is that in the "Further Engagement Draft Core Strategy" that was consulted on in October 2011, Policy ID(- Development Plan Documents and Authority Monitoring Report- part A2 states that:

"The Council will deliver the vision, objectives, core policies, thematic policies and sub-area policies using a number of Development Plan Documents:

- Shipley & Canal Road Corridor Area Action Plan DPD- will support the work of the Joint Venture Company established by the Council and Arnold Laver Group to deliver proposals for an urban eco-settlement between Shipley Town Centre and Bradford Town Centre".

Whilst we do not consider that there is any problem with the Joint Venture Company (New Bolton Woods Ltd) progressing with their own masterplan for part of the wider site, one could arise if the Authority effectively 'adopts' the work in a public document without due process. It is one thing for the AAP to "support the work" of the Joint Venture, it is another for it to merely replicate it.

In terms of any future assessment of the AAP at Examination in Public, in order for the AAP to be found sound, it must be "clear that the LPA considered all reasonable options and alternatives in preparing the DPD" (see paragraph 1.4.12, page 19, Planning Inspectorates' Guidance "Development Plan Examination- A Guide to the Process of Assessing the Soundness of Development Plan Documents" (December 2005)).

Furthermore, as we are sure the LPA will be aware, it is a requirement of European Law¹ to carry out an environmental assessment of all plans and programmes and of all reasonable alternatives. This was implemented into the law of England by means of the Environmental Assessment of Plans and Programmes Regulations 2004 ("the Regulations"). The Regulations require environmental assessment to be carried out for all 'plans and programmes'. 'Plans and Programmes' include development plan documents which form part of the Local Plan and "sets the framework for future development consent of projects". The AAP clearly falls within the scope of a 'plan' or 'programme' for which environmental assessment is mandatory.

Regulation 5 of the Regulations clearly requires the environmental assessment to be carried out "during the preparation of that plan or programme". Further, the Regulations specify that the assessment shall be carried out by means of an environmental report being prepared which shall 'identify', 'describe', and 'evaluate' the likely significant effects on the environment of (a) implementing the plan or programme and (b) reasonable alternatives (see Regulation 12 of the Regulations). The LPA therefore have a duty to comply with the procedure set out in European Law and in the Regulations.

It seems obvious that our client's land should be considered as a reasonable option to be included in the AAP area. The site is surrounded by existing residential development, is previously developed and can be considered to be sustainable in terms of the guidance set out in the National Planning Policy Framework ("the NPPF"). In addition, the site is currently a working quarry which is not a desirable 'neighbour' for existing residents. We could not foresee any reason why our client's land should not form part of the wider AAP land in addition to the New Bolton Woods Ltd site. We would suggest that this is clearly set out to the local planning authority. Whilst it is ultimately a matter for the authority to prescribe the boundaries for any AAP it will be obliged to consider the environmental and other effects that proposals have, including those on immediately adjacent land with such obvious linkages. The AAP would at least have to refer to these effects and it would seem easier to include our client's site within the area.

The LPA has a duty to prepare a Local Plan that sufficiently meets the development needs of the area. In terms of housing, the NPPF states at paragraph 47 that:

"To boost significantly the supply of housing, local planning authorities should:

- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period".

We are aware that the LPA currently have a recognised shortfall in delivering new homes as was evident from the recently published Sty Lane/ Micklethwaite Lane planning appeal decision where it was agreed in the Statement of Common Ground that there was only a 2.5 year supply of deliverable sites. This is a significant failure in the authority's duty to provide sufficient land to meet the future development needs of the District. Consequently, to restrict the development of this site by excluding it from the AAP would be inappropriate and at odds with the 'golden thread' of the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF. The NPPF states at paragraph 47 that local authorities should boost

¹ Directive 2001/42/EC, The Assessment of the Effects of Certain Plans and Programmes on the Environment

significantly the supply of housing by using their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. The AAP area will form part of a wider housing market area, which the local authority must base their future housing needs on for the next plan period.

A final point to note is that we are aware of a Transport Assessment that is being produced for the New Bolton Woods Ltd area by Waterman Boreham. We also understand that our clients have instructed Waterman Boreham to take a preliminary assessment of their site. It is useful to have the work on transport issues undertaken by the same company that are working on the whole AAP area as the Transport Assessment will have to include commitments ie sites with a planning permission and also sites in adopted development plans as is set out in paragraph 4.50 of the "Guidance on Transport Assessments" (2007). It therefore appears sensible to have a comprehensive assessment of the area given the merits of our client's site.

As we have discussed, we have no reason to believe that the local authority will put themselves at risk of producing a document that could be unsound but we thought it useful to set out the potential pit-falls.

If you would like to discuss this further then please contact us here at Kings Court.

Yours sincerely,

A large black rectangular redaction box covering the signature of the sender.

Williamson

Partner

Iain Bath
Iain Bath Planning

[REDACTED]
Leeds
LS1 [REDACTED]

2 October 2012

MRD/tp

Dear Iain

Land at Bolton Woods, Bradford

Further to our meeting I confirm that we act for the Marshall Group who own the 40+ hectare Bolton Woods Quarry site on Canal Road in Bradford.

Our clients fully support the initiative to promote development and are committed to playing a key role in the regeneration of this area and the district. Our clients look forward to working with Canal Road Urban Village Ltd which we understand to be in the joint ownership of Urbo Regeneration Ltd and the City of Bradford Metropolitan Council and Arnold Laver & Company Ltd.

We understand that that company has committed to engage in dialogue and consultation with the owner of the quarry land (our clients) and have due regard to any representations our clients may make in working up their master development plan, the business plan and phased development plans. To our knowledge these consultations have not yet taken place and we would welcome dialogue with the company to this effect.

Yours sincerely,

[REDACTED]

[REDACTED] Dove
Partner

[REDACTED]