

CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL RESPONSE TO INSPECTOR'S INITIAL QUESTIONS AND OBSERVATIONS ON THE SUBMITTED BRADFORD CITY CENTRE AND SHIPLEY AND CANAL ROAD CORRIDOR AREA ACTION PLANS

26th May 2016

Introduction

Following submission of the two Area Action Plans (AAPs) to the Secretary of State, the Inspector has asked the Council for a response to a number of initial questions on 12 May 2016.

The Council's position is that the AAP Submission version as approved by Full Council and submitted to the Secretary of State, sets out a sound strategy in support of sustainable growth up to 2030. The Council consider that the issues raised through the Inspector's initial questions can be satisfactorily addressed as set out below.

In response to issues raised by the inspector the Council have identified a limited number of proposed modifications to deal with issues raised which are not considered to relate to the soundness of the plan. This includes issues relating to factual updating, clarification and corrections to grammar and presentation. It will be for the examination process to consider issues of legal compliance and soundness and any main modifications considered prior to adoption of the Local Plan. If modifications are deemed necessary then they would be subject to further consultation and depending on the nature of these they would also need to be subject to further sustainability appraisal as appropriate other appraisals such as the Habitats Regulation Assessment.

Inspector's initial Questions

1. I understand from the representations made by the Environment Agency that Bradford was affected by last year's Boxing Day floods. As the evidence which accompanies both AAPs predates this severe event this raises obvious concerns that the allocations set out in the two plans have been made in the absence of the most up to date information. Therefore, I would be grateful to understand how this is to be addressed.

Council's Response

The Environment Agency (EA) representation to the AAP Publication Drafts raised a number of issues in regards to the 2015 Boxing Day floods. This included the need to consider the updated flood outlines for this particular event, the impact on proposed AAP development sites and whether any updates are required in relation to the supporting flood risk evidence in the SFRA Level 2 (SCRC-SD-030).

In response the Council have undertaken a review of the December 2015 flood extents in order to compare these flood outlines to the Bradford Beck Model outline (1:100 year event) and Environment Agency Flood zone 3 (1:100 event) and assess the impact on proposed AAP development sites. Appendix 1 identifies the extent of the December 2015 flood event.

It is clear from the data that the December 2015 flood event did not impact the Bradford Beck and there was no impact on any of the proposed development sites within the City Centre AAP boundary and in the Shipley and Canal Road Corridor (SCRC) sub areas for the “Centre Section” and “City Centre Fringe”. The only proposed AAP sites impacted by the December 2015 flood outline were those located to the south of the River Aire located in the Shipley and Canal Road Corridor AAP sub area for “Shipley”.

The sites that were impacted by the December 2015 flood event are as follows:

- DF4 Dockfield Road North/DF5 Dockfield Road South- Residential Mixed Use
- DF9- Dockfield Road- Residential

These sites have already been identified as being at varying risk of flooding in the SCRC AAP, with proposed mitigation set out in the SFRA Level 2 (SCRC-SD-030). It should be noted that these sites have been through a sequential and exceptions testing process as set out in the SCRC AAP Flood Risk Topic Paper (SCRC-SD-033) and the EA has not raised any significant concerns regarding the approach taken in regards to ensuring the proposed AAP site allocations have taken flood risk into consideration in accordance with national planning policy requirements.

In regards to the data in the SFRA Level 2 the outputs from the Bradford Beck Modelling Study (October 2013), was used to assess fluvial risk from the Beck, as opposed to the Environment Agency Flood Map for Planning. The Bradford Beck model takes account of the sewer system and the impact of the flood relief diversion channels. The outputs from the Upper Aire Modelling Study, 2005, along with Flood Zone 2 and 3 of the Flood Map for Planning have been used to assess fluvial risk in Shipley, north of Dockfield Road where the Bradford Beck model study ends.

Given that the December 2015 floods did not impact the Bradford Beck, the Council considers that the Bradford Beck model used in the SFRA Level 2 provides appropriate, up-to date and robust evidence on flood risk along the Bradford Beck to support the two AAPs. The Council recognise that the River Aire flood extents (December 2015) differ from the Environment Agency Flood Zone 3 zones used in the SFRA Level 2. However, the impact is relatively limited within the SCRC AAP boundary to a small number of sites located south of the River Aire around Dockfield Road (DF4/DF5 and DF9). The Council therefore acknowledge that the flood outlines for the December 2015 flood event may need to be considered through a limited review of the SFRA Level 2.

In relation to the SFRA Level 2 the EA have been engaged throughout its preparation. The authority has agreed the final SFRA Level 2 with the EA. Both the Council and the EA are keen to reach an agreed position in relation the need to consider the updated flood outlines. It is anticipated that these issues could be addressed at an early meeting, followed by a jointly agreed update. The Council is currently in discussion with the EA regarding this issue. The EA have indicated that they will be issuing a further response on this matter w/c commencing 30th May 2016.

In regards to the impact of the Boxing Day floods on the City Centre AAP, the Bradford Beck watercourse functioned as anticipated within the parameters of the Council’s model, as used within the Bradford City Centre AAP Strategic Flood Risk Assessment (BCC-SD-025 and BCC-SD-026).

In conclusion given the limited number of proposed sites effected by the December 2015 event, the Council consider that this issue could be addressed through a limited review of the to the SFRA level 2 and the site specific flood assessments for the proposed development sites identified as being affected by this event, taking into account the December 2015 event flood outline. As the sites affected (DF4/5 and DF9) are already identified as being at risk of flooding in the SCRC AAP and SFRA Level 2 and the requirements in relation to flood risk are set out in the relevant site allocation statements in the AAP, the Council considers that this issue can be satisfactorily resolved.

The Council recognise that further work on addressing this issue needs to be undertaken to ensure the AAP is based on the most up to date evidence and includes appropriate mitigation measures to address any identified impacts. Work is on-going within the EA in regard to addressing these issues.

2. It is clear from the viability assessments¹ of commercial and housing sites within both AAPs that the majority of the sites are not commercially viable, even without any additional costs. This lack of viability appears to be compounded by the high density at which some of the housing is envisaged to be built. I am aware that a number of potential interventions have been suggested. However, I would appreciate further understanding of how these serious viability issues are proposed to be overcome so that the AAPs are able to realistically deliver the levels of housing identified within the emerging Core Strategy over the plan period.

Council's Response

Viability evidence

The Council commissioned consultants Cushman and Wakefield to produce Viability and Delivery Strategy (2015) to support the two AAPs (SCRC-SD-032) (BCC-SD-028). Cushman and Wakefield have also produced the District Wide Local Plan Viability Assessment in support of the Core Strategy and Community Infrastructure Levy (CIL) Viability Evidence. As identified in the District Wide Viability Assessment the combination of site constraints and market frailties mean that plans for growth and regeneration will require intervention to facilitate delivery in the short term, particularly in respect of priority sites in inner Bradford. In undertaking and publishing its viability evidence the Council has been upfront and clear that there are viability challenges to delivering development within both AAPs.

The response from Cushman and Wakefield in Appendix 2 and the Council's response as sets out below, constitute the Council's response to what are considered the significant main issues raised by the inspectors initial question in regards to viability.

The Council recognise the AAP viability evidence underlines that there are challenges associated with viability in the AAP areas and the imposition of policy standards on development at the current time. However, the viability evidence indicates that with the benefit of a continued improvement in market conditions, it is expected to see an enhanced ability to meet these standards. It is also

¹ Area Action Plan Viability and Delivery Strategy- Shipley Canal Road Corridor Cushman and Wakefield 2015
Draft Area Action Plan and Delivery Strategy- Bradford City Centre Cushman and Wakefield 2015

recognised that public sector intervention will be required to enable the delivery of a number of the identified AAP sites to support delivery. This is set out in more detail in Appendix 2.

Given the viability evidence the Council recognise that it is essential that the AAP policies are implemented on a flexible basis and supplementary measures are required to support delivery. This approach of ensuring flexibility within the AAP policies to facilitate development throughout the economic cycle has been reflected in the AAP in line with NPPF paragraph 174. The AAP viability evidence identifies that in all cases there is flexibility in the AAPs such that any policy requirements are 'subject to' individual site viability/feasibility. This approach is also reinforced by the higher level policies in the Core Strategy. In particular it should be noted that Core Strategy includes Policy ID2: Viability specifically in response to recommendations in the District Wide Viability Evidence.

Policies BD1 and HO3 of the Core Strategy propose a target 3,100 new homes in the Shipley and Canal Road Corridor and 3500 new homes in the City Centre. The Core Strategy is still at Examination with an Inspectors report anticipated around July 2016. The Core Strategy has therefore undergone detailed scrutiny in regards to soundness of the plan and in particular the strategic approach to delivery and distribution of housing and broad quantum's of development in different settlements across the District. The Council therefore consider that the overall quantum's of development proposed in the AAPs are justified and sound as they are consistent with the latest Core Strategy policies BD1 and HO3.

The Council consider that through adopting these regeneration two AAPs, it will support the delivery of sites within the AAP boundaries. Having adopted AAPs will help raise the profile for these two priority regeneration areas and provide a statutory planning framework, which will provide greater certainty to developers and funding partners. The two AAPs will also demonstrate the Council's commitment to delivery, which can lead to increased interest in investment from developers and attract funding from partners.

Once adopted, the AAPs will become an essential component of the decision making framework regarding the future growth and development in these areas. Through adopting the AAP the Council will formalise the designation of the AAPs as a regeneration priority for the District and the Leeds City Region. This will help ensure the Council can secure further funding from a wide range of sources to support housing delivery and other commercial development and investment in place making schemes, enabling infrastructure, public realm and green infrastructure to enhance the market attractiveness, values and delivery prospects of adjacent development schemes. Examples of this approach can already be seen in the success and delivery of the New City Park and Heritage Streets public realm works in the City Centre and the Canal Road Greenway and New Bolton Woods Joint Venture Company site in the Canal Road Corridor.

Finally the two AAPs are identified as growth areas in the Leeds City Region Strategic Economic Plan (SEP) 2016². The Shipley Canal Road Corridor is identified as a Housing Growth Area spatial priority area and Bradford City Centre as an Urban Growth Centre spatial priority area. The SEP identifies that actions for these areas will include a mix of delivery of existing schemes for business, residential and mixed use, alongside delivery plans to unlock and accelerate new opportunities.

² Leeds City Region Strategic Economic Plan 2016-2036

The SEP recognises that site viability, access to funding (particularly for SME developers), and land banking continue to act as barriers to development. However, the SEP sets out that the Local Economic Partnership (LEP) and West Yorkshire Combined Authority will continue to address development barriers in these priority areas in order to accelerate the pace and rate of house building, particularly on brownfield sites, including developing, investing and supporting a long term deliverable pipeline of housing schemes through both the public and private sectors. Housing Growth spatial priority areas will be a key focal point for this activity and will see intensive effort to align plans for housing growth with investment in transport, environmental, skills and employment infrastructure and opportunities to help ensure the delivery of new homes.

In summary, the Council consider that the viability issues identified can be overcome through a range of measures identified in the AAPs as set out in the Council's response and Appendix 2.

3. Reference is made to the need for additional school places over and above that which could be catered for on existing sites within the City Centre AAP, and that CBMDC is exploring sites for a new secondary school either in the CCAAP area or the SCRCAAP. However, as far as I am aware no specific allocation for a secondary school has been made which appears surprising given its importance as supporting infrastructure. Nor, is it clear how demand for primary school places will be provided for.

The Council has been delivering extra school places under a school expansion programme since 2010 and have so far created over 8,000 new primary school places across the District. Within reach of the City Centre and Shipley and Canal Road Corridor the Council has also expanded a number of primary schools and in addition a free school has opened with a capacity of 525 places. Discussions with schools in this area are however continuing to ensure the Council continue to increase capacity as necessary although at present we do not envisage requiring a new primary school.

Discussions are also being held with secondary schools with a view to expansion, a number of schools have agreed subject to consultation and the Council's Executive will consider allocating funding to several schemes in 2016

A sixth form review across the District is currently underway which may impact on places in secondary schools and this will be considered together with outcome of new Free School applications which have been submitted to the DfE to determine whether the Council needs to go down the Free School presumption route to build a new secondary school

In May 2013 a new permitted development right for permanent change of use was introduced to enable offices, hotels, residential institutions such as children's homes, secure residential institutions, and assembly and leisure uses such as cinemas to change use to a free school without the need for a planning application. The change of use to a school is subject to prior approval by the local planning authority on specific planning matters covering noise, contamination and transport and highways. Free Schools are thus able to be established within existing building in the City Centre or Shipley and Canal Road Corridor without the need for planning permission.

The AAPs also contain policies (Policy CL4: Primary and Secondary Education Provision of the City Centre AAP) (Policy SCRC/HSC3 of the Shipley and Canal Road Corridor AAP) which support the provision of the education infrastructure should the need arise in the future. In the SCRC AAP the

large scale housing site New Bolton Woods (NBW1) identifies a requirement for a new primary school within the site in the site allocation statement in order to provide supporting educational infrastructure to help meet the needs of future housing growth in the Centre Section of the AAP.

In addition it is important to note internal discussion between the Council's Education department and Planning Service throughout the production of the AAPs in line with NPPF paragraph 72. The Council's Education department have stated there are no suitable secondary school sites within the City Centre or Shipley and Canal Road Corridor, and any future need will be met by education sites in easily accessible locations outside of the AAP areas. The identification of education sites (new sites and expansion of existing) will be undertaken at a strategic level through the Allocations DPD, which is currently at the Issues and Options stage. The Council's Education department are fully involved in the plan making process and the production of the supporting evidence base documents including the District wide Local Infrastructure Plan and AAP Infrastructure Delivery Plans (SCRC-SD-027 and BCC-SD-022).

4. From my initial appraisal of the CCAAP I am aware that a number of the development sites are currently in use as surface car parks. In the absence of a parking strategy for the City Centre I am concerned how the potential loss of a significant number of parking spaces would impact on the City Centre, particularly, in the context of reduced on-site parking provision.

Council Response

The Council is currently in the process of producing a City Centre Parking Strategy, which is now nearing completion. The 'Parking Strategy' has examined the current demand for car parking and forecast the future demand for car parking within the City Centre over the next 15 years. The initial results of the analysis are indicating there is currently a significant over-supply of car parking for the current demand within the City Centre. The analysis for future supply and demand for car parking is indicating the existing oversupply is sufficient to meet future demand for car parking over the next 15 years. Further analysis was then undertaken to take account of the loss of existing car parks through the allocation of sites in the City Centre AAP. The results of this further analysis are indicating even with the loss of the surface car parking, there will still be sufficient supply of car parking space to meet future demand over the next 15 years.

At the early stages of consultation on the City Centre AAP, the Highways Agency (now Highways England) commented the Council should restrict parking availability to encourage people to use modes other than the private vehicle. This has been taken into consideration and formed the basis for encouraging visitors to the City Centre to use more sustainable modes of transport.

It is also important to stress the Council is committed to encouraging visitors to the City Centre to travel by more sustainable modes of transport, such as cycling, walking, bus and train. The Council is currently in the process of producing two masterplans for each of the City Centre railway stations (Bradford Interchange and Forster Square), which will see the redesign of the stations and space around the travel interchanges to encourage a better user experience.

The Council has also produced a Green Infrastructure Study [BCC-SD-023] for the City Centre and Shipley and Canal Road Corridor [SCRC/SD/028], which proposes forward a number of key interventions to enhance the pedestrian user experience of the City Centre and Shipley and Canal

Road Corridor, therefore encouraging people to travel into the centre by walking and cycling. These key interventions have been integrated into the Area Action Plans (Policy SCRC/NBE1 of the Shipley and Canal Road Corridor AAP and Policy M6: Green / Blue Infrastructure and Open Space within the City Centre).

5. Similarly, whilst the City Centre is envisaged to provide for 6000 additional net jobs it is not clear how this figure has been translated into a requirement for land or the office space allocations proposed within the plan.

The Council is currently in the process of refining the methodology for calculating office floor space requirement to be delivered through the City Centre Area Action Plan. Once this has been completed, the Council shall issue a supplementary document to the submission library and a proposed modification can be made to the City Centre Area Action Plan if required.

6. I am also aware that Natural England has requested that amendments are made to the policies of both AAPs following the proposed main modifications to policy SC8 of the emerging Core Strategy. I would also welcome the Council's view on this matter.

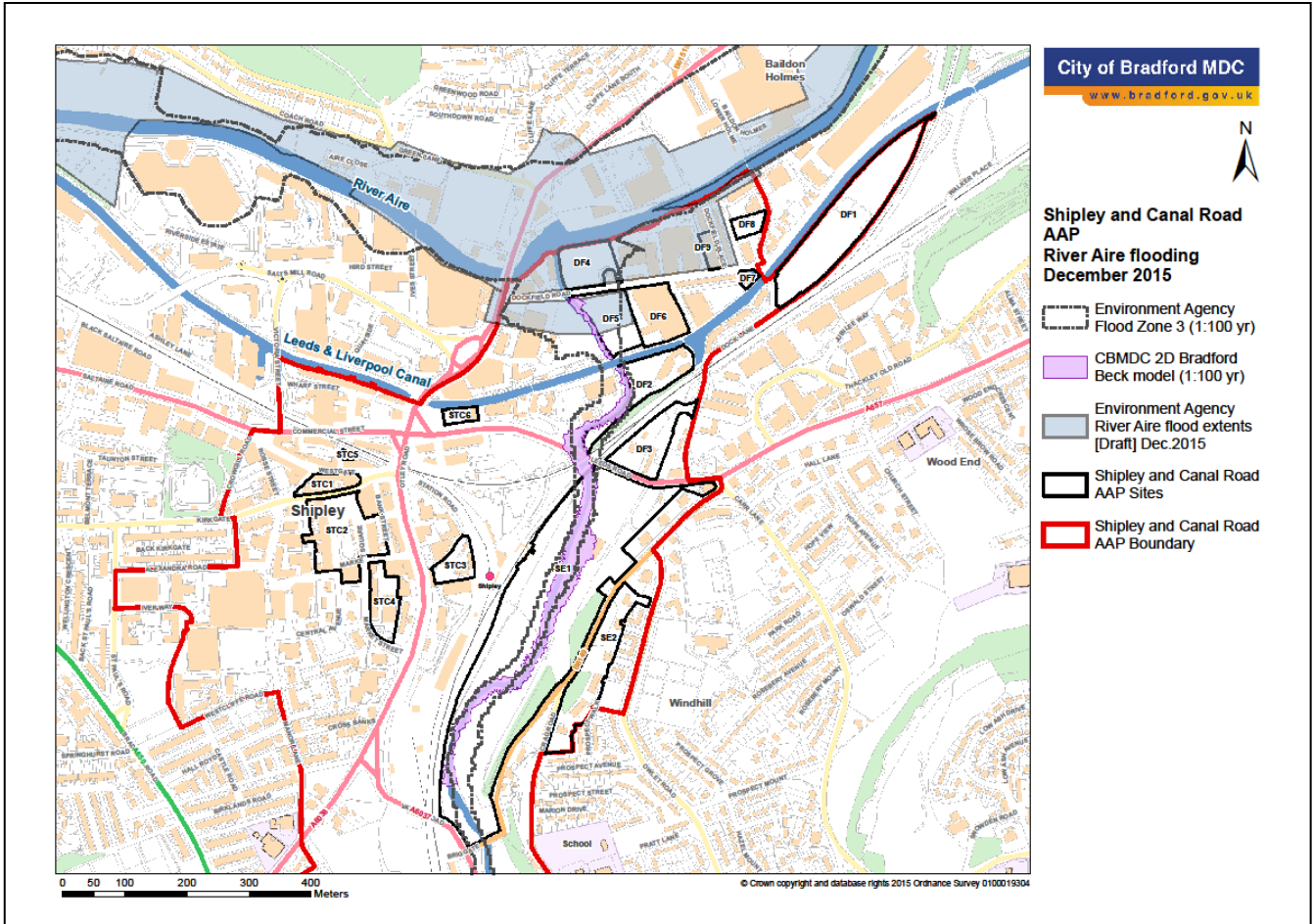
Council's Response

The Council recognise the AAP should be consistent with the policies in the Core Strategy, however the Core Strategy is still at Examination with proposed main modifications in relation to this issue being recently discussed at further hearing sessions before the final Inspectors Report.

It was therefore not considered appropriate to update the AAPs in relation to this issue before submission as the final Core Strategy policies may change before the AAP Examination. However, the Council recognise that factual modifications to the AAPs may be necessary in order to reflect the latest proposed policies in the Core Strategy and be consistent with any final agreed modification to Core Strategy Policy SC8.

The Council therefore is willing to propose modifications to the relevant sections of the AAP to ensure that the AAPs are consistent with the proposed main modifications to policy SC8 of the Core Strategy, with regard to the SPA zones of influence. It is anticipated that this issue would be addressed through these factual modifications, and it is not anticipated that this will require a meeting with Natural England. However, the Council is willing to meet with Natural England if any further meeting or work is required as a result the Core Strategy Examination and further hearing sessions.

APPENDIX 1: River Aire Flood Outline December 2015



APPENDIX 2 Cushman and Wakefield Response to Inspector's Queries on Viability

See separate document