

Re: Matters Issues and Questions arising from Proposed Main Modifications to Bradford Local Plan –

This submission relates primarily to the following MIQs:

- Matter 2 Revised Settlement Hierarchy. Particularly:
- a Is it based on robust evidence
 - c What are the implications of including Burley-in-Wharfedale and Menston in the category of Local Growth Centres and are there any cross-boundary implications
- Matter 3 Revised spatial distribution of development. Particularly:
- cii Wharfedale – Does the amended distribution of development properly reflect policy constraints (eg greenbelt), physical constraints such as: flooding, infrastructure etc ... and cross-boundary implications

The robustness of the evidence base: overestimated housing need

Bradford has not, and cannot evidence a need for 42,000 homes. Across the Plan Making process we have delivered a substantial amount of analysis which shows that the Council has overestimated housing need. The Local Plans Expert Group 'Local Plans Report to the Communities Secretary and Minister of Housing and Planning – March 2016' confirms that we were correct. It identifies Bradford as having done so by in excess of 500 homes per annum. DCLG data shows that they have overestimated by circa 800 homes per annum.

- **This Plan is not based on accurate evidence. The Council has not demonstrated the 'exceptional circumstances' required for greenbelt deletions, therefore, it cannot demonstrate a need for the additional greenbelt deletions that the MM redistribution of housing and the changes in the Settlement Hierarchy would necessitate in Wharfedale**

The Plan is unsound and the adjustments associated with the MMs are unsound

We would also like to place on record the following:

- That shortly after the first consultation on the Local Plan concerns were raised about the evidence base and housing numbers. This led to a motion at a Meeting of the Full Council (passed unanimously) instructing the then Chief Executive (Tony Reeves) to have the data reviewed by an independent expert (ie not the Consultancies that had produced the first sets of figures). This was never done. A report was instead delivered by two Companies that had produced/steered the production of some of the original figures and its scope was extremely limited. It did not cover the range of data in the Local Plan portfolio as directed.

We will deliver the full detail surrounding this at a later date.

Robustness of the evidence base/lack of due regard to physical constraints: flood risk and infrastructure

At the Examination in Public last year we drew attention to problems with the flood risk data submitted by the Council in connection with the Local Plan. Since then we have undertaken further work this includes:

1

An analysis of the Strategic Flood Risk Assessment delivered by the Council in connection with the Local Plan and the Main Modifications which reveals it to be inaccurate, partial and dangerously misleading. Particularly in its handling of risks in Wharfedale which, by its account, appears to be at low risk of flooding; an account which contradicts Environment Agency and other data.

- **The initial distribution of development which placed a substantial amount of housing in Wharfedale was not based on accurate evidence regarding flood risk. The first iteration of the Local Plan did not pay due regard to the physical constraint represented by flood risk therefore the increase in housing for Wharfedale settlements under the MMs is not based on sound evidence and cannot be justified.**

2

We have made further enquiries to ascertain the condition and capacity of infrastructure associated with drainage and sewage and the management systems in place to monitor and manage problems arising from capacity limits, maintenance problems and flood related events. This has included:

- Enquiries to Bradford Council requesting any data it might hold
- Enquiries to Yorkshire Water regarding treatment assets, discharges to rivers, combined sewer overflows and storm water discharge incidents
- Enquiries to the Environment Agency regarding flow rates on 'other' watercourses during incidents of record levels

We have not yet received the data requested. However, we have identified that Bradford Council appears to have fallen substantially short of fulfilling its obligations under the Flood and Water Management Act 2010. We also note that neighbouring Local Authorities (including Leeds and North Yorkshire which have substantial portions of the Wharfe in their territories) have substantial portfolios of documentation and robust systems in place to support flood management whereas Bradford does not.

We also note that the Council does not appear to have produced a register of assets (associated with water and sewage management) as it is required to do under the 2010 Act and therefore cannot demonstrate that decisions pay due regard to capacity limits. In addition we have not been able to find copies of the following:

- Draft Interim Flood Risk Management Strategy
- Surface Water Management Plan (for the District)
- Strategy for Flood Risk Management.

We have requested copies/direction as to where they can be found from the Council but have not yet received a satisfactory reply. We are concerned that, since Local Plans are now supposed to be underpinned and informed by these documents this Plan and the MMs are not supported by an adequate evidence base relating to flood risk and flood management.

- **The redistribution of development under the Main Modifications is not informed by evidence relating to flooding or water and sewage management; no evidence has been produced relating to the capacity of relevant infrastructure. Decisions associated with the MMs are unsound.**

We would also like to place on record the following:

- That we are deeply concerned that Bradford Council appears to be failing to meet its obligations under the Flood and Water Management Act 2010 and, irrespective of the outcome of this Examination, we will be exploring the matter further with a view to securing a remedy. Particularly in light of the fact that proposals in the Local Plan and MMs place development in zone 3 locations where floods are likely to overwhelm infrastructure.

Failure to consider alternative strategies or locations for housing

The soundness of a strategy is based on whether it is appropriate. If alternative strategies have not been considered there is little basis for claiming that a strategy is appropriate and therefore no basis for asserting that it is sound. The original Plan failed to consider the full range of options for delivering housing in the 'right places' (ie where there is demonstrable need and where it would be in close proximity to employment) or at the 'right prices' (ie where purchase and rental costs fitted the income profile for the population).

The redistribution of housing and the increase in Wharfedale under the MMs appears even more arbitrary. No evidence appears to have been submitted or considered at the time the decision on redistribution was taken and alternatives were not presented; there was no options appraisal exercise. The redistribution places more housing:

- At a greater distance from main centres of employment
- On greenbelt land when Bradford has a problem with vacant brownfield sites
- In higher price brackets thereby reducing the match to the Bradford incomes profile
- In locations where SPA environmental protections should be observed
- In flood prone areas/settlements

In addition, Bradford Council failed when developing the original Spatial Strategy and when altering it under the MMs to consider the full range of approaches and options for delivering the actual housing its population needs (ie appropriately priced houses of the right size and type in the right places). It did not, for example, consider how it might support or stimulate the regeneration of brownfield sites and it has virtually ignored the fact that the bulk of housing will be occupied by individuals and small family units who need one or two bedrooms and will not have the funds to pay for larger homes.

Bradford's strategy appears to be inconsistent with current Government Policy including policy that prioritises brownfield sites (NB Bradford does not appear to have a register of brownfield sites; it has not properly considered how it might achieve 'brownfield first').

We endorse the submission made by Addingham Civic Society regarding the National Infrastructure Delivery Plan 2016 and Government Policy/targets linking housing development and brownfield sites/regeneration.

- **The Local Plan and the Main Modifications that place additional development in Wharfedale are not sound. They do not represent an appropriate strategy for meeting the housing needs of the District's residents and alternative spatial options that would have better met those needs while supporting regeneration and reducing environmental impact were not evaluated prior to introducing the MMs.**

In addition to the points above we would like the Inspector to consider the following:

- Yorkshire Water submitted comments on the Local Plan prior to the introduction of the Main Modifications. It based its response on the evidence presented by Bradford Council; including the inflated figures for housing 'need'. It will therefore have taken in good faith Bradford Council's assertion that circa 11-12,000 new homes would have to be in the greenbelt. Yorkshire Water's response shows that it accepted the 'need' for such development but made clear that brownfield sites should be prioritised, not least because that would make use of existing (underused) infrastructure. It flagged that if development on greenfield sites took place it would have to have the necessary infrastructure in place and that would require investment. It also stated that infrastructure (sewage/water) was already at capacity in 'the North and North West of the (Bradford) District.

Our understanding is that the bulk of the cost of new infrastructure associated with drainage and sewage systems would fall on Yorkshire Water (and by extension its customers).

We are not only residents of Bradford District who will be affected by development, we are also customers of Yorkshire Water and we have a range of concerns regarding the Plan in connection with that. We feel that Bradford Council cannot be said to have cooperated with a key strategic partner (Yorkshire Water) in the development of this Plan because it has misled that partner. And it does not appear to have involved Yorkshire Water when deciding where to redistribute housing to under the Main Modifications.

We will pursue this further, irrespective of the outcome of this Examination.

- We are unhappy with Bradford Council's handling of matters associated with the development of the Addingham Neighbourhood Plan. Bradford Officers have been less helpful than we would expect and have given participants misleading information regarding their role and authority.