

Core Strategy Development Plan Document Proposed Main Modifications – November 2015 Representation Form

For Office Use only:	
Date	
Ref	

PART A: PERSONAL DETAILS

* If an agent has been appointed, please complete only the Title, Name and Organisation in box 1 below and complete the full contact details of the agent in box 2.

	1. YOUR DETAILS*	2. AGENT DETAILS (if applicable)
Title	Mr	
First Name	[REDACTED]	
Last Name	Elsegood	
Job Title (where relevant to this representation)		
Organisation (where relevant to this representation)		
Address Line 1	[REDACTED]	
Line 2	[REDACTED]	
Line 3	Menston	
Line 4	Ilkley	
Post Code	LS29 [REDACTED]	
Telephone Number	[REDACTED]	
Email Address	[REDACTED]	
Signature:	[REDACTED]	Date: 14 January 2016

3. Please let us know if you wish to be notified of the following:

The publication of the Inspector's Report?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
The adoption of the Core Strategy?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Are you attaching any additional sheets / documents that relate to this representation?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
	No of sheets / documents submitted :		25 including this page	

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PART B – YOUR REPRESENTATION - *Please use a separate sheet for each representation.*

(Additional Part B forms can be downloaded from the web page)

4. To which proposed main modification does this representation relate?

Proposed Main Modification number:

MM1, objective 2

5. Do support or object the proposed main modification?

Support

Object

6. Do you consider the proposed main modification to be 'legally compliant'?

Yes

No

uncertain

7. Do you consider the proposed main modification to be 'sound'?

Yes

No – 'unsound'

8. If you consider the proposed main modification to be 'unsound', please identify which test of soundness your comments relate to?

Positively prepared

Justified

Effective

Consistent with National Planning Policy (the NPPF)

Where *x* identifies the test which, in my opinion, the proposals DO NOT satisfy.

9. Please give details of why you consider the proposed main modification is not legally compliant or is unsound in light of the main modifications proposed. Please be as precise as possible.

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Amendments to the HRA (particularly without comprehensive analysis) do not of themselves indicate or suggest that it is appropriate, sustainable or sound to upgrade Menston and Burley in Wharfedale to the status of Growth Centres.

- Menston is **NOT** a "sustainable location that (would) reduce the need for travel", as there is no source of significant employment locally, nor can there be, as there is only one street which provides for shops or offices or other business premises (of which Menston has only some 15 such shops or businesses).. Many such business premises operate only on a part-time basis. Thus, Menston cannot offer employment in the foreseeable future to more than 50 people unless home-based. It follows that **all who wish to work must commute** to Leeds, Bradford, Harrogate or elsewhere and hence **the need for travel will be INCREASED if housing is built in Menston** as proposed, entirely contrary to this Policy objective.

There are no secondary schools in Menston so **all secondary pupils would have to travel** to other secondary schools in Bradford District: whether this is by rail or bus, or by other road transport, the need for travel will be INCREASED because Menston is not (in the sense of this Policy) a “sustainable location”.

- 2 In Menston there is NO “deliverable and developable previously developed land”, and thus any construction would have to take place on Green Belt land. This is contrary to other aspects of CBMDC Policy and contradicts the Guidance Notes to the NPPF, **AND** the NPPF itself at Paragraph 80. There is no Green Belt land in Menston which does not currently serve as flood plain or flood detention, and to build on any of the identified sites would increase flood risk.
- 3 Furthermore, Menston is **NOT** “well served by public and services”. It has a railway station which cannot be expanded by extending the platforms, and longer trains or more frequent trains are said not to be practicable until 2030 by reason of platform availability in Leeds, and new rolling stock is not available until 2030. Menston station’s parking is already beyond capacity and spilling over into residential streets, causing traffic congestion. There is no other land locally to the railway station which can be made available for increased car parking. Menston station does not offer the opportunity for mobility-limited/disabled passengers to cross from one platform to the other.

The A65 and all the roads through Menston village are at capacity: even your own District-Wide Transport Study of October 2010 comments: “7.99 *Apart from limited improvements, constraints of space to the highways junctions on this corridor make it unlikely that significant extra highways capacity can be provided on this already congested corridor.*” .. also “7.100 *Similarly, it will be difficult to reduce bus journey time or journey time variability, because of the limited opportunities for providing bus priority.*” and “7.101 *We therefore recommend a focus on making best use of the existing rail services on the Wharfedale line, and specifically, encouraging modal shift to rail from car by improving the provision of Park and Ride at all outlying rail stations.*” There is NO SCOPE at Menston for a Park & Ride facility: the station already attracts commuters from Otley, Pool in Wharfedale and other villages which have no railway station and which will not be served by a rail line for many years.

10. Please set out what changes you consider necessary to make the proposed main modification legally compliant or sound, having regard to the test you have identified at Q7 above.

You need to say why this change will make the proposed main modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is time to start from an admission that **Bradford has an adequate supply of brownfield land inside the City** boundary to meet the requirements for future housing, if that was based on a realistic assessment of employment requirements/job opportunities and population forecast, but it is not. The numbers which are forecast for employment in Bradford District are aspirational to a degree which is unrealistic, and it follows that the District will continue to experience net OUTWARD migration. Bradford risks creating a ‘doughnut city’ by displacing population to the suburbs (by neglect or perverse policy) and leaving the centre to become an economic and social vacuum. One of the effects will be to increase the need for commuting to places where there **IS** employment, and that will be environmentally damaging as well as unsustainable in terms of the existing transport infrastructure.

11. Signature:

Elsegood

Date:

14 January 2016

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PART B – YOUR REPRESENTATION - *Please use a separate sheet for each representation.* (Additional Part B forms can be downloaded from the web page)

4. To which proposed main modification does this representation relate?

Proposed Main Modification number:

MM2, Policy SC1 Part B5

5. Do support or object the proposed main modification?

Support

Object

6. Do you consider the proposed main modification to be 'legally compliant'?

Yes

No

uncertain

7. Do you consider the proposed main modification to be 'sound'?

Yes

No – 'unsound'

8. If you consider the proposed main modification to be 'unsound', please identify which test of soundness your comments relate to?

Positively prepared

Justified

Effective

Consistent with National Planning Policy (the NPPF)

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9. Please give details of why you consider the proposed main modification is not legally compliant or is unsound in light of the main modifications proposed. Please be as precise as possible.

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- 1 Unless CBMDC has some 'blueprint' for the development of the local economy of Menston (which is currently extremely limited, with only some 15 business premises in the village), and some forward plan for the development of the "community and social infrastructure" – which has not been promulgated nor even suggested – then **this policy statement is fatuous and amounts only to an increase in the housing stock, with no increase in local employment, school places, roads or rail facilities to accommodate the occupants of such proposed housing.** In those circumstances, the net result will simply be an increase in congestion of existing community facilities and the limited physical resources, and both employees and schoolchildren will be obliged to travel to avail themselves of occupational and educational opportunity. **This would be in direct contravention of Policy Objective 2 relating to "sustainable locations"**.

- 2 CBMDC's current proposals for the "community and social infrastructure" of Menston include abandoning CBMDC's role in maintaining community facilities such as Kirklands Community Centre (including the Children's Centre), the public toilets and the Library. Indeed, it was announced by two CBMDC Officers at the Menston Parish Council meeting on 27 November 2015 that volunteers would be sought for the role of Street Wardens, other volunteers would be required to sweep the streets and pick up litter and dog faeces, and an organisation such as Menston in Bloom (all members being relatively elderly) would be asked to maintain public green spaces. How does any of this envisage Menston "as a hub" or "support, protect and enhance its role" relative to Policy SC1? It is vacuous!

10. Please set out what changes you consider necessary to make the proposed main modifications legally compliant or sound, having regard to the test you have identified at Q7 above.

You need to say why this change will make the proposed main modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Main Modification proposed – to upgrade Menston to a "Local Growth Centre" - should be removed, as it is unrealistic, impracticable and contrary to the democratically-expressed wishes of its residents in a Local Referendum, held at the suggestion of CBMDC and the Dept. for Communities and Local Govt., in April 2011, when 98.4% of votes OPPOSED similar proposals.

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Elsegood

Date:

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PART B – YOUR REPRESENTATION - *Please use a separate sheet for each representation.* (Additional Part B forms can be downloaded from the web page)

4. To which proposed main modification does this representation relate?

Proposed Main Modification number:

MM3, Policy SC1 Part B6

5. Do support or object the proposed main modification?

Support

Object

6. Do you consider the proposed main modification to be 'legally compliant'?

Yes

No

uncertain

7. Do you consider the proposed main modification to be 'sound'?

Yes

No – 'unsound'

8. If you consider the proposed main modification to be 'unsound', please identify which test of soundness your comments relate to?

Positively prepared

Justified

Effective

Consistent with National Planning Policy (the NPPF)

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It is apparent that **no account has been taken of the capacity of local communities for absorption of an increased population**, and that a facile "share the grief" approach has been taken to accommodating the estimated population growth of Bradford District (those calculations being in themselves questionable).

Insofar as the population of Menston in 2015 (by CBMDC's own calculations) is approx. 4,200 occupying some 2,400 dwellings (a ratio of 1.75 occupants/dwelling), and given the demographic profile of that population, it should be apparent that the proposed housing distribution targets would overwhelm the village of Menston and the facilities it currently has, with an increase in population that it cannot sustain. What Menston needs is infill development of smaller eco-friendly properties, of a type which would allow many of the elderly population, now struggling to maintain houses too large for them, to downsize and free up existing properties (and a small number of new properties) to family occupancy.

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It SHOULD BE part of Policy SC1 to reflect local needs in terms of future housing, otherwise it simply displaces people to locations in which they may not wish to reside.

The needs of a local community – a village, such as Menston – are not the same as those of an urban area, and the character of a locality ought to be respected, as it is the product of those who have chosen to live there.

CBMDC has never attempted to demonstrate that there is any logic or validity in expanding settlements such as Menston, when any pressure on housing in the wider District (which has equally not been adequately analysed or evaluated) relates to families who will need employment to fund their housing aspirations. There is no volume employment in Menston nor the other proposed “Local Growth Centre”, Burley in Wharfedale, nor can there be in such rural locations. All that would happen, if the present proposals are rushed through, would be the creation of dormitory estates separated from shops and facilities, and this would result in more traffic on local roads and main routes to employment and schools. **LOCAL NEEDS SHOULD BE PARAMOUNT.**

11. Signature:

Elsegood

Date:

14 January 2016

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4. To which proposed main modification does this representation relate?

Proposed Main Modification number:

MM6, Policy SC3: Working Together

5. Do support or object the proposed main modification?

Support

Object

6. Do you consider the proposed main modification to be 'legally compliant'?

Yes

No

7. Do you consider the proposed main modification to be 'sound'?

Yes

No – 'unsound'

8. If you consider the proposed main modification to be 'unsound', please identify which test of soundness your comments relate to?

Positively prepared

Justified

Effective

Consistent with National Planning Policy (the NPPF)

Where x identifies the test which, in my opinion, the proposals DO NOT satisfy.

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It is **intrinsically contradictory** to suggest that the potential issue of climate change can be addressed by confiscation of the green space which mitigates greenhouse gas emissions, provides for absorption of rainwater and acts (as in Menston) as a safe channel for groundwater and pluvial water to access the rivers.

No matter who CBMDC decides it should be "working together" with, environmental damage will result from any construction in or around Menston which affects the Green Belt or increases the existing flood risk.

All three previously proposed development sites (ex. RUDP) have proven to be incapable of development by reason of Menston's susceptibility to groundwater flooding, the high water table, and the consequent rapid run-off rate. Thus far, CBMDC, Yorkshire Water and the Environment Agency have proved to be utterly incapable of working together and analysing available expert evidence.

According to the NPPF and the Guidance Notes to the NPPF, deletions of Green Belt for the purposes of meeting housing need is not justified and can only be undertaken in “exceptional circumstances”, which do not exist in this case. Therefore, confiscation of Green Belt land in and around Menston would be ILLEGAL and (if undertaken) would exacerbate flooding. This would not “address climate change” but would intensify the effects of climate change upon this community.

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The only way to achieve the objective of this section [“Achieve effective environmental management and enhancement in order to address climate change.”] is to undertake a proper, comprehensive evaluation of flood risk – from all sources, including groundwater emergence – and then to **make an accommodation with the natural forces**. The latter consideration is hinted at, but not made explicit, in MM127 and MM128.

It is time for the Council to acknowledge and recognise the facts and the implications of repeated episodes of flooding in Menston including those which occurred in 2007, July 2012, August 2012, September 2012, October 2012, December 2012, January 2013, September 2015, December 2015 and January 2016. **WAKE UP!!**

CBMDC continues to allow foul waste to be connected into surface watercourses and historic culverts, and thus allows our streets to be contaminated with excrement. A dog-owner would be fined for a single indiscretion, yet CBMDC repeatedly allows our streets to flood with human waste. The Council also fails to ensure that water from new developments will not overwhelm our Victorian drainage systems, so our cellars, houses and streets have been flooded repeatedly – and yet more such foolish development is proposed.

THE RELEVANT AUTHORITIES, WORKING TOGETHER, MUST START TO RECOGNISE THAT THE GREEN BELT AROUND MENSTON IS VITAL TO HOLDING BACK AND RESTRAINING FLOODWATER AND TO CONDUCTING IT TO THE RIVER IN A CONTROLLED MANNER.

11. Signature:

Elsegood

Date:

14 January 2016

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PART B – YOUR REPRESENTATION - *Please use a separate sheet for each representation.*

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4. To which proposed main modification does this representation relate?

Proposed Main Modification number:

MM7: Policy SC4 ... page 42, paragraph A

5. Do support or object the proposed main modification?

Support

Object

6. Do you consider the proposed main modification to be 'legally compliant'?

Yes

No

uncertain

7. Do you consider the proposed main modification to be 'sound'?

Yes

No – 'unsound'

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Effective

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"Local Growth Centres ... A. **Burley in Wharfedale, Menston**, ... are the most sustainable local centres and accessible to higher order settlements ... All are located along key road and public transport corridors and should therefore make a significant contribution to meeting the districts needs for housing, employment and provide for supporting community facilities."

The above statement is duplicitous, insofar as it ignores the lack of infrastructure and facilities in Menston, the existing congestion on the A65 (as referred to in CBMDC's own District-Wide Transport Study of Oct. 2010) and the conclusion that the Wharfedale corridor (Corridor 7) is incapable of expansion for extra capacity. Therefore, it is unsound and fallacious to refer to "key road and public transport corridors" as though there **is** capacity or even that there **will be** capacity.

It is simply not tenable that Menston should be considered one of the most sustainable local centres, and therefore have additional growth imposed upon it which is not intendeds to meet local needs.

Unless there is some significant improvement to accessibility in Menston, such as the expansion of Menston Railway Station (which is not proposed nor is it - allegedly – practical, according to Northern Rail until 2030), and taking account of the fact that CBMDC is proposing to reduce its contribution to community facilities in Menston, it is contradictory to be speaking of “supporting community facilities”. It is unreasonable, in my view, that Menston, having no scope for the increase of employment locally, should sacrifice green spaces for housing to support “the district’s need for housing”, particularly when there is so much brownfield (previously developed) land closer to the city and thus closer to employment and not demanding significant travel, which developers choose to ignore and seemingly, CBMDC is prepared to continue to allow the developers to ignore those sources of housing and employment. The consequences of adopting this element of policy would include:

- Exacerbation of congestion on the A65 and other roads to employment centres;
- Further congestion and parking problems in Menston’s narrow streets;
- Additional commuting to locations where there is opportunity for employment and education/training;
- Oversubscription and underfunding of Menston’s already limited community facilities.

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This proposal is based on a spurious assessment of Menston – different to that set out in CBMDCs portrait of the village (and Wharfedale Ward) in its “Economic Ward Profile”, in which it stated:

- Businesses in the Wharfedale Ward are small, with 90.5% employing 10 people or fewer. This compares to 83.5% for all Bradford businesses. Only five businesses have more than 50 employees. [NOTE: Only one of those businesses is located in Menston – The Beeches residential care home.]
- The average distance travelled to work by Wharfedale ward residents is 13.9km, higher than the district average of 10.1km. A high proportion (75.8%) of journeys to work by Wharfedale residents are by car, higher than the district average (69.2%). Only 4.2% of the journeys to work are by bus, but a higher than average proportion are by train (12.0%).
- Nearly half of employed residents (49.3%) commute outside of Bradford district to work. This is the highest of all wards within the district. 37.7% of residents work in Leeds.

On this evidence, expansion of housing in Menston would simply serve to increase commuting into Leeds, not to Bradford, and there is no realistic prospect of Menston’s expansion or increased population being of material assistance to economic growth in Bradford District. The reality needs to be reviewed.

11. Signature:

Elsegood

Date:

14 January 2016

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Proposed Main Modification number:

MM7: Policy SC4 ... page 42, paragraph B

5. Do support or object the proposed main modification?

Support

Object

6. Do you consider the proposed main modification to be 'legally compliant'?

Yes

No

7. Do you consider the proposed main modification to be 'sound'?

Yes

No – 'unsound'

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Positively prepared

Justified

Effective

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uncertain

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This proposal is to be supported, but not if it means (as other aspects of the Main Modifications do) **changing the character of Menston from a residential village with a real sense of community to a dormitory suburb**, from which a large proportion of its residents are absent daily owing to the necessity of travelling to places of employment, education, training or recreation. This is a foreseeable risk.

10. Please set out what changes you consider necessary to make the proposed main modifications legally compliant or sound, having regard to the test you have identified at Q7 above.

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4. To which proposed main modification does this representation relate?

Proposed Main Modification number:

MM11: paragraph 3.71

5. Do support or object the proposed main modification?

Support

Object

6. Do you consider the proposed main modification to be 'legally compliant'?

Yes

No

7. Do you consider the proposed main modification to be 'sound'?

Yes

No – 'unsound'

8. If you consider the proposed main modification to be 'unsound', please identify which test of soundness your comments relate to?

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"The Local Growth Centres within the district are, **Burley in Wharfedale, Menston** as identified on the Core Strategy Key Diagram **are the most sustainable local centres and** vary in size and function ... and ... will provide an important focal point for affordable housing and market housing needs as well as employment and associated community facilities....."

It is difficult to see what form of analysis has been undertaken to arrive at this (forecast) conclusion.

It is inconceivable that these two villages, much as other locations in Wharfedale, can contribute much to affordable housing for Bradford District. In 2009 CBMDC reported in the "Economic Ward Profile" for Wharfedale that : "There are 5,028 self-contained dwellings in Wharfedale ward, 2.4% of Bradford district's total. 94% of these are private dwellings with only 6% being social houses – compared to 15% across the district as a whole". Furthermore, it was also recorded that: "At £252,325 average house sale prices in Wharfedale ward are significantly higher than the district average (£141,346). based on sales during 2009." It was also reported that: "At £46,200 the average gross household income in Wharfedale is considerably higher than the district average (£31,400). 16.0% of households have an average income of £75K or above compared to 6.0% of Bradford District households."

These recorded data reflect the fact that the population of Wharfedale Ward is significantly better educated, qualified and remunerated than elsewhere in Bradford District: *“Qualification levels are considerably higher in Wharfedale than the district average. In almost half of all households in the ward (49.7%) there is someone with at least a NVQ Level 4 or 5 (or equivalent) qualification, compared to 23% of households across the district.”*

In all the circumstances, what is “affordable” elsewhere in Bradford District is not necessarily “affordable” in Wharfedale, and the reason developers look to Wharfedale (and the Green Belt therein) is because they recognise this and want to construct quality houses for a substantial profit margin, not because they want to assist Bradford MDC in some sort of experiment at enforced social integration.

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You need to say why this change will make the proposed main modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Given that the population of Wharfedale Ward is on the whole better qualified than that of Bradford District, the range of occupations and the employment on offer in Wharfedale Ward is different from other parts of Bradford District. It is therefore highly unlikely that those seeking homes, unless they possess the skill-sets and remuneration potential appropriate to employment in Wharfedale, will find housing which they can regard as “affordable”. Even if that was to be the case, then it is unlikely that those new residents would work in Bradford, thus it is unclear how this will ever assist in the regeneration of Bradford as a vital and thriving city.

A sound policy is one which is based on extensive analysis of authoritative and reliable evidence, advancing a programme of action which has a realistic prospect of achieving a desired objective. There is nothing to suggest that any of the above is present in this element of policy. Surely the overall objective is to provide homes for the population of Bradford District, to get people onto the property ladder in stages which allow them disposable income whereby to develop independence, and thereby facilitate Bradford’s economic regeneration towards the vibrant city it once was. Wharfedale Ward is as it is because aspirational people make it that way, and simply constructing a small proportion of housing at low-enough cost to be affordable to those who do not yet have economic security means they will struggle to meet their living costs and their commuting costs. However, if the view was to be taken that housing of good quality was to be provided (from infill development) to meet the needs of existing elderly residents of Wharfedale villages, enabling them to downsize, this would free up a volume of larger residences for family occupation and inward migration into Wharfedale, without environmental detriment.

11. Signature:

Elsegood

Date:

14 January 2016

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PART B – YOUR REPRESENTATION - *Please use a separate sheet for each representation.*

(Additional Part B forms can be downloaded from the web page)

4. To which proposed main modification does this representation relate?

Proposed Main Modification number:

MM51, Policy WD1: Criterion A:

5. Do support or object the proposed main modification?

Support

Object

6. Do you consider the proposed main modification to be 'legally compliant'?

Yes

No

uncertain

7. Do you consider the proposed main modification to be 'sound'?

Yes

No – 'unsound'

8. If you consider the proposed main modification to be 'unsound', please identify which test of soundness your comments relate to?

Positively prepared

x

Justified

x

Effective

x

Consistent with National Planning Policy (the NPPF)

x

Where x identifies the test which, in my opinion, the proposals DO NOT satisfy.

9. Please give details of why you consider the proposed main modification is not legally compliant or is unsound in light of the main modifications proposed. Please be as precise as possible.

If you wish to support the proposed main modification please use this box to set out your comments.

(Please note: Your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested change. It is important that your representation relates to a proposed main modification).

- 1 The proposed increase in the number of residential units in Menston from 400 to 600 would necessitate the confiscation of Green Belt land (as there is no previously developed land and limited scope for infill) and, if completed, would add approximately 3,000 residents to the population of Menston. There is no employment locally for those of employment age, and there are no secondary school places locally.
- 2 All areas of the Green Belt around Menston serve the purpose of slowing or containing groundwater and pluvial run-off from the moorsides above Menston and towards the River Wharfe. Construction on any of these sites would result in (a) reduced detention of water flows (b) increased rate of discharge to lower ground of water flows (c) flooding of sites allocated for housing (d) flooding of housing below those current Green Belt areas. There is adequate evidence for this if your Principal Drainage Engineer was of a mind to analyse it and if he could understand it.

- 3 Insofar as CBMDC is planning new housing “for families”, 600 new housing units would mean up to 3,000 extra residents, for which we have no employment, no educational facilities and inadequate social/community facilities (and it is CBMDC’s expressed intention to reduce its support to local social and community facilities in its “New Deal” for 2016). Facilities are already inadequate to support our community of some 4,200 residents and would be totally overwhelmed by an increase potentially to around 7,000 residents.

WHARFEDALE IS COMPLETELY UNSUITED TO VOLUME HOUSING. It has neither the infrastructure, nor the employment capacity to support a substantial increase in population. The NPPF makes it clear that housing is not to be developed on sites released from Green Belt simply because an alleged housing need has not been met by construction elsewhere.

10. Please set out what changes you consider necessary to make the proposed main modifications legally compliant or sound, having regard to the test you have identified at Q7 above.

You need to say why this change will make the proposed main modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Simple:

- 1 Undertake a proper, analytical revision of the housing numbers based on a realistic (not “aspirational”) forecast of future employment in Bradford, the fact that there is net migration (OUT) for employment, and that house prices are actually falling, which impacts on affordability.
- 2 Stop trying to make it appear as though all areas are equal, that all areas are in demand and that all areas are affordable, and start thinking about what different communities need.
- 3 Recognise that roads and access are difficult in Menston and that the Habitat Regulations Assessment is not a sound basis for increasing the housing allocations for Menston, and the flood risk is a valid reason for reducing it.

11. Signature:

Elsegood

Date:

14 January 2016

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PART B – YOUR REPRESENTATION - *Please use a separate sheet for each representation.*

(Additional Part B forms can be downloaded from the web page)

4. To which proposed main modification does this representation relate?

Proposed Main Modification number:

MM14: Policy SC5

5. Do support or object the proposed main modification?

Support

Object

6. Do you consider the proposed main modification to be 'legally compliant'?

Yes

No

7. Do you consider the proposed main modification to be 'sound'?

Yes

No – 'unsound'

8. If you consider the proposed main modification to be 'unsound', please identify which test of soundness your comments relate to?

Positively prepared

Justified

Effective

Consistent with National Planning Policy (the NPPF)

Where x identifies the test which, in my opinion, the proposals DO NOT satisfy.

9. Please give details of why you consider the proposed main modification is not legally compliant or is unsound in light of the main modifications proposed. Please be as precise as possible.

If you wish to support the proposed main modification please use this box to set out your comments.

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Development in Menston is unlikely to comply with the stated Local Plan approach. CBMDC's own District-Wide Transport Study makes it clear that the Wharfedale Corridor into Bradford (or Leeds) is congested and that junction and road improvements are not achievable within the review period in any way that could make a significant difference. The proposed 'solution' of the aforementioned report is to let the roads clog up to the point that commuters will increasingly choose rail travel. However, the evidence from Northern Rail is that capacity and frequency cannot be increased in the planning period to cope with a displaced volume of commuting from the roads. Travel to work from Menston (and Wharfedale as a whole) is predominantly to Leeds, not Bradford. Travel by rail is already difficult for residents of towns and villages which do not have a rail connection, and who therefore use Menston as their 'hub' (eg. Pool in Wharfedale, Otley). For most people, travel to work by bicycle from Menston is simply not feasible – too far, hilly terrain, hazardous roads, fitness issues. The bus routes are indicated to be poorly utilised now, because the buses can't penetrate the traffic or negotiate the routes any better than by private car, so why would you travel by bus?

Given this combination of factors, it cannot be said that this element of policy is sound, insofar as Menston does not match any of the specified criteria.

10. Please set out what changes you consider necessary to make the proposed main modifications legally compliant or sound, having regard to the test you have identified at Q7 above.

You need to say why this change will make the proposed main modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Recognise that Menston is NOT well-served for access and commuting, even though it has a direct road to centres of employment, education, training and recreation, and a rail service which has limitations at the times which are crucial to both employment and education. So, having recognised these factors and that they are not capable of mitigation within the planning period, **follow the policy and allocate the construction to where its residents WILL have ready access to jobs and education, that is to say, closer to and in the urban area.**

11. Signature:

Elsegood

Date:

14 January 2016

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PART B – YOUR REPRESENTATION - *Please use a separate sheet for each representation.*

(Additional Part B forms can be downloaded from the web page)

4. To which proposed main modification does this representation relate?

Proposed Main Modification number:

MM50: Policy AD2

5. Do support or object the proposed main modification?

Support

Object

6. Do you consider the proposed main modification to be 'legally compliant'?

Yes

No

7. Do you consider the proposed main modification to be 'sound'?

Yes

No – 'unsound'

8. If you consider the proposed main modification to be 'unsound', please identify which test of soundness your comments relate to?

Positively prepared

Justified

Effective

Consistent with National Planning Policy (the NPPF)

Where * identifies the test which, in my opinion, the proposals DO NOT satisfy.

9. Please give details of why you consider the proposed main modification is not legally compliant or is unsound in light of the main modifications proposed. Please be as precise as possible.

If you wish to support the proposed main modification please use this box to set out your comments.

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In light of recent flooding, affecting not only Shipley and Leeds (widely publicised) but also Otley, Ilkley and Menston, it is vital that a full, comprehensive and expert analysis of flood risk from all sources – particularly those which include or could be exacerbated by groundwater – be undertaken at an early date. This should be undertaken BEFORE any site allocations.

Discussions with Yorkshire Water will confirm for CBMDC that extensive flooding of green spaces, roads and properties (both residential and commercial) has occurred on many occasions between 2007 and (more frequently) in 2012, 2013, 2015 and in January 2016. The existing Flood Risk Assessment has not taken adequate account of these occurrences, and it seems that NO EXPERT EVIDENCE has been drawn upon by CBMDC whereby to assess the validity of its FRA relating to Menston. It is essential that CBMDC recognises that the sites around Menston identified in the SHLAA are ALL Green Belt areas which hold the water, and thereby delay its progress to the River Wharfe. Construction on these sites will accelerate the water flows and result in flooding on areas on and below those sites. This is not acceptable, and CBMDC will be held accountable if construction is approved which results in an increased flood risk.

10. Please set out what changes you consider necessary to make the proposed main modifications legally compliant or sound, having regard to the test you have identified at Q7 above.

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Expert evidence has been made available (such as that of Dr Duncan Reed, which was presented to your R&A Committee in 2014), but appears not to have been given appropriate consideration. Your FRA still appears, despite all the expert evidence and actual occurrences, to allocate Menston's flood risk to Zone 1 by reference to flooding from sources other than groundwater. The topography and geology **MUST NOT BE IGNORED**, otherwise communities, businesses and individuals will suffer the consequences of further flooding, especially if climate change (as predicted) increases overall risk.

11. Signature:

Elsegood

Date:

14 January 2016

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PART B – YOUR REPRESENTATION - *Please use a separate sheet for each representation.* (Additional Part B forms can be downloaded from the web page)

4. To which proposed main modification does this representation relate?

Proposed Main Modification number:

MM52: Policy WD1, Criterion B

5. Do support or object the proposed main modification?

Support

Object

6. Do you consider the proposed main modification to be 'legally compliant'?

Yes

No

7. Do you consider the proposed main modification to be 'sound'?

Yes

No – 'unsound'

8. If you consider the proposed main modification to be 'unsound', please identify which test of soundness your comments relate to?

Positively prepared

Justified

Effective

Consistent with National Planning Policy (the NPPF)

Where x identifies the test which, in my opinion, the proposals DO NOT satisfy.

9. Please give details of why you consider the proposed main modification is not legally compliant or is unsound in light of the main modifications proposed. Please be as precise as possible.

If you wish to support the proposed main modification please use this box to set out your comments.

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All the sites surrounding Menston in the SHLAA are susceptible to groundwater flooding. This has been demonstrated by regular floods, most recently on 26th and 27th December. It is **unsound** to presume that there are enough sites suitable to deliver the number of houses proposed. Menston should NOT be re-designated as a Local Growth Centre because it cannot be shown to have the capacity of sites to deliver the proposed number of homes.

- Proposed changes to the HRA do not make it sound reasoning to upgrade Menston and Burley to local growth centres. Menston has a proven susceptibility to groundwater flooding. (ref Duncan Reed report, 2014).
- The 3 existing proposed sites in the previous RUDP have as yet been undeliverable for exactly this reason. One site at Bingley Road has had planning permission refused because of flooding issues. This was due to be appealed at a Public Enquiry but the developer has decided to withdraw their appeal.

3 Another site is awaiting Judicial Review by the Court of Appeal and a 3rd site is awaiting the outcome of a recent Judicial Review.

As regards changes to the Green Belt, **CBMDC has previously indicated in the Core Strategy Publication Draft that it would deliver the District's housing targets without changes to the Green Belt around Menston.** There is no reason to change this commitment. Changes to the Green Belt in and around Menston are not justified by "exceptional circumstances" on the basis that otherwise CBMDC would be unable to meet its housing targets. This is specifically stated by Government (refer to the NPPF, Guidance Notes and the recent letter to Planning Inspectors about this).

10. Please set out what changes you consider necessary to make the proposed main modifications legally compliant or sound, having regard to the test you have identified at Q7 above.

You need to say why this change will make the proposed main modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The SHLAA is nothing more than an availability list, advanced in most cases by developers or landowners who have given a commitment/option to developers. **The existence of such a document should not be taken to imply that it is APPROPRIATE to build on those sites.** That is a matter to be determined by processes of evaluation and expertise. In this case:

1 CBMDC has given to residents of Menston a clear indication that 400 dwellings could be built without any confiscation of Green Belt, but that now appears to be impracticable as regards the sites originally listed in the RUDP. Therefore, it is folly to contemplate building even more properties in Menston.

2 Before any Site Allocation takes place, there should be an independent, expert evaluation of any site which has been offered for inclusion in the SHLAA, and that evaluation should include the function and operation of the areas of Green Belt in restraining water flows (from all sources) and the flood risk.

3 In the CBMDC Local Development Framework Landscape Character Supplementary Planning Document - October 2008 (Volume 8: Wharfedale) **it was stated as policy** to:

"Ben Rhydding and Menston -

- Encourage the retention of traditional pastoral land use for sheep and cattle, limiting horse grazing.
- Retain the integrity of field sizes; restore hedges and walls; and replace wire fencing with traditional boundary treatment.
- Strengthen planting around dwellings to absorb the built structure. Ornamental style planting is more acceptable in this location, although leylandii style hedging should be avoided.
- Maintain the well wooded, 'parkland' character to the pastures."

There is no reason why this policy should be rescinded. Any changes to Green Belt in Menston would be detrimental to the landscape character and would increase (the already clearly demonstrated) flood risk.

11. Signature:

Elsegood

Date:

14 January 2016

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PART B – YOUR REPRESENTATION - *Please use a separate sheet for each representation.* (Additional Part B forms can be downloaded from the web page)

4. To which proposed main modification does this representation relate?

Proposed Main Modification number:

MM72: Policy HO1: Para 5.3.11

5. Do support or object the proposed main modification?

Support

Object

6. Do you consider the proposed main modification to be 'legally compliant'?

Yes

No

7. Do you consider the proposed main modification to be 'sound'?

Yes

No – 'unsound'

8. If you consider the proposed main modification to be 'unsound', please identify which test of soundness your comments relate to?

Positively prepared

Justified

Effective

Consistent with National Planning Policy (the NPPF)

Where x identifies the test which, in my opinion, the proposals DO NOT satisfy.

9. Please give details of why you consider the proposed main modification is not legally compliant or is unsound in light of the main modifications proposed. Please be as precise as possible.

If you wish to support the proposed main modification please use this box to set out your comments.

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The spatial strategy was determined prior to key underpinning research having been undertaken (eg. Habitats Assessment). Therefore the options developed for consideration by Councillors and the public were not derived from an appropriate evidence base and did not represent the best solutions available. They appear to have been **based on developer preferences regarding housing sites as presented in the SHLAA.**

There is clear evidence that data has been manipulated in ways that are not legitimate in order to justify the scale of proposed development and the spatial strategy, rather than the scale of development and the spatial strategy being informed by a proper assessment of the data. This is apparent in key reports delivered as evidence in support of the spatial strategy across the timespan of the plan making process. This includes:

- inflating job projections
- inflating housing requirements
- inflating employment land requirements (beyond the inflation already resulting from inflated job creation estimates)

These inflations have the effect of justifying Green Belt deletions which represent in excess of 25% of housebuilding across the district. and a substantial proportion of new employment sites on Green Belt land (circa 30% of the proposed employment sites Green Belt). Bradford has a significant supply of previously developed land – and Coun. Val Slater has already agreed that “.. land ‘banking’ is a common problem in the city. This is something that both residents and other politicians raise with me – there are a large number of sites (for 2,364 homes in 2013) where permission has been given, but nothing has happened. ...Meanwhile, we have long waiting lists for homes and young people can’t get a first home.” Building on Green Belt land would leave copious quantities of brownfield urban land in Bradford District, which would continue to be left derelict as a consequence.

Bradford MDC has produced a plan which will not, and cannot, meet the housing needs of its population insofar as it places an excess of development in less sustainable locations (prone to floods, encroaching on SPAs and at some distance from centres with significant employment), thus increasing flood risk and generating more traffic. Measures to mitigate these detrimental consequences would require substantial investment in infrastructure to deliver, none of which has been proposed nor funded.

10. Please set out what changes you consider necessary to make the proposed main modifications legally compliant or sound, having regard to the test you have identified at Q7 above.

You need to say why this change will make the proposed main modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

For CBMDC’s housing allocations and Green Belt deletions to rise above the inevitable challenges, it will have to be demonstrated that they are NOT –as they currently appear – to have been determined by a process without genuine analysis, and based on the preferences of developers.

Until CBMDC deals with the issue of ‘land banking’ within the urban area (which sites developers have shunned for reasons of lower profit margin as compared with Green Belt land), it cannot justify its planned distribution of either residential housing allocations or employment land.

The recent trend of job creation in Bradford District is extremely poor and does not support the projections of household growth or housing need. There are so many faults in the statistical data, and so little regard paid to expert (contradictory) evidence, that these projections, allocations and housing numbers must be considered dubious.

The recent trend of job creation in Bradford District is extremely poor and does not support the projections of household growth or housing need. There are so many faults in the statistical data, and so little regard paid to expert (contradictory) evidence, that these projections, allocations and housing numbers must be considered dubious. **The Guidance Notes to the NPPF make it absolutely clear that deficits against the 5 year Housing Target do not automatically qualify as “exceptional circumstances” and, in light of this, the proposed Green Belt deletions are likely to be unlawful.**

11. Signature:

Elsegood

Date:

14 January 2016

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