

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

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Date	
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The Council are seeking comments on the Proposed Main Modifications to the Core Strategy, following the Examination in Public in March 2015. The changes are proposed by the Council to address issues of legal compliance and soundness and we can only accept representations on these matters.

Comments on the Proposed Main Modifications Schedule are invited from **Wednesday 25th November 2015 until Wednesday 20th January 2016.**

REPRESENTATIONS MUST ONLY RELATE TO THE PROPOSED MAIN MODIFICATIONS.

You can access the Core Strategy documents online and additional copies of this form from our website: www.bradford.gov.uk/planningpolicy then 'Core Strategy Proposed Main Modifications', or you may request copies by:

- Emailing us at: planning.policy@bradford.gov.uk
- Phoning us on: (01274) 433679

Completed representation forms must be returned to Development Plans, by the deadline below, by either:

- **E-mail to:** planning.policy@bradford.gov.uk
- **Post to:** Core Strategy - Proposed Main Modifications
Development Plans Group
City of Bradford Metropolitan District Council
2nd Floor South - Jacobs Well
Nelson Street
Bradford
BD1 5RW

**ALL COMMENTS MUST BE MADE IN WRITING AND SHOULD BE RECEIVED
BY THE DEVELOPMENT PLAN GROUP AT EITHER OF THE ABOVE ADDRESSES
NO LATER THAN 4PM ON WEDNESDAY 20TH JANUARY 2016.**

Personal Details & Data Protection Act 1998

Regulation 22 of the Town & Country Planning (Local Development) (England) Regulations 2012 requires all representations received to be submitted to the Secretary of State. By completing this form you are giving your consent to the processing of personal data by the City of Bradford Metropolitan District Council and that any information received by the Council, including personal data may be put into the public domain, including on the Council's website. From the details above for you and your agent (if applicable) the Council will only publish your title, last name, organisation (if relevant) and town name or post code district. Please note that the Council cannot accept any anonymous comments.

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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	Wilkinson	
Job Title (where relevant to this representation)		
Organisation (where relevant to this representation)	Addingham Planning Scrutiny Group	
Address Line 1	[REDACTED]	
Line 2	Addingham	
Line 3		
Line 4		
Post Code	LS29 [REDACTED]	
Telephone Number	[REDACTED]	
Email Address	[REDACTED]	
Signature:	[REDACTED]	Date: 19 January 2016

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

The publication of the Inspector's Report?	Yes	yes	No	
The adoption of the Core Strategy?	Yes		No	
Are you attaching any additional sheets / documents that relate to	Yes		No	No

this representation?	No of sheets / documents submitted :	
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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

5. Do support or object the proposed main modification?

Support

Object

Object

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

Yes

No

No

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

Yes

No – 'unsound'

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

Not Justified

Effective

Consistent with National Planning Policy (the NPPF)

Inconsistent

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 the proposed main modifications).

Preamble We believe that Bradford's Plan is fundamentally unsound.

Reports submitted by consultants acting on behalf of the Council have contained serious errors in data handling and data interpretation which have served to inflate housing numbers and the inconsistencies running through both the initial Plan and the Main Modifications are a direct consequence.

The figure of 41,600 homes by 2030 is not supported by population projections, household formation projections or job creation projections. A target of 30,000 is indicated by that data. We believe that to put in place a plan that sets a target in excess of the objectively assessed need for this District runs counter to the interests of its population


1. The modification reflects the Spatial Strategy which was determined prior to key underpinning research having been undertaken (e.g habitats assessment). Therefore The modification reflects the Spatial Strategy which was determined prior to key underpinning research having been undertaken (e.g 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.
2. 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)
3. These inflations are used to justify greenbelt deletions which represent in excess of 25% of housebuilding across the district (11,000 homes in the greenbelt against a total of 42,000 homes) and a substantial proportion of new employment sites there (at the last count circa 30% of the proposed employment sites were in the greenbelt). Bradford has copious quantities of brownfield urban land which will be left derelict as a consequence.
4. Where challenges to calculations and data analysis have been successful, in so far as can be judged on the basis of an 'updated' report subsequently coming from the Council that omits them, overarching targets derived from the improper calculations have frequently been retained either without justification or by using another statistically inappropriate device to justify them.
5. Where reports have been produced to evaluate risks posed by development these have been inadequate, ie they do not meet the reasonable benchmarks/standards expressed in comparable studies in other LPA areas. In many cases, assessments are made after strategies and policies have been set. The reports are clearly “contracted for” writing. This is a misrepresentation of the professional standards, freedoms, scope and ethical standards expected from a Consultant working as an “independent expert”.
6. Natural England Standard Habitats Regulations Assessment (HRA) Operational Standard. For all plans and projects which are not wholly directly connected with, or necessary to, the conservation management of the site’s qualifying features, this will include formal screening for any Likely Significant Effects (**either alone or in combination with other plans or projects**). Where these effects cannot be excluded, assessing them in more detail through an appropriate assessment (AA) is required to reach a conclusion as to whether an adverse effect on the integrity of the site can be ruled out. The HRA process must be fully applied before a plan or project which may affect a European Site(s) can be lawfully undertaken or authorised.
7. We can find no evidence of timely and full consideration of the combination of effects


from all settlements in the District, or the combination of effects of the Bradford Plan and modifications with Plans in Neighbouring Districts

8. The record of the chronology of the Council's work on Habitats indicates that Spatial and other strategies were developed without timely and full consideration of the Habitats Regulations
9. Where conclusions are asserted, in respect of impact on Habitats, no evidence or analysis is presented to justify the assertion
10. Successive Settlement Hierarchies have been adopted without considering the marginal impacts of loss of further land to housing on the overall integrity of the Green Belt, Habitats, landscape and historic setting.
11. There is no evidence presented to display cooperation with Neighbouring Authorities to study cumulative impacts of the changes proposed to the West Yorkshire Green Belt by all councils

According to the NPPF, there are five stated purposes of including land within the green belt:

- To check the unrestricted sprawl of large built-up areas
- To prevent neighbouring towns from merging into one another
- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special character of historic towns
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

 There are clear indications that the corridors from Leeds through Menston and Otley and into the Wharfe valley will be subject to further sprawl. The separation between Neighbouring Communities has been severely weakened by earlier developments. The combined marginal effects of the Housing Allocations for all settlements, along with the scale of the required green belt changes on the separation of Neighbouring Communities and encroachment into the Countryside of have not been examined or displayed.

 We have major concerns regarding the scope, content and thoroughness of the District Habitats Assessments. We have therefore made a number of comparisons with the work done in Harrogate District. We observe that the Harrogate assessment identifies:

- 1 all international sites in and around the plan area
 - 2 all sites downstream of the plan area in the case of rivers
 - 3 all sites that comprise major visitor attractions
 - 4 all sites that are used for or could be affected by discharges of effluent from waste water treatment works serving the Local plan area, irrespective of distance from the plan area
 - 5 all sites within 5 km of the plan area boundaries that may be affected by local recreation or other visitor pressure from within
- the screening matrix for the South Pennine Moors SACE identifies that all of the major urban extension sites for Harrogate and Knaresborough where the large majority of new housing will be located over 10 km from the SACs/SPA s.

- the report displays clearly that all the modifications to the Bradford plan and development proposals in Wharfedale will influence the North Pennine Moors SAC/SPA
- there is a further contrast between the two parts of the Pennine Moors in that it is clear that the South Pennine Moors already suffer from a very significant loss of foraging land to urbanisation within the 2.5km zone
- Harrogate District establishes the existing landscape character throughout the district as a constraint on development but is considered to contribute to habitat maintenance
- in the Harrogate rural areas draft allocations are all for relatively small sites. None of the sites are within an SCA or a SPA, 13 sites are within 5 km totalling 895 dwellings and 103 dwellings are planned within the 2.5 km zone. A further 49 dwellings are located just outside the boundary
- In 9.1 Summary of Findings and Conclusions of the Harrogate Report, the assessment of site allocations displays that an analysis has been carried out cumulatively within the District (Appendix 1), of the effects on sites within 20 km of the plan area
- Map 1 displays the location of SACs and SPAs within 5 km and 25 km zones of the boundary
- In 5.32 the report identifies that the Northern end of the South Pennine Moors SPA is within 10 km of the North Pennine Moors SPA and SAC
- 5.33 identifies the vulnerabilities and conservation measures required for the South Pennine Moors and records the function of the EU funded LIFE project
- the Harrogate Plan and Habitats Assessment is a vivid contrast to the Bradford plan and modifications:
 - 1 Harrogate Policy SG6- Sites for Settlement Growth- allocates only 103 houses within the 2.5 potential zone of influence of Natura 2000 sites. No sites for employment land are allocated within or near to a Natura 2000 site.
 - 2 Policy EQ3 identifies the extent of the York and West Yorkshire green belts within the district and protects the special character of Harrogate and Knaresborough and prevents them merging, and also protects the character of the City of York
 - 3 Policy EQ 76 in the Harrogate plan displays the details of exchanges with Natural England demonstrating an appropriate engagement with the Statutory Authority. The Bradford documentation is silent on such a process.
- The Harrogate plan establishes Natural England as the arbitrator on mitigation proposals The Bradford plan is incomplete in this respect.

14. Lack of Transparency

1. The first published document referring to the Regulations appears to be the "Habitats Regulations Assessment for the City of Bradford District Core Strategy - Appropriate Assessment Report for the Further Engagement Draft Documents (October 2011) which is dated May 2013 - version 5 is available
2. The "Appropriate Assessment Report for the Publication Draft Document, February 2014" similarly, has been through seven modifications
3. The Habitats Regulations Assessment for the Bradford District Core Strategy (proposed modifications) published in November 2015 is available in Version 15

In the absence of any other information an explanation of the changes and need for each of the 27 versions is fundamental to an understanding of the process adopted and the role played by the Statutory Body.

15. Lack of Coherence

This appears to be an example that evidences the fact that the plan-making process

has been chaotic and required numerous revisions of documents. This appears to be primarily because, in not following the evidence and in accepting reports which contain gross errors, Bradford Officers have had to retrospectively reconcile the inevitable inconsistencies that have arisen. The lack of coherence in the final version of the Plan, as evidenced by the numerous contradictions and inconsistencies that remain in the Main Modifications further supports this view.

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.

MM2 Unsound Not Justified Not Consistent with National Policy

It is considered that the current plan including proposed modifications is fundamentally unsound and inconsistent with national planning policy. These deficiencies can only be rectified by a complete review and reworking of the proposals, particularly settlement hierarchy/development allocations, taking full account of Habitat Regulations/best practice/co-operation and consistency with policies/approaches in adjoining authorities; comprehensive review of the current Green Belt function/role and boundaries; and realistic assessment of the sustainability of potential development locations.

The Plan and the Modifications are not consistent with Planning Policy guidance, the modifications do not address and do not address key changes to guidance which have occurred during the process'

Including

Housing and economic land availability assessment

ID: 3

Updated: 27 03 2015

Viability

Sets out key principles in understanding viability in plan making and decision taking.

ID: 10

Updated: 26 03 2015

Paragraph: 016 Reference ID: 10-016-20140306

Revision date: 06 03 2014

Paragraph: 017 Reference ID: 10-017-20140306

Viability assessment in decision-taking should be based on current costs and values.

Revision date: 06 03 2014

Paragraph: 026 Reference ID: 10-026-20140306

How should viability be considered for brownfield sites in decision-taking?

Revision date: 06 03 2014

Natural Environment.

ID: 8

Paragraph: 001 Reference ID: 8-001-20140306

.....Landscape and seascape character assessments

From:

[Natural England](#) and [Department for Environment, Food & Rural Affairs](#)

First published:

2 October 2014

Part of:

[Landscape, Planning and development](#), [Marine environment and Biodiversity and ecosystems](#)

Applies to:

England

Paragraph: 003 Reference ID: 8-003-20140306

..... legal duties of local planning authorities in relation to National Parks and Areas of Outstanding Natural Beauty?

..... This duty is particularly important to the delivery of the statutory purposes of protected areas. The duty applies to all local planning authorities, not just national park authorities. **The duty is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries**, but which might have an impact on the setting of, and implementation of, the statutory purposes of these protected areas Updated: 12 06 2014

Paragraph: 026 Reference ID: 8-026-20140306

The National Planning Policy Framework expects local planning authorities to take into account the **economic and other benefits** of the best and most versatile agricultural land. This is particularly important in plan making when decisions are made on which land should be allocated for development. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

Revision date: 06 03 2014

Natural Environment Biodiversity, ecosystems and green infrastructure

Paragraph: 007 Reference ID: 8-007-20140306

Revision date: 06 03 2014

11.
Signature:



Date:

19.01.2016

Thank you for taking the time to complete this Representation Form.