

## Core Strategy Development Plan Document

For Office Use only:

### Proposed Main Modifications – November 2015

Date

### Representation Form

PLANNING SERVICE  
RECEIVED  
18 JAN 2016

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 - MRS	MR
First Name	[REDACTED]	[REDACTED]
Last Name	STANCLIFFE - WALTON	STEEL
Job Title (where relevant to this representation)		
Organisation (where relevant to this representation)		J.O. STEEL CONSULTING
Address Line 1		[REDACTED]
Line 2		[REDACTED]
Line 3		BINGLEY
Line 4		
Post Code		BD 16
Telephone Number		[REDACTED]
Email Address		[REDACTED]
Signature:	[REDACTED]	Date: 15/01/2016

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

	Yes	No
The publication of the Inspector's Report?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The adoption of the Core Strategy?	<input checked="" type="checkbox"/>	<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 :	10 (TEN)		

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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:

#### 5. Do you 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	<input type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>	Consistent with National Planning Policy (the NPPF)	<input checked="" type="checkbox"/>

#### 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.

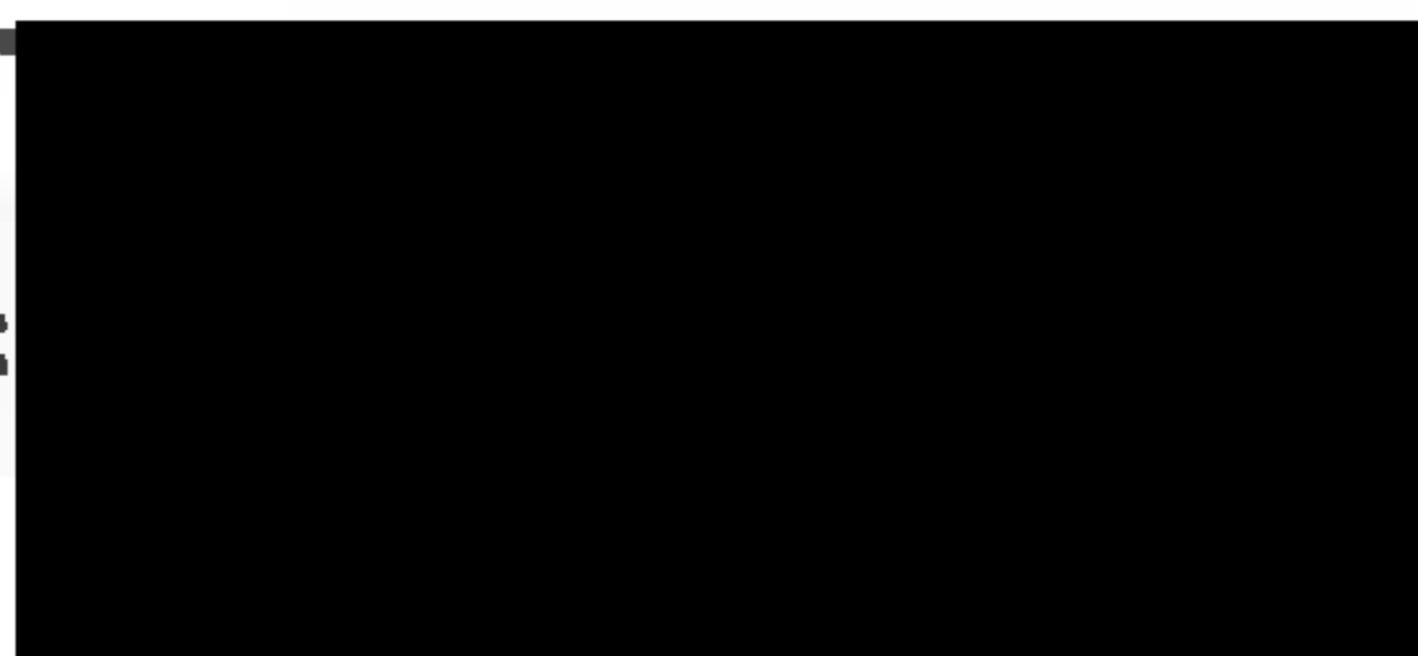
(Please note: Your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested change. It is important that your representation relates to the proposed main modifications).

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.

PLEASE REFER TO ATTACHED SHEETS  
FOR REVISED WORDING PLEASE REFER TO  
PARAGRAPH 11.2

11. Signature:



Date:

15<sup>th</sup> JANUARY 2016

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

# Objections to modifications proposed to the Bradford Core Strategy regarding housing allocations in Baildon MM44

January 2016



## 1 Overview

1.1 These representations respond and object to modifications proposed for the Bradford Core Strategy in regard to housing allocations for Baildon. The objection is submitted on behalf of John Stancliffe and Elaine Walton, the owners of SHLAA site BA/004 known as the Rowans located in Baildon.

1.2 The Core Strategy proposes to allocate numbers of new dwellings within parts of the Borough, although the Core Strategy has been separated from the Site Specific Allocations DPD process. This means that the Core Strategy does not consider the specifics of how such housing is going to be delivered in each location.

1.3 The Council have considered the overall housing requirements for the Borough and identified potentially deliverable sites by location through the SHLAA process. In response to comments from English Heritage Bradford Council propose a reduction in housing allocations in Baildon in the Core Strategy on account of part of the area falling into the Buffer Zone for the Saltaire World Heritage Zone. Instead housing is proposed to be allocated to Silsden.

1.4 It is our view that:

- *The objection made by English Heritage lacks the requisite supporting evidence and too much weight has been placed on the objection.*
- *The objection is premature as it relates to considerations relevant during the preparation of the Site Specific Allocations DPD*
- *The proposed modification fails to provide owners of potentially developable sites within Baildon with the proper opportunity for their sites to be appropriately considered as part of the Site Specific Allocations process.*
- *By restricting the overall amount of development in Baildon and pushing development towards Council owned land in Baildon it will increase the value of Council owned land in Baildon. Therefore the proposed modification represents a conflict for interest of the Council.*
- *Pushing further development towards Silsden may result in the proposed 5 year supply being undeliverable and thus non-compliant with the NPPF.*

1.5 It is our view that it would not be appropriate for the modification proposed for the Core Strategy to be adopted. Instead we propose that the Core Strategy should be revised to provide for an additional suitability test to be applied in the Site Specific Allocations process in regard to impact on the World Heritage Site. Or alternatively that suitability of sites simply be considered appropriately during the Site Specific Allocations DPD process.

1.6 The following paragraphs provide the detail and evidence basis behind our objection:

### SHLAA purpose and Site Specific Allocations DPD

The SHLAA process informs the Council whether there is an adequate supply of land across the Borough to meet the housing requirement, the process in Bradford has identified how this potential supply/need is distributed. It assesses the current supply of unconstrained land and the likely deliverability of new homes in the short term together with an appraisal of other future sites

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that could be considered in the longer term. The SHLAA has taken an evidence based approach and determined both a need and potentially achievable sites within Baildon. It would be appropriate for these sites to be considered fully as part of the Site Specific Allocations DPD process. To simply assume (based on English Heritage's comments) that a significant number of the sites identified by the SHLAA as potentially achievable would not be achievable would be premature at this stage and lack the requisite evidence basis. The purpose of the Core Strategy is not to consider the specifics of individual sites highlighted in the SHLAA, that is the purpose of the Site Specific Allocations DPD.

## 2 Deliverable sites in Baildon

2.1 Many of the sites within the Baildon SHLAA are shown as achievable now but the market chooses not to bring the sites forward. Furthermore the LPA in the July 2015 SHLAA assessment accepts that there has been an under delivery of housing. This failure of the market to bring forward the already allocated sites in Baildon suggests that the market has concerns in regard to the deliverability or viability of these sites. Therefore if housing land allocations in Baildon are reduced and predominantly consist of these already allocated sites (with other sites highlighted as potentially deliverable by the SHLAA discounted without reasonable consideration) there is a significant risk that the market will be unwilling/unable to deliver the housing required in Baildon.

## 3 Annual achievable delivery

3.1 The Council proposes to reallocate housing from Baildon to Silsden, increasing the overall amount of housing allocated for Silsden. From a delivery perspective it is generally accepted that in any location there is a finite amount of housing a developer is prepared to deliver annually or that the market is willing to purchase at a price where it is viable to for the developer to deliver each year. Simply reallocating housing to Silsden may ultimately result in additional housing in the long term but is unlikely to increase supply over the relevant 5 year period as the number of annual completions is unlikely to increase in that location.

3.2 This position has been confirmed by the LPA in the conclusion to the July 2015 SHLAA assessment:

*"There is therefore still a significant shortage of deliverable housing land in the district. The scale of the shortfall is caused not just by the availability of land but due to market conditions which remain relatively weak in some areas and this leads to cautious expectations of how quickly sites will be built out."*

3.3 Consequently the proposed revisions to the Core Strategy creates a significant risk of not providing an achievable 5 year housing supply by focusing housing allocations in one location and prematurely discounting SHLAA Identified potentially achievable sites.

## 4 Need for housing in Baildon

4.1 There is a generally accepted need for additional housing in Baildon. This is reflected in the SHLAA and in section 4.1 of the adopted Rombalds Ridge Landscape Character SPD.

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4.2 Failure to allocate sufficient land in Baildon to meet housing need is likely to result in a distorted market, increasing prices and worsening affordability. Failure to deliver sufficient housing runs the risk of the Plan being unable to deliver the necessary 5 year supply.

4.3 Paragraph 47 of the NPPF states that where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.

4.4 Reducing housing allocations in Baildon without properly considering the deliverability of housing creates a significant risk the plan being non-compliant with the NPPF.

## 5 Pushing development towards Council owned sites

5.1 The amendments to the extent of housing allocations in Baildon appears to predominantly affect currently unallocated sites within the World Heritage site buffer zone. This potentially pushes development towards sites owned by Bradford Council in Baildon. Restricting the extent of development in a desirable location such as Baildon has the impact of increasing the value of the Council's assets. Bradford Council is therefore considered conflicted in this regard and attempting to restrict the extent of development prior to the proper consideration of other sites through the Site Specific Allocations DPD process would represent a conflict of interest.

## 6 Basis of English heritage Case

6.1 English Heritage submissions so far as we are aware are contained at Appendix 1. The submission includes no detailed evidence and concluded that the Council has not "*demonstrated that the scale of housing proposed in Baildon would conserve those elements which contribute to the significance of the World Heritage Site at Saltaire.*"

6.2 However the Council does not need to demonstrate this at this point as the Core Strategy preparation has been separated from the Site Specific Allocations DPD. Instead it needs to provide an appropriate framework by which housing need can be met and heritage assets preserved or enhanced. Consideration of site specific details will arise at the point that the Site Specific Allocation DPD is prepared.

6.3 The NPPF requires the planning system to work on the basis of a presumption in favour of sustainable development. To reduce the allocation of housing in this location on the basis of English Heritage's opinion without supporting evidence would be contrary to the presumption because it would begin with the assumption that any development is unsustainable. The Foxhill/Mulberry Park residential development in Bath demonstrates that through appropriate/good design development can be deliverable without harming the setting of a World Heritage Site. This represents an appropriate application of the presumption by testing suitability through an evidence based approach.

6.4 English Heritage does not submit supporting evidence with its objection. Just because English Heritage made such objection does not remove the need for it to support its position with

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evidence. There is precedent for English Heritage to object to schemes and for the objection to be disregarded following the proper consideration of evidence:

- *English Heritage objected to the Ordsall Chord Transport and Works Act Order, which included a request for Deemed Planning Permission and Listed Building Consent affecting the Grade 1 Listed Liverpool Road Station. In both the Inspectors report and subsequent Judicial Review the evidence presented by English Heritage was considered to be insufficient to support English Heritage's case.*
- *English Heritage objected to the planning application for the Roehampton Centre within the historically significant Alton Estate in Roehampton. Its position was not supported on determination and holistic consideration of the evidence/case.*

## 7 Saltaire World Heritage Site Environmental Capacity Study- March 2006

7.1 This study was commissioned specifically in regard to the World Heritage Site by the Council. The study identified 8 key capacity issues which could affect the Site's Key Values now or in the future, one of these related to development within the Site's setting, this is summarised at page 7 and copied below:

*Saltaire WHS Environmental Capacity Study*

**ATKINS**

### ***What is the capacity of the Site to accommodate changes to its setting?***

The issues facing the setting of the Site relate to two key factors, potential development which could impact on key elements of the Site's setting and gradual change in the quality of the Site's immediate setting and the rural backdrops. Given the size of the Buffer Zone and the nature of the Site's setting there is capacity for new development within the Buffer Zone where its location, scale, mass and height is appropriate in terms of the Site's setting. However, the issue of new tall buildings / structures presents particular challenges. This type of development could occur in urban and rural areas e.g. wind turbines and either could have a visual impact on the Site's setting. Current evidence indicates that there is very limited capacity to accommodate new tall buildings / structures in the setting of the Site.

Other changes, such as alterations to land management regimes in the rural areas around the Site and physical alterations to the townscape of its immediate setting, could also impact on the Site's setting. There is capacity to enhance the immediate townscape setting of the Site, but there is very limited capacity to significantly alter the land-use regimes in the key rural backdrops around the Site.

7.2 Therefore an evidence based study commissioned by the LPA has demonstrated that there is some limited capacity for development within the Buffer Zone, this is contrary to the statements based made by English Heritage. Therefore these SHLAA sites in Baildon and development potential should be properly assessed through a site specific evidence based approach during the Site Specific Allocations DPD process and not disregarded in favour of Silsden at the Core Strategy stage.

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7.3 Although the study states that development could have a significant impact on the setting of the site but paragraph 4.2.3.9 highlights that:

4.239 However, this does not mean that all developments would impact on the setting of the Site. Given the geographical scope of the Buffer Zone and the nature of the Site's setting there is scope for new development within the Buffer Zone where its location, scale, mass and height is appropriate in terms of the Site's setting.

7.4 It would be appropriate to consider such issues fully during the Site Specific Allocations process, potentially also defining appropriate development criteria.

7.5 Para 2.60-2.62 of the 2006 study identify detractors. Crook Farm Caravan Park is identified as a detractor. The 2006 study states that improvements to these detractors could improve the World Heritage Site's setting. The Caravan Park is slightly separated from the urban mass by SHLAA site BA/004/BA018. Although in the Green Belt the caravan park, is effectively permanent development and could potentially be excluded from Green Belt in accord with paragraph 85 of the NPPF. Some development around sites BA/004 or BA/018 could have potential to provide for improvements to Crook Farm Caravan Park by allowing it to better link into the urban area and allow the replacement of the detractor development with something which instead enhances the setting. This is supported by paragraph 4.247 of the 2006 study. Without better integration into the adjoining urban mass the detractor is likely to remain effectively as existing permanent detractor development.

7.6 It would be appropriate to properly consider development potential and impact on detractors of developing specific sites during the preparation of the Site Specific Allocations DPD rather than applying a presumption against development as a consequence of a non-evidence based objection and modification to the Core Strategy.

## 8 Development of site BA/009

8.1 Recent development within the Baildon settlement area involved the construction of housing on SHLAA site BA/009 this required the demolition of a reservoir. The reservoir was constructed pursuant to the 1854 Shipley Waterworks and Police Act. This reservoir was delivered to provide a water supply and improve the public health of the lower Aire Valley area around Shipley, Saltaire and Windhill. The reservoir was connected to Compensation reservoir in Eldwick and Shipley/Saltaire via a subterranean aqueduct. It formed a contemporaneous part of the early industrial setting of Saltire and fell within the World Heritage Buffer Zone.

8.2 Development of site BA/009 and loss of the undesignated heritage asset demonstrates that the Council has previously considered certain new development within the buffer zone appropriate. This is significant particularly as SHLAA site BA/004 does not involve the loss of a contemporaneous parts of the early industrial setting/infrastructure of Saltire as BA/009 did.

## 9 Adopted Policy

9.1 The adopted Rombalds Ridge SPD at Section 4.1, section 7.2.2 and section 6.2.2



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highlights that a suitable framework needs to be in place to assess development in light of the World Heritage Site designation. This provides precedent in adopted policy for taking an evidence based approach to assessing development in this location which should be applied during the Site Specific Allocations process.

## 10 Conclusion

10.1 There is a demand for housing in Baildon as demonstrated by adopted SPD policy and the SHLAA process. The SHLAA has adopted an evidenced based approach which identifies sites which may be able to meet that demand. Those sites should be considered in detail during the preparation of the Site Specific Allocations DPD.

10.2 The Site Specific Allocations process should assess the sites in further detail and determine whether the sites are suitable and could be achieved without harming the setting of the World Heritage Site. Undertaking this exercise as part of the Site Specific Allocations process would provide all parties with the opportunity to submit detailed site specific evidence and for the both sides of the argument to be considered in light of the evidence. This would afford both English Heritage and the affected landowner/developers a proper opportunity for the evidence to be examined independently.

10.3 At present English Heritage has not submitted evidence to support its view and affected landowners have not been afforded the proper opportunity to provide counter evidence as that process should occur as part of the Site Specific Allocations DPD process.

10.4 Relocation of the housing initially allocated to Baildon instead to Silsden is likely not to result in an increase in annual housing delivery and is likely to mean the 5 year housing supply is undeliverable overall leaving the Local Plan non-compliant with the NPPF.

## 11 Recommendation

11.1 Instead of the Core Strategy reallocating housing from Baildon it would be appropriate for such issues to be appropriately considered as part of the Site Specific Allocations DPD process. The Rombalds Ridge SPD already provides a suitable policy basis for this approach.

11.2 Alternatively a minor amendment to the Core Strategy could be made stating that any housing allocations in Baildon (or in the wider World Heritage Site Buffer Zone) must pay specific regard to the impact on the World Heritage site and demonstrate that their development (or development within certain parameters) would not be harmful to the overall setting of the World Heritage Site. Section 4.1, section 7.2.2 and section 6.2.2 of the Rombalds Ridge SPD provide policy precedent for this approach in existing adopted policy. To provide housing delivery compliant with the NPPF it would be appropriate for the Core Strategy to provide for housing to be reallocated to other sites if the Site Specific Allocations Process demonstrated an unacceptable impact of developing some sites within the World Heritage Site buffer zone.

**Prepared by- Michael Walton BA (Hons) MA MRICS MAPM**

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## Appendix 1- English Heritage Submissions

## MATTER 6B – SUB-AREA POLICIES - AIREDALE

- a. Is there sufficient justification and evidence to support the specific proposals for development at Baildon, including the need for some local release of Green Belt land, and has the policy considered the regeneration, environmental, viability, use of brownfield land, the balance between housing and employment land, impact on heritage assets, landscape and local communities, and infrastructure requirements (including transport and education facilities), and is it clear, effective, positively prepared, deliverable, soundly based and consistent with the latest national guidance (NPPF/PPG)?

### I Introduction

- 1.1 The comments set out below relate to solely with the impact which the scale of housing growth in this area might have upon the historic environment.
- 1.2 The level of growth proposed for Baildon could harm elements which contribute towards the Outstanding Universal Value of the World Heritage Site at Saltaire. Several of the sites identified in the Council's Strategic Housing Land Availability Assessment (SHLAA) are located in areas which have been identified as being critical to the setting of the World Heritage Site.
- 1.3 As a result, the Council has not demonstrated that:-
  - (i) The scale of housing growth proposed at Baildon is compatible with either national policy guidance or the plan's own Policies for the protection of the historic environment, or
  - (ii) Given the need to safeguard those elements which contribute to the significance of the World Heritage Site, that the quantum of development that that is set out for Baildon is actually deliverable

### 2 The Saltaire World Heritage Site

- 2.1 Saltaire is considered to be the finest and most complete example in England of an integrated mill and associated village. The layout and architecture of Saltaire reflect both mid-19th century philanthropic paternalism as well as the important role played by the textile industry in economic and social development. The design of the village has an important place in the history of town planning influencing the Garden City Movement of the early twentieth century. It was Inscribed as a World Heritage Site in 2001.

- 2.2 The landscape setting of Saltaire is a key element of its significance. In 2005, Bradford MDC commissioned and published the *“Saltaire World Heritage Site Environmental Capacity Study”* to help guide the management of the site. As part of this work, the Study sought to evaluate the contribution which the surrounding landscape made to the significance of the World Heritage Site. Based upon an analysis of their historic significance, their ability to demonstrate key aspects of the Site’s character, and their relationship with principal buildings on the Site, the Study identified a number of areas which it considered contributed to the setting of Saltaire. These are shown on Appendix B Figure 15 of the Study.
- 3 The proposed level of housing growth around the World Heritage Site at Saltaire
- 3.1 Policy ADI proposes that 450 residential units be accommodated in Baildon. Whilst this total is 433 dwellings less than the trajectory total given in the SHLAA, 444 of the dwellings identified in the SHLAA are located in areas which the *Saltaire World Heritage Site Environmental Capacity Study* identified as being critical to the setting of Saltaire.
- 3.2 Assuming that the sites which could harm the significance of the World Heritage Site are not allocated, this means that even were every other housing site identified in the SHLAA to be allocated, there would still be insufficient identified sites to meet the housing figure for Baildon which is set out in Policy ADI. The only way in which the figure could be met would be if housing were developed on some of the areas which are considered to be critical to the setting of the Saltaire. English Heritage is concerned, therefore, that the figure proposed would put pressure for development on open areas of land which the Council’s own Study has identified as being critical to the setting of Saltaire.
- 3.3 Consequently, it is considered that Sub Area Policy ADI, insofar as it relates to Baildon, is unsound because the Council has not demonstrated that the scale of housing proposed in this area is compatible with either national policy guidance or the plan’s own Policies for the protection of the historic environment.
- 3.4 In terms of this proposal, the Council has not demonstrated that:-
- (i) The scale of housing proposed at Baildon is compatible with either national policy guidance or the plan’s own Policies for the protection of the historic environment, or
  - (ii) The quantum of development proposed in the Plan is actually deliverable given the need to safeguard those elements which contribute to the significance of the Saltaire World Heritage Site,