

NOTES ON ADDINGHAM DRAFT NEIGHBOURHOOD DEVELOPMENT PLAN: JAN 2018 VERSION.

Note for public consultation: submitted to Addingham Parish Council on 16th January 2019.

Sent to parish council under cover of e-mail. Reference regulation 16 consultation.

1.0 CONSERVATION AREA AND HERITAGE ASSESSTS

1.1 Character and protection of the Addingham Conservation Area

Throughout the draft ADNP there is a noticeable absence of statutory protection for the Addingham Conservation area.

It should be noted that that the Addingham Conservation area is probably the most unspoilt and complete conservation areas to be found anywhere in the UK.

Indeed – because of this factor - a photo of Addingham used to appear on the front cover of the older English Heritage statutory guide sent to all UK Local Authorities about how they should deal with planning permissions within designated conservation areas! (note: this particular statutory guidance document was replaced a few years ago. The new one has the same content, but a different front cover).

This sheer quality and quality of an unspoilt conservation area is highly unusual: and this, coupled with the numbers of unaltered listed buildings, it is what makes Addingham uniquely special and primarily gives it all of its character as a village. There are a number of issues with regards to the ADNP that need to be changed within the ADNP; so as to increase the protection of this quite unique conservation area.

There is also the need to protect the views to and from the conservation area: which are all a key part of the statutory conservation area assessment.

I suggest adding in the following wording:

- A. A much stronger statement about the particular national importance of this conservation area be added to the document: probably worded something along the lines of what I have said in the paragraph above.
- B. A map of the just the Conservation Area boundaries should be added to the ADNP
- C. A much stronger statement should be added to say “all developments within and immediately adjacent to the conservation area; shall strictly comply with the design code for new buildings and shall only use traditional material and design features”.
- D. A statement added to the ANDP that “*only single one-off developments – i.e. one dwellings or one businesses - will be allowed within or adjacent to the conservation area*”
- E. No major developments shall be allowed within or adjacent to the Conservation Area (with “adjacent” being defined as “within 100m of the boundary”: and “major development” being the usual legal definition of “ten or more houses”).
- F. Key views to and from the conservation area should be defined within the ADNP.
- G. Key green spaces should also be cross -referenced to the Conservation area
- H. Compliance with the proposed design code should be mandatory for all new development

Furthermore, the most recent and current Bradford Council Addingham Conservation area assessment document should be added to the ADNO as an appendix: it wold therefore become part of the finalised neighbourhood plan.

1.2 Article 4 Directions: Protection of Conservation Areas

Following on from the comments made in 1.1 above about protection of the conservation area and heritage assets.

I would note that no Article 4 directions (removal of normal permitted development rights) are suggested nor proposed within the ADNP. This is a very strange and very unusual omission.

I would suggest that the draft ADNP has added into it a number of “draft article 4 directions”. This would mean that a number of new article 4 directions would remove almost all permitted development rights. These Article 4 direction removes some, or all, permitted development rights. This introduction of Article 4 directions would cover – all in one go – most or all of the minor issues that are a concern to residents and the parish council.

Accordingly, items that are a concern to the parish council: such as conservatory's and dry-stone walls and solar panels: these would deal with by the new statutory powers. This is all very simply done by Article 4 removing permitted development rights.

I am very surprised that neither Bradford Council, nor indeed the parish councils own planning consultants, have ever mentioned to the parish councillors that all other conservation areas throughout the UK (except throughout Bradford!) use Article 4 directions to enhance the statutory protection of conservation areas. As it stands at the moment: this is a very curious and worrying omission from the ADNP!

1.3 Design Codes and Codes Standards

It is very welcome that the ADNP proposes to introduce design standards. However this section of the design standards in the ADNP needs to be spilt cleanly into two parts;

- Design standards within (and probably immediately adjacent to) the Conservation Area.
- Design standards outside the Conservation Area.

The ADNP should be reworded make it far clear that a very high standard of traditional design is required (please note: this added emphasis is absolutely essential).

The ADNP should also explicitly refer to the very good guidance documents about building and repair work in conservation areas. These are the Bradford “good practice guides”- ones which Bradford Council already produce. These give many good examples of good and bad practice. These documents should go in as an appendix.

Then under NPPF 130; it should be made explicitly clear in the ADNP that poor quality development which does not comply with the new design code should be refused, ideally by quoting NPPF para 130 word for word:

“NPPF Para 130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”.

Adding both Article 4 directions and also this wording into the ADNP would, at stroke, both comply with NNPPF and also meet the parish councils’ objectives for many minor items.

1.4 Views from and into the Conservation Area

Again throughout the ADNP document the importance of these views to and from the Addingham Conservation Area are completely missed out. These views are a vitally important part of the overall protection of the Addingham Conservation Area.

The ANDP should specifically identify these key views, and also then cross-reference these important views to the statements made in Bradford Council's current Addingham Conservation area assessment.

1.5 Protecting the Conservation Area from Unauthorised Development

There is nothing within the ADNP to protect against unauthorised development commencing in the conservation area in advance of planning permission and/or listed building consent being granted. This is a practice which seems to be endemic both in Addingham and within Bradford City generally. However it is not tolerated throughout the rest of the UK.

A statement to this effect needs adding into the ANDP. I suggest adding in a line which states that "no development shall be allowed to commence construction works until planning permission (and where necessary listed building consent) has been obtained"

1.6 Listed Buildings and Setting of Listed Buildings

Throughout the draft ADNP there is a noticeable absence of protection to the settings of listed buildings: both those inside the conservation area and the few that lie outside it.

This is a statutory requirement that is of vital importance to any future development; and thus it should be specifically referred to in the ADNP

1.7 Possible Nearby World Heritage Site (WHS): Bolton Abbey

I would suggest that a completely new section needs to be added into the ANDP about nearby Bolton Abbey being a site of national importance and also that it has in the past been considered as a possible World Heritage Site (WHS): accordingly Bolton Abbey is certainly a historic site of national importance and probably also of world importance.

If Bolton Abbey is in the future made a World Heritage site (WHS) then it would be fully protected under UNESCO World Heritage laws (obviously only if it became a World Heritage Site (WHS).

However, regardless of whether or not Bolton Abbey is actually ever granted status of a world heritage site (or not) the simple fact that it has in the past been considered / shortlisted as a world heritage site should mean that Bradford Council must recognise (in all of its development plans) the importance of both the Abbey ruins themselves (over the border in North Yorkshire) and in particular the landscape and setting of the whole surrounding area as being an area of extremely important landscape.

Therefore this plan needs to be revised in accordance with NPPF para 184 (see below)

As such; the entire surrounding area and landscape around Bolton Abbey, including the entire parish of Addingham, might possibly in the near future fall under the remit of these WHS requirements.

However, regardless of any actual WHS requirement, it is still a vitally important site.

I believe that the Addingham neighbourhood plan should refer to Bolton Abbey and all of the surrounding landscape and viewpoints as being of national and possibly world importance.

In particular reference might need to be made to the statutory management plan (the unique plan) for all WHS: as this is a mandatory requirement for development control. This would offer the entire surrounding area a far higher standard of protection than UK law on its own. Whilst enforcement would be under normal UK planning and building law: UNESCO rules usually insist on a far higher standard of care: particularly with the surrounding environment and landscape.

Therefore the new paragraph in the ANDP needs to explicitly refer both to Bolton Abbey, its national importance and the possible requirements if the UNESCO WHS requirements; (i.e. to state under what laws are implemented- and the impacts of this law).

This is highly unlikely to affect small developments of one or two houses in Addingham. However, it could be extremely significant and would be extremely wide-ranging implication. For example; a large development in Addingham might affect affecting the views to or from the Bolton Abbey

Please note that as Bolton Abbey is in North Yorkshire County Council area and their planning authority is Harrogate Council, which means there needs to be (and should already have been) coordination with the neighbouring local authority.

In preparing this new policy within the ADNP, the parish council should take account of the requirements of the NPPF for the Bolton Abbey site; which clearly states that;

“NPPF para 184. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations”.

This clause is probably worth quoting in full in the revised ANDP. It will have massive bearing on whether – or not – large developments are even allowed in Addingham

(Footnote: I am more than a little bit concerned that both Bradford Council and the planning consultant both missed the overriding importance of the proximity of Bolton Abbey. That is simply and utterly professionally incompetence!)

2.0 VILLAGE INFRASTRUCTURE - HIGHWAYS

2.1. Missing Information on Key Infrastructure

I shall start this section on infrastructure by referring to the key part of the NPPF:

“NPPF Para 43. The right information is crucial to good decision-making, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitats Regulations assessment and flood risk assessment). ”

Quite simply, throughout the entire draft ADNP, there has been, to date, a totally inadequate level of information supplied to the parish council with regards to highways and transport: flooding and all other key infrastructure needed to properly support new developments. I would note that this has happened because of a number of serious errors and omissions made by Bradford City Council. It is not the fault of the Addingham parish council: who have tried to do the best they can, however with a totally inadequate amount of technical information.

2.2. Highway - Basic Principles

I shall start this section on infrastructure by referring to the key part of the NPPF:

“NPPF Para 102. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;*
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised- for example in relation to the scale, location or density of development that can be accommodated;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued”*

The NPPF then goes onto say that the importance of transport:

“NPPF par 110: Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second so far as possible to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient location”*

Therefore throughout the ADNP the parish council need to address all of these key issues on roads.

2.3 Main Street

I would point out that any new major suburban development on the outskirts of Addingham (i.e. something similar to the existing Clays estate) would inevitably significantly increase the amount of traffic, and in particular the amount of parking, that would be needed on Main Street.

This increase in through traffic on Main Street would be a severe detriment to the quality of life for both existing businesses and existing residents. This would therefore have a severely detrimental effect on the quality of the heritage assets and the conservation area as a whole.

Furthermore, as noted above, main street is the heart of the village, with almost all of the conservation area and again almost all of the businesses. Therefore Main Street not being reduced to a "busy through route" should be a key priority of the ADNP.

Accordingly, it should be explicitly clear that these types of suburban developments, which generate large amounts of car traffic for short trips, are not required in the village.

Then the ADNP needs to explicitly answer the question – "what is Main Street for?"

2.4 Current ADNP Wording about Traffic is Muddled

There are a number of sentences within the draft ADNP about traffic which could easily be read to be mutually contradictory "increase the amount of parking" and "allow improvements in traffic" throughout the village are mutually contradictory. These need to be reviewed and where necessary corrected.

2.5 Through Lorry Traffic

There is clearly a existing problem in Addingham with large numbers of lorries, including some articulated lorries "rat-running" through the village.

Accordingly the ADNP should explicitly support proposals by the highways authority (Bradford Council) to restrict and minimise the numbers of lorries. For example, this may include a proposed ban on all articulated lorries: or all lorries over 7.5T (except for public service vehicles).

2.6 Traffic Calming Measures

There is clearly a existing problem in Addingham with large numbers of vehicles, including some articulated lorries, speeding through the village.

The ADNP should will support proposals by the highways authority to introduce traffic calming. In particular the ADNP should be amended to read that it will support proposals to reduce traffic speeds through Main Street. However this should not include speed humps or speed tables- as these will damage historic buildings by excessive vibrations.

2.7 Transport Planning Map

There is factually incorrect statement with regards to the map that has been supplied to the parish council by Bradford Council. This map is the aspirations for public transport: not the current reality. Therefore the map and the wording, all provided by Bradford Council, should be withdrawn from the ADNP as "non-compliant" with the requirements of the neighbourhood planning: ie remove map from document.

2.8 New Development Locations all need to be Close to Bus Routes

Bradford Council have a long-standing policy that, quite correctly, states that all new housing should be built within 400m of an existing bus route. This is for good sustainability reasons.

This allows for both sustainability and accessibility of the new housing; in particular to give access to public transport who may not have access to, or may not be able to use, a car.

Therefore, to comply with Bradford Council Policy about all new development being within 400m of a bus route (Bradford Council Policy no tbc) this policy should be added into the ADNP.

2.9 Allocations of Sites for Sustainable Development

(also known as "Consideration of new Development sites with regards to transport")

The NPPF specifically requires that consideration be given to transport when sites are allocated. The NPPF states that:

"NPPF 108. In assessing sites that may be allocated for development in plans, or specific applications for development,

a) appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."

Therefore, the ADNP should identify potential development sites that have good transport access: so as to comply with NPPF clause 108.

2.10 Commuting Patterns

The statement made in para 4.2 that Addingham is a "desirable commuter settlement" is at odds with other statements made in the document: in particular the ones made about the high proportions of families and old age pensioners living in the village. For this statement about "commuters" to remain in the ADNP, I believe that it should be numerally justified with both the number of commuters - and where they travel to work - both explicitly stated in the document.

However, I would note that if large suburban housing developments are built: then this would attract a type of new resident who might well want to use the train to travel to work in Leeds. Therefore, these new residents would probably want to travel by car to park near to the station Ilkley: which would significantly increase traffic levels in the village: especially along Main Street.

Therefore the numbers of commuters should be examined and justified.

3.0 VILLAGE INFRASTRUCTURE – BASIC SERVICES

3.1 Broadband (Business Use)

In the section in the ADNP about existing businesses, and encouraging existing businesses, a sentence needed to be added about the importance of broadband, in particular super-fast broadband, to all small, medium and micro businesses. (note: the rest of the items in the ADNP about encouraging businesses in this section are fine).

3.2 Broadband Infrastructure

To date, there has been no assessment by Bradford City Council as to whether (or not) the existing broadband supply, managed by BT Openreach and Virgin (footnote; check all cable ownership), is adequate to allow expansion of the number of houses in the village

Therefore, the ADNP should state that "no major developments should be allowed until after an assessment of the village's broadband supply has been completed. This is required to ensure that there is adequate broadband capacity in the village's communication system to supply all residents and to maintain adequate telecoms and broadband services to all existing residents.

This is especially important because of the poor or non-existent TV coverage in the village: therefore some residents rely on cable connections. (note: this point should be added into the ADNP)

3.3 Electricity Infrastructure

To date, there has been no assessment by Bradford City Council as to whether (or not) the existing electricity supply, managed by northern power grids, is adequate to allow expansion and new development.

Therefore, the ADNP should state that "no major developments should be allowed until after an assessment of the village's electricity supply has been completed.

3.4 Gas Infrastructure

To date, there has been no assessment by Bradford City Council as to whether (or not) the existing gas system, managed by Transco, is adequate to allow expansion and new housing developments.

Therefore, the ADNP should state that "no major developments should be allowed until after an assessment of the village's gas supply has been completed. This is required to ensure that there is adequate gas supply, with adequate pressure in the pipework system remains to supply all residents and businesses.

3.5 Water Services Infrastructure

To date, there has been no assessment by Bradford City Council as to whether (or not) the existing drinking water, managed by Yorkshire water, is adequate to allow expansion.

Therefore, the ADNP should state that "no major developments should be allowed until after an assessment of the village's water supply has been completed. This is required to ensure that there is adequate drinking water supply: adequate pressure in the pipework system to supply all residents and to maintain a supply of water to the fire brigade"

3.6 Sewerage System

3.6.1 Assessments of Existing Sewerage System

To date, there has been no assessment by Bradford City Council as to whether (or not) the existing sewerage system, both surface, foul and combined systems, managed by both Yorkshire Water and the council themselves, is adequate to allow expansion and more development in the village.

Therefore, the ANDP should state that "no major developments should be allowed until after an assessment of the village's sewage systems has been completed". This assessment needs to include all the statutory requirements which are required to ensure that there is capacity adequate capacity in all sewerage systems.

3.6.2 Four Becks Project

The ANDP has a section in it about the Four Becks project. Under the Four Becks project: this issue has already been identified by the parish council. However, it must be stressed that flooding is solely the responsibility of Bradford Council to sort out! (not the parish council). See section 4 below. (incidentally the Four Becks project is great as a wildlife and conservation project: it is just that it must not become the "default" village flood risk management project by mistake!)

Therefore the wording of the ANDP should be corrected to read that the Four Becks project is a wildlife and conservation project – not a flood risk prevention project!

3.7 All Infrastructure- Resilience during Flooding

As part of any development plan, it is vitally important that the effect of all new development is considered with how it will affect the resilience of existing infrastructure (as listed in 3.1 to 3.6 above plus also the main roads in the village). In particular I would note that it is mandatory government requirement that Bradford City Council, as the Lead Local Flood Risk Authority (LLFRA) under the 2010 Act, assesses the resilience of all local infrastructure against the threats from flooding. This requirement is to ensure that all infrastructure continues to operate in the event of severe flooding.

This assessment of the resilience of infrastructure is especially important in Addingham, as there are a number of elderly residents who's health could be severely affected if, in addition to the flooding, they also lost the uses of electricity and gas for heating during flooding if it happened again in winter. The resilience of infrastructure during flooding is therefore a "health and safety issue", as well as a "property protection issue" (footnote: we were very lucky with the Boxing Day floods: the lights generally stayed on!)

I would note that, to date, the authors of the ADNP have not yet received from Bradford Council (as the Lead Flood Risk Authority (LLFRA)) any of the information necessary to inform the resilience assessment: which should be a complete assessment of the existing infrastructure. This is particularly worrying because, as the village is concentrated around Main Street, the key infrastructure which is most liable to flooding is all located close to Town Beck: which floods!

4.0 VILLAGE INFRASTRUCTURE: FLOODING AND FLOOD RISK

4.1 Introduction

The village of Addingham has suffered repeatedly from very serious flooding, which has caused severe property loss – as well as much emotional trauma to many residents.

It is therefore absolutely essential that any and all new developments must not worsen the situation with regards to flood risk. This key principle must be stated in the ADNP.

Indeed, it could easily be argued that no new major development should be allowed until after the existing flood risk situation has been properly assessed.

It could also be easily argued that no development should take place until after major flood risk measures have been put into place to protect existing residents.

4.2 Key Planning Policies Relating to Flood Risk

I shall now quote from the following key parts of the NPPF:

- A. *“NPPF para 149. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk”*
- B. *“NPPF para 163. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere”.*
- C. *“NPPF para 155. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”*
- D. *“NPPF para 162. Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account.”*
- E. *“NPPF 156. Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards”*

All of the above, and more, all apply to Addingham.

4.3 Alternative Housing and Development Sites

As all of Addingham is currently defined as a high-risk flood area, by both Bradford Council (LLFRA) and the Environment Agency, it could easily be argued that (under section 155 of the NPPF) that all new development should, according to the sequential test for flood risk, be mandated to be directed away from the village i.e. built elsewhere! This note should be added to the ADNP.

4.4 Definitions of Rivers

The ANDP should be revised to make clear that there are two types of river within Addingham:

- major rivers (controlled by the EA): the River Wharf and branches off it.
- minor rivers and streams (controlled by Bradford council as the Lead Local Flood Risk authority); mostly all four becks.

By not making this distinction there has been a serious error crept into the draft ADNP: which is that the comments made about flood plains have been incorrectly allocated the responsibilities. Therefore there is a change required to existing wording of ADNP.

However most flooding in Addingham and it is a serious problem; occurs as a result of minor rivers flooding; especially Town Beck. The responsibility for this flooding is solely with Bradford Council as the Lead Local Flood Risk Authority (LLFRA).

4.5 Flood Maps

Flood Maps should be added into the ADNP (or a separate flood plan made an appendix to the ADNP). These should include both surface water flooding and groundwater flooding.

4.6 Error in Advice Received from Bradford Council about Flood Risk Responsibility

There is a serious error in the comments which have been made by Bradford Council about the draft plan. Therefore the advice from Bradford Council given to the parish council is simply wrong.

Their comments about sequential tests for flooding within UK national planning policy (NPPF) apply only to the selection of new sites on greenfield land (i.e. SLLAA and similar). However these comments do not apply to brownfield sites within existing built up areas; which is clearly the case in Addingham. This Para 163 of NPPF – as quoted above- applies in this case.

Therefore there is a need for separate flood risk policy within the Addingham NDP

4.7 Missing Strategic Flood Risk Assessment

Furthermore, Bradford Council have not yet completed a strategic flood risk assessment document for the village. This is the essential document that must define all the key actions. This is a specific requirement of the Lead Local Flood Risk Authority to complete, under the 2010 Act.

Therefore, the ADNP should not be adopted or implemented until a strategic flood risk assessment for Addingham has been completed by Bradford Council. Therefore, the ANDP should not be adopted or implemented until after a strategic flood risk assessment for Addingham has been completed by Bradford Council. Then within this flood risk assessment land that may be required for flood relief or flood mitigation has been identified (see below).

Alternatively, the ADNP could be worded to say that no major development shall be allowed until after the village flood risk plan has been surveyed, assessed and completed.

4.8 Climate Change: Effect on Flooding

The ADNP has not picked up the advice from Department for Environment and Environment Agency about the effects of climate change on flood risk. Therefore, the effects of flooding on existing properties in Addingham – especially those near Town Beck – also need modelling for climate change. This needs to be in accordance with the specific and detailed requirement under the NPPF which states that:

“NPPF 157. All plans should apply a sequential, risk-based approach to the location of development taking into account the current and future impacts of climate change

Therefore the existing flood risk assessment should be assessed first; then the effects of climate change modelled and added to the existing risk, need to be put into the ADNP.

4.9 Safeguarding of Land required for Flood Relief

Responsibility for flood risk assessments lies with Bradford Council, who frankly should have given Addingham parish council far better information.

It is nowadays common good practice that land required for future flood risk management should be specifically identified in the local plan. This is essential to comply with NPPF, which states;

“NPPF para 157 b) safeguarding land from development that is required, or likely to be required, for flood relief”

The ADNP should adopt this good practice. In particular I would note that this clause in the NPPF could easily apply to the land surrounding the streams which feed down into Town Beck from neighbouring agricultural land. Town Beck is obviously the source of much existing flooding in the village.

Therefore, the flood precautions, which are needed to prevent flooding in central Addingham, may require the prevention of development on these fields. To identify this land is again the responsibility of Bradford council as LLFRA, under the 2010 Act.

4.10 Capacity of Existing Flood Infrastructure and Resilience

The ANDP should be revised to read that:

“no major development of ten or more houses shall be allowed anywhere in Addingham until after a programme of planned flood prevention works have been completed within the village: as necessary to reduce and minimise existing flood risk to the existing community and existing buildings: i.e. a programme of works that to reduce the risk of existing buildings within Addingham being flooded down to the normally accepted 1 in 200 year flood risk period”

This is some suggested wording. Other similar wording may be appropriate.

5.0 LANDSCAPE (Including GREENBELT'S AND EUROPEAN HABITATS)

5.1 GREEN BELT

5.1.1 Definition of Addingham Green Belt and Greenbelt Boundaries

The existing Addingham greenbelt boundary should be uniquely defined on a separate plan either within the plan itself OR in the appendix. This is being recommended so that there is no doubt about what is defined as being the village greenbelt.

5.1.2 Future Changes to the Addingham Greenbelt Boundary.

Furthermore, to accord and align with the provisions of the NPPF, the wording of ADNP should be made clearer, to say that no "development" will be supported in the greenbelt whatsoever: except if it meets the "exceptional or special test"

This is because the NPPF rules for greenbelts clearly state that:

"NPPF 136. Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans."

This clause should be cross-referenced in the ADNP.

5.1.3 Possibly Incorporate the Village into The Greenbelt

I would draw the parish council's attention to part of the NPPF, which could easily be applied to the Addingham village greenbelt:

"NPPF para 140. If it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt".

As the open character of the village includes the green spaces which are continuous with the green spaces which run contiguously into the historic Addingham Conservation Area: for example the field behind the Sailor Public House.

Therefore it is recommended that the ADNP should consider whether to define the whole of the village of Addingham to be included within the greenbelt (i.e. bringing the village all into the greenbelt)

5.1.4 Future Changes to Greenbelt Boundaries

Furthermore, the ADNP should be additionally worded that the *statement "no alterations to greenbelt boundaries are neither planned; nor required nor desirable during the period of this plan"*

Furthermore, the ADNP should be worded to say that any proposed changes to the Addingham greenbelt should be consulted upon in consultation and coordinated with other planned

developments in Ilkley; Burley and Menston: i.e. the towns of Wharfedale. This is necessary to preserve the views of all of Wharfedale from the Nidderdale AONB and Yorkshire Dales National Park

Furthermore, it should be a requirement, to comply with NPPF that all changes to Addingham shall be consulted upon with Harrogate and NYCC and NYDNP.

Again this is a very curious omission that neither the planning consultant nor the Bradford council have picked up upon.

5.2. Principles of Identification of Natural Resources and Wildlife

The draft ADNP has already got a lot of very good words in it that, in general terms, support the keeping and development of the natural resources in and around the village.

Unfortunately, in the draft there is a lack of definition of the key statutory requirements that need to be complied with. Therefore, there are some "serious gaps" in the wording of the current document.

To quote from the NPPF:

"NPPF 174. To protect and enhance biodiversity and geodiversity, plans should:

a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation"

Therefore to comply with the NPPF, five specific maps should be added to the ADNP to show the following key items of statutory wildlife and natural areas which are protected:

1. South Pennine Moors
2. North Pennine Moor
3. All sites of Special Scientific Interest (SSSI)
4. Special Protection areas (SPA)
5. SAC

The specific requirements of NPPF are quoted as follows;

"NPPF 174. To protect and enhance biodiversity and geodiversity, plans should:

a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation and

b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the (gap)and recovery of priority species; (gap)and pursue opportunities for securing measurable net gains for biodiversity"

Thus, all key sites of wildlife and scientific interest should be identified within the ADNP

5.4 Coordination with Yorkshire Dales National Park and Nidderdale AONB

Again, this is a very curious omission that neither the planning consultant nor the Bradford council have picked up upon. The landscaping section of the ADNP must be amended to include the association with both of the adjacent areas: The Yorkshire Dales National Park (YDNP) and Nidderdale Area of Outstanding Natural Beauty (NAONB).

Therefore, to introduce this section, I shall gain quote from the NPPF:

"NPPF 172. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty"

Please note the statutory references to "great weight". However, at this moment in time, the ADNP does not have this emphasis, emphasis which needs to be added into the ADNB document.

Then it needs to be recognised that Addingham lies immediately outside and bordering both of these two areas; which both have the highest status of protection to landscapes that English Law can provide.

The ADNP needs to be redrafted so that:

- The boundaries of the Nidderdale AONB are shown on the plans.
- The boundaries of the Yorkshire Dales National Park are shown on the plans.
- The key views are identified to and from Addingham into NAONB and YDNP.

There then needs to be an explicit requirement in the ADNP to consider the effect of all developments on Nidderdale AONB and the Yorkshire Dales National parks – i.e. protection of landscape, in relation to these issues.

5.5 Statutory Duty to Cooperate with Neighbouring Planning Authorities

I will then draw your specific attention to the Local Government Act 1972 and also the wording of NPPF Para 24; which I quote as:

"Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries."

Therefore, as Addingham is becoming, with the introduction of the ADNP a "mini-planning authority" and also that this area of Bradford City lies right on the borders of Harrogate Council and YDNP; statutory consultation with both neighbouring planning authorities should have been undertaken as part of this plan preparation.

(Note: therefore can Addingham Parish Council please confirm that Bradford Council have consulted with Harrogate and YDNP).

After the Addingham neighbourhood plan is adopted, there is therefore a statutory duty to consult with Harrogate Local Planning Authority (Harrogate Council) about all developments in Addingham that affect the Nidderdale AONB and Yorkshire Dales National Park.

5.6 Special Sites of Natural and Wildlife Interest

These need to be specifically identified in the ADNP.

5.7 European Habitat Regulations: Protected Species and Habitats.

NPPF clearly states the following about Special Protection Areas classified under regulation 15 of Conservation of Habitats and Species Regulations 2017 :“ *sites which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of bird*”s.

European Habitat Regulations (protected species and habitats) need to be identified within the ADNP entirely separately from the more general clauses about other wildlife and natural features.

This is essential because these “European Species and Sites” have a far higher level of statutory protection against development. Both those on the North Pennines and South Pennines need to be identified.

Therefore, to accord with UK and EU law; the ADNP should be rewrite to state that “no development shall be allowed on land which has been identified as habitats for protected species”

5.8 Identification of SPA, SAC and Foraging Areas for Protected Species

Furthermore, to comply with European Regulations, the areas covered by the habitat regulations, and special protection areas, including foraging areas, should be defined by plans in the ADNP.

These plans may well need to extend beyond the parish boundary.

5.9 Notes about Bradford Council Policy SC8

As background information: Bradford Council seem to have got themselves into a right mess with this one. Bradford Council policy SC8: is simply illegal. (footnote: SC8 is a council planning policy which was recently rewritten by developer CEG).

Under the European Habitat Law and all of the Associate Regulations - mitigation is not allowed for any housing development sites whatsoever(footnote: the mitigation is only allowed for major infrastructure projects).

5.10 Coordination with other Developments affecting European Protected Sites

It should be noted that the European Habitat regulations require the cumulative effect of all developments that affect one protected site.

Therefore, for example developments at the other end of Wharfedale will need to be fully coordinated with developments in Addingham. This is to represent the cumulative effect on the protected European habitat areas and protected areas.

6.0 HOUSING ALLOCATIONS

6.1 Locations of New Housing Sites: Residents Preference for Small and Medium Sized Sites

In the draft plan that went out to consultation in spring 2018, there was clearly a specific set of allocations of small and medium sized housing site. Furthermore, this is what the public universally wanted during the consultation. This was subsequently removed from the plan that is now out to consultation under regulation 16.

A clause to the effect that "small and medium sized sites are preferred needs to be introduced, to reflect public opinion.

6.2 Small Sites Preferred by NPPF

However I will point out that NPPF clear states that organisations such as Addingham Parish Council should allocate small sites. The two key parts the NPPF are:

"NPPF para 68. Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly".

NPPF 69. Neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites (of a size consistent with paragraph 68a) suitable for housing in their area

(footnote; Therefore the advice recently given to Addingham Parish council by both Bradford council and their planning consultants are both wrong in law. The parish council in the ADNP can express a preference for smaller site: however it cannot rule out larger development sites).

6.3 Brownfield Register

This Brownfield register should be requested from Bradford Council.

6.4 Brownfield Sites

To comply with the spirit of the NPPF and also general government guidelines, a substantial proportion of the new development should be built on brownfield sites (note: this is normally defined either as existing sites OR undeveloped sites within the settlement area boundary).

The NPPF requires that four key steps are undertaken:

"To promote the development of a good mix of sites local planning authorities should:

a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;

b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;

c) support the development of windfall sites through their policies and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes; and

d) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.

Also NPPF para 118-part c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. Therefore the ADNP should be redrafted to reflect the preference within the NPPF for smaller sites (however, to stay legal, this clause should not rule out the use of larger sites)

6.5 Identifying Land of Least Amenity and Environment Value

Currently in the ADNP there is not the statutory requirement to identify sites for housing (and other development) that are of the least environmental impact. However the NPPF requires this:

"NPPF para 171. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing net works of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight" (note : highlighting in yellow by me: not in the original document)

Therefore, as there are a very large number of potential development sites in the Addingham area which are of very high environmental or amenity value; the ADNP should be amended so as to specifically describe sites which are of low amenity value

6.6 Rural Exception sites

To comply with NPPF, the ADNP needs to be redrafted to comply with the rural exception housing sites. Please note that some of these could be "over the Border In Harrogate", but fulfill a local need.

"NPPF Para 77. In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this".

6.7 Need for Local Housing: Coordination with Adjacent Towns

Housing Developments in Ikley, Silsden, Keighley and Skipton will all affect the need for housing in Addingham. It should be noted that Addingham is only a short journey and distance from four other major towns. Therefore Addingham Parish Council and Bradford City Council should be able to demonstrate that they have coordinated this housing need with housing now being built elsewhere. Please note that both Ikley and Skipton both have excellent rail links into both central Leeds and Bradford: and therefore, both towns are thus far more sustainable towns for commuter housing. *"NPPF 137 (about sites for development) part c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground"*

7.0 MISCELLANEOUS ITEMS

7.1 Parking Standards for New Developments

The ADNP has not yet considered parking standards. The NPPF requirements are as follows;

“NPPF Para 105. If setting local parking standards for residential and non-residential development, policies should take into account:

- a) the accessibility of the development;*
- b) the type, mix and use of development;*
- c) the availability of and opportunities for public transport;*
- d) local car ownership levels”*

This information on design requirements for all new developments of both housing and businesses should be mandatory; in order to avoid pressure on existing on street parking; especially within the conservation area.

In particular this policy should be designed to prevent the parking issues within the Addingham Conservation area (see above) becoming any worse

Accordingly, it would be highly beneficial if the design codes mentioned above also included parking standards. Again these new parking standards might need to be split between “conservation area” and “outside conservation area”

7.2 Parking Standards: Numbers of Cars Owned by Residents

Also, to comply with clause (d) of para NPPF 105, the ADNP should include a note about car ownership levels.

7.3 Intrinsically Dark Areas: Dark Skies

As Addingham is on

- the edge of the both Yorkshire Dales National Park.
- borders the Nidderdale Outstanding Natural Beauty (NAONB).
- flightpaths for European protected bird species.

The issue of Dark Skies” needs to be considered.

These two areas of YDNP and NAONB both contain significant large areas of officially designated “dark-skies”: therefore the ADNP should be revised to comply with clause 180 of NPPF:

NPPF para 180 c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

This will affect the lighting used on all new developments in Addingham; especially streetlighting.

7.4 Noise Pollution (including Identifying tranquil areas in the ADNP)

Completely missing from the ADNP is any reference to noise and possible noise pollution arising from new developments; especially major developments. This is need to comply with NPPF clause 173, which states in part:

“NPPF 173 para (b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason

Therefore, the ADNP should be revised to comply with clause 173 of NPPF; and both identify existing tranquil are and also specifically identify areas where increasing noise may be a concern if a large new development is built. This is probably best done by a table of sites in the appendices s

7.5 Pollution and Health Issues

(following on from paragraph 7.4 above)

Completely missing from the ADNP is any reference to pollution and possible health issues arising from new developments; especially major developments. This is needed within the ADNP to comply with NPPF clause 180 - which states (in part):

*“NPPF 180. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account of the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life*

Therefore, the ADNP should be revised to comply with clause 180 of NPPF; and both identify where issues with health and living conditions will be a concern if a large new development is built. This is probably best done by a table of sites in the appendices.

7.6 Population Numbers

The draft ADNP dies not contain a proper population tabulation. This is essential.

Comments made in Para 4.5 are factually incorrect. It should be noted that the population increase did not come about as the result of changing employment pattern: instead the increase in population was because of the development of new suburban housing on the outskirts of the village: in particular the “clays estate “ off Big Meadow Drive. This wording should therefore be amended.

8.0 NEXT STEPS TO COMPLETE THE DOCUMENT

8.1 Layout of The Finalised Addingham Neighbourhood Development Plan Document

Once the above changes have been made: I would recommend that the document be revised so that the importance of the six key issues is made more prominent:

1. All heritage assets (including listed builds and conservation areas)
2. Greenbelt
3. Flood Risk
4. European Habitat Regulations
5. World Heritage Site at Bolton Abbey
6. Yorkshire Dales National Park and Nidderdale AONB

Are six need to be properly reflected as the key issues that all developers need to be aware of.

8.2 Future Conflicts with the Finalised Addingham Neighbourhood Development Plan Document

The final document should contain a quote directly from part of NPPF;

NPPF Para 12 ; "Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted".

8.3 Future Precedence of the Addingham Neighbourhood Plan

Finally I draw your specific attention to the wording of NPPF para 30.

"NPPF para 30 - Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently".

This statement should be included in the final Addingham Neighbourhood Development Plan Document.

9.0 SIGNIFICANT PROCEDURAL ERRORS MADE DURING PUBLIC CONSULTATION

9.1. Introduction

There have been four very serious procedural errors in preparing this version of the plan.

9.2 No Justification for Imposing Housing Numbers into Addingham

Bradford Council has imposed on Addingham Parish Council a requirement to build at least 200 new houses in this small village. This number of new houses is a key part of the neighbourhood plan: indeed this one number “200” thus informs every aspect of this plan.

However it has been / still is a major procedural error that no justification whatever has been given for the proven need for this number of new houses. Quite simply: no supporting information has ever been provided by Bradford Council to justify this number of new houses. There was /is, quite simply, no surveys and no reports to justify this requirement.

Accordingly: Before the Addingham Neighbourhood Development Plan is adopted: Bradford Council need to justify this number of new houses being required /needed in Addingham

9.3 Deletion of Housing Allocation

In their initial advice given to Addingham Parish Council – right at the start of the neighbourhood planning process - Bradford council planning officers clearly advised the parish council (both verbally, in writing and in minutes of formal meetings) that specific and detailed housing site allocations should be made. This advice was discussed more than once. Furthermore it was made quite clear by Bradford council planning officers to the Addingham Parish Council (and its expert advisors) that those people’s developing the neighbourhood plan should be identifying /allocating specific housing sites within the village.

Thus the Addingham Neighbourhood Forum Advisory Group (working directly under the parish council’s clear written directions and remit) then did a considerable amount of detailed work to identify and justify where a number of small -scale housing sites around the village could be built upon. Their work then formed the basis of the public consultation exercises held in the summer of 2018.

However specific housing site allocations (i.e. identifying all small sites) was all subsequently deleted (at the last minute) from this version of plan (as submitted under Regulation 16).

As a retired expert in this field: I personally consider the whole process regarding how this deletion of specific housing allocations has occurred is “definitely suspect” (see below).

Therefore the recent decision made by Addingham Parish Council to delete the housing allocations (ie deletion of specifically identified housing sites) was probably – and especially bearing in mind what had previously been said formally during all of the public consultations to villagers - “probably unlawful”.

9.5 Evidence (submitted to) and Responses given during Public Consultation

During the public consultation of summer of 2018 it was clearly stated (as shown on all display boards and handouts) that all of the new housing sites would be small scale and I – stress-allocated! Also during the responses to this excellent public consultation, it was made very clear by all villagers that they did not want any large new housing sites developed. That requirement was explicitly made clear by those villagers who were consulted to those persons preparing that version of the neighbourhood development plan. Thus only specific small-scale housing sites were put into the early version.

However the Addingham Parish Council has now deleted all of the housing site allocations.

This deletion of specific housing site allocations was decided upon by the Addingham Parish Council wholly and solely on the basis of verbal advice given to all of the parish councillors by just one Bradford City councillor. Thus the recent advice given to all of the parish council, by just one councillor, completely contradicted all of the earlier formal advice given by Bradford Council's own professional planning officers.

However this decision has now left the Addingham Development Plan "wide open" to having large housing sites developed. Accordingly, this is now clearly not the same version of neighbourhood plan as the one which all villagers were originally consulted upon!

9.6 Advisory Forum (Following on from 9.5 directly above)

For the last two years, the Addingham Parish Council has been advised by a separate panel of experts during the preparing process. I understand (from others) that this forum was mostly comprised of retired experts (in this field). It is clearly recorded that this panel of experts was dismayed by the actions of Addingham Parish Council to ignore their advice to include specific housing sites. I believe these entire expert forum members all strongly protested this decision and that at least four resigned.

I am further led to believe that this advisory forum was then dissolved by Addingham Parish Council simply in order to drive through this big change to the housing allocation: and thus allowing the unwanted prospect of several large-scale housing sites being developed.

9.6 Conclusion

Very few villagers knew of the significance of this one big change to the housing allocations – this change made just before the Regulation 16 consultation document was submitted. This failure to notify villagers is a "serious flaw in the public consultation process".

Therefore this very significant change was not properly publically consulted upon before the Reg 16 neighbourhood plan was finalised: which I consider to "bad practice and probably illegal". These points about how villagers have been grossly misled are highly-significant.

Furthermore there is very strong case to say that this one city councillor misled (or that he deliberately lied to) the other members of Addingham Parish Council about this key issue.