

WILSDEN NEIGHBOURHOOD DEVELOPMENT PLAN (2020 TO 2038) COMMENTS FORM (FEBRUARY 2024)

Wilsden Parish Council has submitted their proposed Neighbourhood Development Plan to City of Bradford Metropolitan District Council (CBMDC). The Council is now required to consult on the plan for a period of 6 weeks in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).

This consultation seeks your views on whether the Wilsden Neighbourhood Development Plan meets the Basic Conditions¹ which are that the plan:

- Must be appropriate having regard to National Planning Policy.
- Must contribute to the achievement of sustainable development.
- Must be in general conformity with the strategic policies in the development plan for the local area.
- Must be compatible with human rights requirements.
- Must be compatible with EU obligations.

The consultation period starts on **Monday 5th February** and closes at 5pm on **Monday 18th March 2024**.

The Plan and supporting documents are available to view electronically at: www.bradford.gov.uk/consultations as well on the Council's Opus Consult portal: <https://bradford.oc2.uk/>. Hard copies are available to inspect during normal opening hours at:

- CBMDC Customer Service Centre, Britannia House, Hall Ings, Bradford, BD1 1HX.
- City Library, Centenary Square, Bradford, BD1 1SD.
- Bingley Library, 5 Rise Shopping Centre, Bingley, BD16 1AW.
- Wilsden Post Office, 112 Main Street, Wilsden, BD15 0AB.

How to submit your comments:

Please ensure you complete both parts of this comment form otherwise your comments may not be accepted.

Comments can be submitted:

- **Online at:** <https://bradford.oc2.uk/> (*Registration is required*)
- **Email to:** planning.policy@bradford.gov.uk
- **Post to:** Local Plan Team, City of Bradford Metropolitan District Council, 4th Floor, Britannia House, Broadway, Bradford, BD1 1HX (*Please ensure that there is sufficient time to guarantee delivery to our offices by the closing date for comments*)

All comments received will be sent to an independent examiner who will examine the plan. If the examiner determines that the plan meets the basic conditions, then a local referendum shall be held on whether to 'make' the Neighbourhood Plan.

Contact Details:

If you have any questions, comments or queries please contact the Local Plan Team using the details below:

- **Telephone:** 01247 433679
- **Email:** planning.policy@bradford.gov.uk

¹ <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012
REGULATION 16: PUBLICISING A PLAN PROPOSAL
WILSDEN NEIGHBOURHOOD DEVELOPMENT PLAN (2020 TO 2030)
COMMENT FORM

For Office Use only:	
Date Rec.	
Date Ack.	
Respondent ID	
Representation Ref:	

PART A: PERSONAL DETAILS

Please provide your personal contact details. If an agent is appointed to represent you, then they would need to provide their full contact details in addition to your title, full name and organisation (where relevant). This information is required to enable the independent examiner and/or the Council to contact you for further information if required during the examination of the Neighbourhood Plan.

1. PERSONAL / AGENT DETAILS		
	PERSON / ORGANISATION DETAILS*	AGENT DETAILS (if applicable)
Title		Mr
Full Name		Christopher Darley
Job Title (where relevant)		Senior Director – Head of Leeds Office
Organisation (where relevant)	Ptarmigan Land North Ltd	Lichfields
Address	c/o Agent	
Post Code		
Email Address		
Telephone Number		

2. FUTURE NOTIFICATION

Please tell us if you would like to be notified when City of Bradford Metropolitan District Council decide to make the Plan under Regulation 19 (to bring it into legal force after examination and local referendum).

Yes

No

Data Protection Statement - Any information we receive will be processed in accordance with the General Data Protection Regulations (GDPR) and the Data Protection Act 2018. A Local Plan Privacy Statement sets out CBMDC Local Plan Team processes your personal data. This notice should also be read in conjunction with the Council’s Corporate Privacy notice and other specific service notices, which are available at <https://www.bradford.gov.uk/privacy-notice/>

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PART B – YOUR COMMENTS

If responding using this form, please use a separate Part B sheet for each different part of the Plan or supporting document that you are commenting on, and clearly state to which part of the document it relates.

3. To which document does your comment relate? Please place an 'X' in one box only			
Neighbourhood Development Plan (NDP)	X	Basic Conditions Statement	
Consultation Statement		Other (please specify)	

4. To which part of the document does your comment relate?					
Whole document		Section	1.4 / Figure 3	Policy	
Page Number		Paragraph			

5. Do you wish to? Please place an 'X' in one box only					
Support		Object	X	Make an observation	

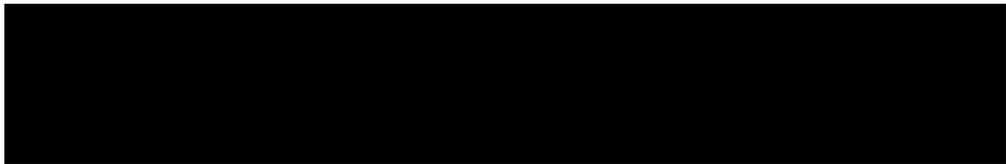
6. Please use the box below to give reasons for your support / objection or to make your observation and give details of any suggested modifications.	
<p>Please see accompanying letter.</p>	

7. Signature:			Date:	18/3/24
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2. To which document does your comment relate? Please place an 'X' in one box only

Neighbourhood Development Plan (NDP)	X	Basic Conditions Statement	
Consultation Statement		Other (please specify)	

3. To which part of the document does your comment relate?

Whole document		Section	2 – Housing Need	Policy	
Page Number		Paragraph	2.27		

4. Do you wish to? Please place an 'X' in one box only

Support		Object	X	Make an observation	
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5. Please use the box below to give reasons for your support / objection or to make your observation and give details of any suggested modifications.

Please see accompanying letter.

7. Signature:			Date:	18/3/2024
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Local Plan Team
City of Bradford Metropolitan District Council
4th Floor, Britannia House
Hall Ings
Bradford
BD1 1HX

Date: 18 March 2024

Our ref: 66855/01/CD/CD/30187109v4

Dear Sir/Madam

Wilsden Neighbourhood Plan - Regulation 16 Consultation

Response on behalf of Ptarmigan Land North Ltd.

Lichfields act on behalf of Ptarmigan Land North Ltd. (“Ptarmigan”) and write to provide comments on the recently published Regulation 16 Consultation Draft of the Wilsden Neighbourhood Development Plan (“the draft Neighbourhood Plan”).

Ptarmigan welcomes this consultation and is supportive of the preparation of the draft Neighbourhood Plan. It does however wish to raise objections about how key elements of the draft Neighbourhood Plan comply with the ‘basic conditions’ that must be met before such a plan can proceed to a local referendum and ultimately by ‘made’ and form part of the development plan for the area.

Introduction to Ptarmigan Land North

Ptarmigan Land North Ltd. forms part of the wider Ptarmigan Land group which was founded in 2003 and has since become one of the UK’s leading land promotion companies. Ptarmigan work hard to deliver high quality, sustainable developments with a true vision for a long-term legacy for the community and landowners. With over 25,000 homes in various stages of the planning process and a twenty-year track record of success, Ptarmigan is one of the UK’s largest land promoters delivering a significant proportion of the nation’s housing needs.

The team at Ptarmigan Land North has a proven history of successfully bringing forward high-quality residential development in the Bradford district and has a deep understanding of local issues and the dynamics of the housing market.

Ptarmigan controls a site located at Harden Lane and south of Bents Lane in Wilsden which they are promoting through the emerging Bradford Local Plan for residential development. The site forms a natural extension to the settlement and, importantly, its development would not prejudice the purpose and function of the wider Green Belt in this area.

A plan showing the location of the site is set out below, and an initial masterplan accompanies this letter at Appendix 1. The masterplan has been carefully prepared to take into consideration local character and site features and is capable of accommodating in the order of 80-100 homes, alongside areas of publicly accessible open space and landscaping.

Figure 1 Site Location - Land west of Harden Lane / south of Bents Lane - Being promoted by Ptarmigan Land North



Basic Conditions

Paragraph 11 of the National Planning Policy Framework (NPPF) introduces a presumption in favour of sustainable development. Paragraph 13 of the NPPF goes on to state that the application of the ‘presumption’ will have implications for how communities engage in neighbourhood planning. Critically, this means that neighbourhoods should:

- Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; and,

- Plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan.

The basic conditions with which a neighbourhood plan must comply are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. They are also listed within paragraph 65 of the 'Neighbourhood Planning' section of the National Planning Policy Guidance (PPG). This guidance also states that throughout the process of developing a neighbourhood plan, the qualifying body (in this case the Parish Council) should consider how it will demonstrate that its plan meets these basic conditions.

Ptarmigan consider that the draft Neighbourhood Plan as presently drafted fails to comply with a number of the basic conditions, including:

- Regard to national policy and advice contained in guidance issued by the Secretary of State (Basic Condition A);
- Contribution towards the achievement of sustainable development (Basic Condition D) and,
- Conformity with the strategic policies contained within the Local Plan for the area (Basic Condition E).

Specifically, Ptarmigan's comments relate to how the draft Neighbourhood Plan approaches the need for Green Belt release and associated changes to the settlement boundary in order to meet future housing needs. At present it is considered to be misleading and would fail to comply with all of the above basic conditions.

Such considerations are set out in detail below.

Green Belt (Section 1.4)

Section 1.4 of the draft Neighbourhood Plan makes reference to a review of the Green Belt, with paragraph 1.4.6 of the document acknowledging that the adopted Bradford Core Strategy identifies that, in the context of Wilsden, changes to the adopted Green Belt are required. This is inevitable in the context of the adopted Core Strategy requiring a minimum of 200 homes to be delivered in Wilsden and Bradford Council's own most recent evidence base¹ identifying a supply of just 23 homes from sites outside of the Green Belt in and around Wilsden.

This position is effectively accepted by the Neighbourhood Plan at paragraph 1.4.9, where it states that *"based upon the available data we would accept that changes to the Green Belt may be required such as sites WI2/H and WI3/H."* Those two sites are both Green Belt locations that were identified as potential allocations in the separate Regulation 18 draft Bradford Local Plan, but in the context of Wilsden accommodating a lower quantum of housing (125 units) than that set out in the adopted Core

1

[https://www.bradford.gov.uk/Documents/EvidenceBase/Housing/SHLAA/4%20Third%20Update//Strategic%20Land%20Assessment%20\(SLA\)%20-%20January%202021.pdf](https://www.bradford.gov.uk/Documents/EvidenceBase/Housing/SHLAA/4%20Third%20Update//Strategic%20Land%20Assessment%20(SLA)%20-%20January%202021.pdf)

Strategy (200 units) . These two sites are then shown on Figure 3 of the draft Neighbourhood Plan as representing “*possible options for change*” to Green Belt boundaries.

Ptarmigan strongly objects to the inclusion of this plan at Figure 3 and the specific reference to these two sites on it, as it is wholly misleading insofar as it does not identify all potential options for change, or indeed the likely extent of Green Belt release that will be required to accommodate future housing needs.

The review of the Green Belt is an ongoing process being carried out by Bradford Council and the draft Local Plan is subject to extensive objections (including from Ptarmigan) in terms of its approach to District wide housing need, the apportionment to Wilsden and also the draft allocations. It is our client’s position that Wilsden should be accommodating a greater level of housing than is proposed in the Regulation 18 draft Local Plan. This is because Wilsden should be accommodating a proportionate share of what should be a higher District-wide requirement based upon the Standard Method, as set out in national planning policy and guidance, which in the case of Bradford incorporates a 35% uplift, on account of it being one of the 20 largest urban authorities in the country. Bradford Council has failed to demonstrate any exceptional circumstances for its approach set out in its draft Local Plan, which deviates from the Standard Method and which seeks to deliver a requirement considerably below that requirement.

Reflecting this, no weight should yet be afforded to the emerging Local Plan given its stage of preparation and the extent of unresolved objection. Certainly, the Neighbourhood Plan, which is at a more advance stage, should not in any way be relying upon it, when it is still subject to further rounds of technical assessment, public consultation and examination.

In its current form, by referencing the content and identifying the draft allocations of that Plan, the draft Neighbourhood Plan runs contrary to national planning policy, in contravention of Basic Condition A. It also fails to comply with Basic Condition D (Contributing towards achieving sustainable development), as far as it potentially prejudices an unfettered assessment of the most sustainable options for meeting longer term housing needs in Wilsden. By making explicit reference to the policies of the early draft Local Plan, it further potentially leaves the Neighbourhood Plan exposed to being contrary to that plan, should the policies of the Local Plan change during the evolution of that document. In this scenario, the draft Neighbourhood Plan will fail to comply with Basic Condition (Conformity with the strategic policies of the Local Plan).

To address these concerns, Ptarmigan considers that Paragraph 1.4.9 and Figure 3 of the draft Neighbourhood Plan are amended to identify all potential options for removing land from the Green Belt to meet housing needs. Those such ‘options’ should include our client’s site as shown above.

Alternatively, Figure 3 should be removed from the Neighbourhood Plan and all references to sites WI2/H and WI3/H be deleted, as the review of the most suitable and sustainable sites options for removing land from the Green Belt to meet Wilsden’s housing needs will correctly form part of the preparation and subsequent examination of the Bradford Local Plan. This will avoid a scenario where there is any future misalignment between what is identified in the Wilsden Neighbourhood Plan and the future adopted Bradford Local Plan.

Housing Needs (Section 2)

Within Section 2 of the draft Neighbourhood Plan, reference is made at paragraph 2.2.7 to a review of the Bradford Local Plan identifying a need for a minimum of 125 new homes to be delivered in Wilsden between 2020 and 2038.

Similar to the points made above, it is Ptarmigan's position that no such reference, or reliance, should be made by the draft Neighbourhood Plan to the content of the emerging Local Plan, as it is subject to several further rounds of consultation and examination, particularly when there are unresolved objections and such figures could change. Ptarmigan has made representations previously that Wilsden should be accommodating a greater quantum of housing, than is presently proposed in that early draft plan. Ptarmigan's position is that, as a minimum, Wilsden should be accommodating at least 200 new homes in that plan period, in accordance with the position established in the adopted Core Strategy

Such references to the housing apportionment to Wilsden in the emerging Local Plan should therefore be removed, otherwise the Neighbourhood Plan risks failing to be in conformity with the Strategic Policies of the Local Plan, in contravention of Basic Condition E.

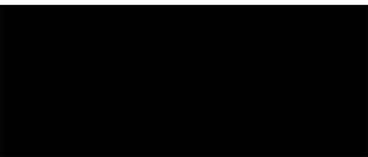
Concluding Remarks

In summary, we consider that in its present form with references to the content of the early draft Local Plan in the context of Green Belt release and Housing Needs, the Neighbourhood Plan fails to comply with several 'basic conditions' required of it, for it to proceed to referendum and to ultimately form part of the development plan for the area. This can be easily rectified, through the removal of such references, as highlighted above, and/or reference to all options for amending Green Belt boundaries, including the land being promoted by Ptarmigan.

We trust that these comments will be taken into consideration during the final stages of the preparation of the draft Neighbourhood Plan and also as part of any future independent examination of the Plan.

We also wish to be kept informed of the next steps in this process. Indeed, should there be an opportunity to do so, Ptarmigan would welcome the opportunity to contribute further to that examination and would be happy to provide any further information if required.

Yours faithfully


Christopher Darley

Senior Director, Head of Leeds Office

BA (Hons) DipTP MRTPI

Copy

 Ptarmigan Land North City of Bradford MDC

Annex 1: Land west of Harden Lane, Wilsden - Site Masterplan



- Key
- Site boundary
 - Existing (retained) trees & hedgerow
 - Indicative proposed planting
 - Open space
 - Indicative surface water attenuation basin
 - Existing Public Right of Way
 - Proposed pedestrian/cycle link
 - Proposed street
 - Shared surface street
 - Private drive
 - Indicative extent of residential area
 - Potential locations of landmark buildings
 - Stone walls (existing and re-used)
 - Indicative swale



nineteen47
 CHARTERED TOWN PLANNERS & URBAN DESIGNERS

Project: Harden Lane, Wilsden

Drawing Title: Masterplan

Project Code: n2204 Drawing No: 005 Rev: B

Date: 24.11.2023 Drawing Scale: 1:500 @ A1