

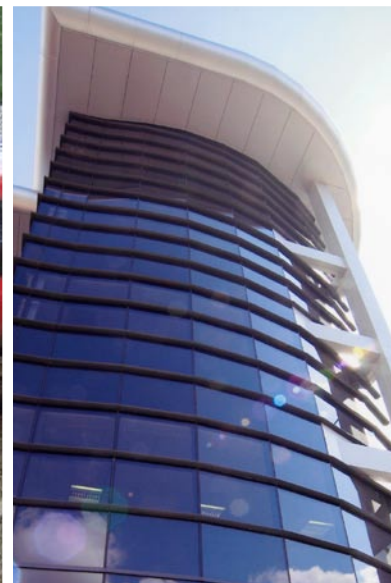
Local Development Framework for Bradford

Core Strategy Issues and Options

Summary of Representations

General Comments

December 2007



City of Bradford MDC

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LIST OF CONSULTEES WHO SUBMITTED GENERAL COMMENTS ON THE CORE STRATEGY

1. Ben Rhydding Action Group
2. Bradford Chamber
3. Dacre, Son and Hartley
4. Environment Agency
5. Government Office for Yorkshire and Humber
6. Home Builder's Federation
7. KeyLand Developments Ltd (submitted by Sanderson Wetherall)
8. Mobile Operators Association
9. National Offenders Management
10. PM Coote Planning
11. RSPB
12. Sport England
13. West Register Realisations Ltd (submitted by The Land and Development Practice)
14. Wharfedale Friends of the Earth
15. George E Wright
16. Yorkshire and Humber Assembly

COMMENT	ORGANISATION
<p>As a starting point, I would like to comment upon the statement in the Key Aims of the new system: “To strengthen community involvement on the planning of the places in people in which people live and work”, and which is repeated in the engagement plan”. A more comprehensive statement is contained in the Key Practice section of the Sustainability Topic paper. “Community involvement is an essential element in delivering sustainable development and creating sustainable and safe communities. In developing the vision for their areas planning Authorities should ensure that communities are able to contribute to ideas about how that vision can be achieved, have the opportunity to participate in the process of drawing up the vision, strategy and specific plan policies and to be involved in development proposals”. The proposed phrase ‘to strengthen’ significantly weaker than the words ‘essential’ and ‘ensure’ which contained in the Key Principles.</p>	<p>Ben Rhydding Action Group</p>
<ul style="list-style-type: none"> o Bradford Chamber has not looked in detail at all of the Core Strategy: Issues & Options. It has considered two principal areas: Economy & Jobs, and Transport & Accessibility o Comments below respond to some of the questions asked in those topic papers o Mapping the currently available allocated employment and housing land would assist with the future success of the LDF o A better, more comprehensive definition-list of business and industry sectors is needed to fully understand and accommodate economic development and regeneration o A more pro-active approach from council planners (including use of CPOs) could secure better land- use in the future; a flexible and practical approach would enhance cost-effectiveness and reduce perceptions of arbitrary decisions <p>Road, rail and air transport improvements remain key to Bradford’s success in business</p>	<p>Bradford Chamber</p>
<p>This response has regard to the requirements within PPS12 for the preparation of a Core Strategy and the 9 tests of soundness which include:</p>	<p>Dacre, Son and Hartley</p>

- Evidence base that underpins the LDF Core Strategy;
- Conformity with current saved Replacement UDP and PPS3 policy;
- Conformity with emerging policy (draft RSS and Area Action Plans); and
- Choice of consultation options and their relationship with the adopted development plan.

Dacres are concerned over the timing of this consultation process in that the Core Strategy is required to be in conformity with the Regional Spatial Strategy (RSS) and that the RSS Panel Report is due for release on 2nd April 2007. In our opinion, the Council should have published this LDF consultation following the RSS Panel Report and not before. The Panel Report is an important document and may significantly alter many of the statements made in the Core Strategy Issues and Options paper. This raises issues of soundness under PPS12 'test iv'.

PPS12 soundness 'test vii' requires published consultation documents to be founded on a sound evidence base. We are therefore very concerned that this Issues and Options paper seeks a response to key questions that require a more detailed understanding of significant elements of the evidence base that are currently unavailable. In our opinion, this limits the opportunity to provide an informed response and we therefore regard this early consultation to be flawed and unsound in its approach.

On a separate matter, and having attended the Housing Topic Paper Workshop on 22nd March 2007, we are concerned that Bradford Council may be about to make similar mistakes to those made by Leeds City Council over the past 4 – 5 years in their approach to growth and regeneration. A negative attitude towards development beyond the City Centre and selected Area Action Plan zones can seriously damage housing supply and skew the supply of affordable housing.

Several of the presentations at the Housing Workshop spoke of city centre regeneration and area action plans and the possibility of de-allocating housing sites in settlements away from

<p>the City. Much was said about 'city living' and higher densities whilst very little was said on matters such as; housing need, housing aspiration or evidence base. There is now clear evidence within West Yorkshire that the drive towards City Centre regeneration without a proper balance in housing supply leads to an excessive land bank of apartment permissions with little or no trajectory planning in true housing requirement. The soon to be published Leeds Housing Market Assessment demonstrates a need to provide some 2,000 affordable units per annum from across the whole Leeds district, mainly in the form of 3 bedroomed semi-detached houses. This requirement is at odds with the 22,000 extant permissions, mainly city centre apartments with almost no affordable housing provision.</p> <p>In order to improve the evidence base, we request Bradford Council extends its current Local Housing Assessment work to include a housing aspirations survey on type, location and price and to include an affordable housing trajectory based upon housing market areas to show how the proposed housing supply will or will not meet the projected demand.</p>	
<p>(a) The Core Strategy should take full account of PPS 25, Development and Flood Risk. This promotes an active consideration of flood risk in both Local Development Frameworks and planning applications. The main objective to is locate new development in areas of lowest risk of flooding as well as promoting good flood risk management.</p> <p>LPAs should apply the sequential test at the earliest stages in the planning process. This should therefore be one of the key principles to ensure that Core Strategy embeds flood risk considerations into the spatial plan and is directing new developments to the most appropriate locations in the interests of sustainability and in the approach taken to climate change. This approach is also advocated in PPS3, Housing.</p> <p>PPS25 identifies certain development uses and classifies them according to vulnerability. Dependent on the vulnerability, some types of developments may not be permitted in certain flood zones. Where certain types of developments (e.g. housing) are considered by the LPA</p>	<p>Environment Agency</p>

to be exceptionally needed for other sustainability reasons within the high flood risk zone, the development must be subject to the Exceptions Test. Again, this is set out in PPS25 and the draft practice guide.

The Core Strategy and other LDDs should be informed by a Strategic Flood Risk Assessment (SFRA). Support for this is given in PPS25 and in Policy RS2 in the current Regional Spatial Strategy. Whilst there is a SFRA for Bradford this was undertaken in 2003 and is limited in scope to specific UDP sites, and does not consider the flood risk in the District as a whole. A SFRA should be produced which provides the robust and credible evidence base for the LDF which at least studies the areas under consideration. We have had some previous discussions with the Council regarding undertaking a more detailed and up to date SFRA and would be happy to discuss this again further with you as soon as possible. We would strongly recommend that you to prepare a SFRA as soon as possible through which to inform the Preferred Options stage to meet with the tests of soundness for the LDF.

It is important to be aware that there are significant economic implications to allowing development to take place in flooding areas which should be fully considered. The damage sustained to flooded buildings can have a significant impact on economic factors both in terms of 'down-time' and direct damage repair costs. There is also an important insurance implication for development in flood areas. If insurers refuse to insure buildings, their value or letting ability can be affected.

- (b) Consideration should also be given to the Aire Catchment Flood Management Plan, which is currently at consultation stage. Your Council is involved with this process, however there may be aspects of the plan that should be reflected and included in the Core Strategy. The Aire CFMP is being prepared to identify flood risk issues in the River Aire catchment and will also inform policies for flood management. These can include identifying areas of need for new flood defences, new wetland areas and wash land creation. Please refer to the attached Aire CFMP document and CD.

Additional comments

We can provide advice on waste recycling issues.

We will advise on where it will be necessary to obtain a license or a waste management exemption for operating any recycling facilities/waste facilities.

In any consideration of searching for allocations for waste disposal facilities we can provide technical advice and information relating to any constraints that we are aware of, e.g. flood risk.

Climate change is considered now by many to be the key environmental issue of the 21st century. Emissions of carbon dioxide and other greenhouse gases are considered by the majority of the world's scientists to be contributing to a worldwide climate change, with likely devastating consequences for the world, its human population and biodiversity. To address climate change, there is a pressing need for reductions of carbon emissions in all sectors of the economy. There is also a need to convert to a low carbon economy for the fundamental reason that oil and gas are to become much less available, and more expensive over the next 30-50 years. Friends of the Earth Wharfedale applauds Bradford for signing up to Nottingham declaration, and its commitment to reach a 20% reduction in carbon emissions by 2010. Also we note its aim alongside the UK government to work towards a 60% reduction by 2050. However, urgency to address reductions in carbon dioxide emissions has increased, based on the most recent reports of the International Panel on Climate Change. To make its contribution to reducing the impact of climate change, Bradford should consider setting more ambitious targets of 80% by 2050. In step with the Friends of the Earth's proposed national Climate Change bill, we would like Bradford to commit to achieving a 3% reduction per year in emissions of carbon dioxide from the Bradford area, which would achieve over a 75% reduction by 2050.. The heating and cooling of buildings is a major contributor of carbon emissions. Bradford should provide an example with the design of its own buildings, e.g. swimming pools and other leisure facilities, youth and children's' facilities, park buildings etc, to improve their sustainability and reduce energy use. In addition to insulation, passive solar heating and near-zero carbon biomass boilers, the council should consider solar thermal water heating and ground source heat pumps, particularly for swimming pools. It would be very interesting to see some new building developments in the Bradford area conforming to the German PassivHaus standard for buildings requiring zero heating due to high insulation and passive solar heating/cooling systems. Electricity generation can be addressed at a local level through the development of decentralised power generation. This largely eliminates the energy losses associated with power transmission over long distances from large scale coal, gas and nuclear plants. Bradford should consider following the example of Woking in developing local, small scale combined heat and power plants, operating preferably on biomass, biogas or natural gas. Through utilising the waste heat from power generation to provide

Wharfedale Friends of the Earth

community space/water heating, this approach can raise the efficiency of fuel conversion to useful energy up to 70-80%. However, Wharfedale Friends of the Earth oppose current moves towards incineration of waste as energy from waste". This is less efficient than recycling for recovery of energy, and experience in other areas shows that incineration reduces recycling rates when in operation due to the commercial need for a guaranteed amount of waste to burn. Wind turbines and other renewable energy technologies also have a part to play. The local planning system should encourage individuals and public and private organisations in the setting up of their own microgeneration systems. Development of wind energy can be highly appropriate particularly in rural areas of the Bradford area. This need to be treated with care and forethought, taking a pro-active approach towards addressing negative attitudes towards renewable energy (particularly wind) among some residents based on subjective aesthetics. Common ownership of a wind turbine by a community can be one way forward to address this problem. There are likely also to be several sites suitable for small scale hydropower in the Bradford area. Wharfedale Friends of the Earth note that Bradford has a significant renewable energy resource (wind, hydropower, biomass) and should take more than its "fair share" of renewable energy generation. We would like to see Bradford considered a leader on renewable generation, when clearly at present it is not. From this perspective we would encourage the Bradford area to achieve its contribution to the target renewable generation of 80 MW by 2010 and indeed exceed this target as far as possible. It is possible also that Bradford can achieve significant reductions in electricity use through simple energy efficiency measures and investment in energy efficient appliances. Here again CBMDC can take a lead in its own buildings management and encouraging residents to implement changes in their own homes. Here we have a specific proposal, that CBMDC gives consideration to an idea that has been tried successfully in some continental cities to reduce municipal energy use, by turning off street lighting and floodlit public buildings after midnight. This would save large amounts of energy, cost and also reduce light pollution in the district. Transport is responsible for around 25% of carbon emissions in the UK [IPCC]. After more than 30 years of encouraging car use through out of town developments, the emphasis in planning needs to be squarely focused on sustainable communities and reducing the need to travel for everyday needs.

Public transport links, particularly buses require protection from cutbacks, and indeed improvement to the frequency of services is necessary. Marketing of public transport services is key to their continued use by residents. Through its participation in WYPTE, Bradford should encourage innovation in this sector, as traditional bus services are not seeming to meet the real needs of residents. Bus on demand and community minibuses could stimulate new interest in public transport and reverse trends in increased car use. Lift and taxi sharing could also contribute to reduced emissions. Bradford needs to work to maintain and improve the overall integration of the transport sector, particularly between bus and rail. Also, the use of walking and cycling should be encouraged, particularly through the construction of cycle and pedestrian paths on useful routes determined in consultation with cyclists and pedestrians in the area. As well as positive moves to encourage more sustainable forms of transport, inefficient car use should be actively discouraged in order to reduce emissions. Bradford should avoid the establishment of new/extended car parking facilities, and consider measures such as high occupancy lanes on congested routes, and higher parking permit charges for owners of SUVs who live in urban areas (as has been implemented by other local authorities in the south east). Also, considering the high environmental impact of air travel, Bradford should oppose future expansion of flights from Leeds Bradford International Airport. Combating climate change does require the support of all residents, and some remain unconvinced of the problem, or else unwilling to make significant changes in their energy use. One way in which Bradford can make a difference to the opinions of residents is to highlight the expected impact of climate change at a local level, for example problems expected in agriculture, flood risks, and risks to biodiversity and landscape that could affect tourism and quality of life in the Bradford area. This may provide residents with motivation to change their own lifestyles and work with the CBMDC as it seeks to make improvements in the sustainability of the Bradford area.

The Strategy

A spatial strategy should be developed with a vision, objectives and high level strategic spatial policies which address the strategic issues set out in the Spatial Picture in Topic Paper 2, together with the key issues identified in the other Topic Papers (eg population characteristics, socioeconomic issues such as deprivation and unemployment, education/skills, housing and affordability of housing, transport and accessibility, health). It should also provide a spatial expression for the Community Strategy to which Topic Paper 2 refers and strategies of other organisations which impact on the district. The spatial strategy should be flexible and responsive about what can happen where. It should also be locally distinctive to Bradford district and address issues and focus on places within it. It should however be concise and not excessively detailed, but provide direction to other DPDs.

Flexibility

The development strategy and policies should be sufficiently flexible to accommodate changing circumstances pending review of the DPD in particular with regard to adequacy of housing provision (PPS3 paras 52-67), infrastructure provision including transport and community infrastructure such as education and health.

Cross-boundary Considerations

The Core Strategy will need to cover more fully the role of Bradford in relation to the development of the Leeds City Region and, where relevant, its relationship with the strategies of the other 10 neighbouring local planning authority areas, in particular those with large city/town centres or areas where significant development is taking place, proposed or there is potential. The relationship with the Leeds City Region Development Programme (November 2006) and its vision will need to be explained more fully along with that of the Transport Vision.

In addition to Leeds City Region strategy are there any other cross-boundary matters which

**Government Office for
Yorkshire and the Humber
(GOYH)**

the Core Strategy should address?

Evidence Base

Evidence listed at end of Topic Papers noted. Complete and comprehensive evidence (including SA/SEA) will be needed to support the strategy (including justifying selection or rejection of options) as it is developed. This includes plans and information held by other organisations (see text box on page 20 of PINS Soundness Guide (Soundness below)).

Strategies of other Organisations and Provision of Infrastructure

References to other strategies noted. The Core Strategy should provide for the spatial expression and development of these, but it must be demonstrated that they are deliverable within the timeframe of the strategy and include contingencies if delivery does not happen – see Implementation and Monitoring below. This applies particularly to the soundness of infrastructure provision planning, for example transport, on which the parts of the strategy for major development proposals depend.

Implementation & Monitoring

As the Core Strategy is worked up it will need to cover the delivery and implementation of policies with timescales and milestones with the agency identified.

There will need to be a monitoring and implementation framework with clear objectives for delivery (PPS 12, paragraph 2.9). Options must be deliverable and credible in terms of resources likely to be available to implement them with clear mechanisms for delivery (PPS 12 Companion Guide - section 8.4).

It may be that some of the detailed targets and measures will have to be expressed by reference to more detailed implementation and delivery plans in other DPDs. However the

Core Strategy and its policies should be drafted in a way that enables their delivery effectiveness to be assessed and monitored in the above terms.

Where possible, there should be evidence of buy-in of the policies by other stakeholders or Council departments. If actions are required to implement policy by organisations other than the Council there should be evidence of the necessary commitment from the relevant organisation.

Range of Options at Preferred Options stage

Options which represent extremes of approach to developing the settlement strategy, unless they can be justified by robust evidence and reasoning, are unlikely to lead to a sound plan eg significant expansion of peripheral towns and villages, high density housing on all sites, restricting all development to previously developed land, promoting greenfield development, not protect [any] existing [employment] land and buildings. Similarly options in significant conflict with national and regional policy unless robustly justified by local circumstances are unlikely to be considered to be offering genuine realistic choice and if pursued, are not likely to be considered as an appropriate way of preparing the DPD.

Soundness

When advancing the DPD through the next stages it will be important to ensure that the tests of soundness in PPS 12, para 4.24 and as explained in the PINS guide (December 2005) have been met and that there is evidence of this. The emerging draft DPD will be considered by GOYH with particular regard to the tests.

Continuous Community Involvement

The PPS 12 Companion Guide (para 8.3) states that Regulation 25 community involvement should be a continuous process; see also PPS 12, para 4.13. Further consultation may

<p>therefore be needed as a result of comments received before Preferred Options are developed and consulted on. Please note reference to 'consensus').</p> <p><u>Planning Advisory Service</u></p> <p>The Council is recommended to have regard to the PAS document 'Core Strategy Guidance', published in December 2006 and other PAS guidance.</p>	
<p><u>Document Format</u></p> <p>The document appears to be split into topic papers and does not represent a comprehensive strategic overarching document. It appears more like an old-style local plan and it is hoped that this format will not be carried through into further versions of the Core Strategy.</p> <p><u>Plan Period</u></p> <p>PPS3 as now published requires local authorities to plan for a 15-year period for housing from the date of adoption (paragraph 34) - which in this case requires the Core Strategy to plan for the period 2010 to 2025. This needs to be more clearly explained in the document.</p> <p><u>Conformity with Emerging Policy</u></p> <p>In light of impending releases, we question the timing of this consultation on the Core Strategy Issues and Options paper before the publication of the Draft RSS Panel Report (due by end March 2007) as this will determine many of the spatial and growth requirements for Bradford for the next 15 to 20 years.</p> <p>In our opinion, there is little point in producing an Issues and Options paper that will produce spatial options that fail to conform to emerging RSS given the Core Strategy is not programmed for adoption until 2010. To release an Issues and Options paper before the RSS Panel Report is published could potentially generate a false set of Issues and Options that</p>	<p>Home Builders' Federation (HBF)</p>

could raise procedural issues under PPS 12 soundness test vii.

Evidence Base

We note that section 6 of topic paper 2 lists studies that have been undertaken/commissioned in order to provide a firm evidence base required for the LDF.

The Lichfield Core Strategy Inspector's Report (2006) found the Core Strategy unsound and seriously deficient in two areas; one of those being a credible evidence base to cover the proposed period of the plan. PPS12 paragraph 4.24 sets out the 9 tests of soundness to be considered in the preparation and examination of a Development Plan Document with test vii requiring plans and strategies to be founded upon a robust and credible evidence base. In the Lichfield case, the evidence base was in many respects 3 to 4 years out of date which made it difficult to justify the policies contained within the strategy and to then project that evidence to the end of the plan period when considering development land requirements.

With this in mind, we make an early request for the Council not to produce the next stage of the Core Strategy until all necessary documentation is produced as part of the evidence base. Without these documents, the policies that determine the strategic direction for where additional housing land will be required or could be developed would be unjustified and potentially unsound.

It is noted that an Urban Potential Study is due to be published in Summer/Autumn 2007, which is also mentioned in paragraph 3.6 of topic paper 3. HBF are concerned that the Council is spending time preparing this type of study that concentrates on previously developed land only, when the identification of sources of housing supply should be undertaken within a Housing Land Availability Assessment (HLAA). PPS3 Annex C states that a HLAA should identify buildings or areas of land (including previously developed land and Greenfield) that have development potential for housing. In addition, we are concerned that there has been no house building industry input into the Urban Capacity Study.

<p>There is no reference in the document to a Strategic Housing Market Assessment for Bradford. PPS3 emphasises the importance of SHMA stating they are an important part of the policy process to provide information on the level of need and demand for housing and the opportunities that exist to meet it. A HMA for the area based upon housing market areas will be a significant piece of evidence in the preparation of the Core Strategy. It is important that the house building industry are involved in the preparation of such an assessment in accordance with the advice in PPS3 that states assessment should be prepared collaboratively with stakeholders.</p>	
<p>In preparing the Core Strategy, careful regard should be had to creating the statutory planning context necessary to facilitate wherever possible the delivery of the Airedale Masterplan Strategy, and its particular interventions in the short, medium and long terms.</p>	<p>Keyland Developments Ltd</p>
<p>we have no objections to the Council's Core Strategy we consider it important that there remains in place a telecommunications policy. It is noted that the Council's Core Strategy does not contain any reference to telecommunications development. It is recognized that telecommunications plays a vital role in both the economic and social fabric of communities. National guidance recognises this through PPG8. PPG8 gives clear guidance as to the main issues surrounding telecommunications development. These include the legislative framework, siting and design issues, levels of consultation and issues surrounding electromagnetic fields (EMFs). Clear guidance is also given regarding what should be included with local plan (now LDD policy). This guidance states that local plans (LDDs) should set out criteria based policies to guide telecommunications development and that whilst regard should be had to siting and design considerations, operational efficiency should not be inhibited. PPG8 also makes clear that 'criteria should be flexible enough to allow for the efficient development of the network and the demands imposed by the technology'.</p> <p>Since the revision of PPG8 in 2001, the ODPM had produced, in conjunction with the industry, a Code of Best Practice. This builds on the Ten Commitments to ensure that the industry is alive to the concerns of local communities and consultation is built into the development</p>	<p>Mobile Operators Association</p>

process.

As indicated above the formulation of policy does not exist in isolation and there are numerous documents which will affect the formulation of any telecommunications policy, the most important of these being PPG8. On this basis we would suggest that within the LDF there should be concise and flexible telecommunications policy contained within one of the Council's statutory LDD. This should give all stakeholders a clear indication of the issues which development will be assessed against. We would suggest a policy which reads:

Proposals for telecommunications development will be permitted provided that the following criteria are met:

- 1. the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area;**
- 2. if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building;**
- 3. if proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made to the (local) Planning authority.**
- 4. if proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings or architectural or historic interest.**

When considering applications for telecommunications development, the (local) planning authority will have regard to the operational requirements of telecommunications networks and the technical limitations of the technology.

It will of course depend on you LDS as to which documents are produced, which documents have a statutory role in development control and which would be considered as material considerations. We would suggest that this policy be a stand alone policy within one of the

<p>main LDDs, with any background information, such as electromagnetic fields (EMFs) and public health, being contained within a separate LDD or what is currently termed SPG. This could then be read with PPG8, the Code of Best Practice to give a comprehensive background to any proposed development. We would consider it appropriate to introduce the policy and we would suggest the following:</p> <p>Modern technology systems have grown rapidly in recent years with more than two thirds of the population now owning a mobile phone. Mobile communications are now considered an integral part of the success of most business operations and individual lifestyles. With new services such as the advanced third generation (3G) services, demand for new telecommunications infrastructure is continuing to grow. The Council are keen to facilitate this expansion whilst at the same time minimising any environmental impacts. It is our policy to reduce the proliferation of new masts by encouraging mast sharing and location on existing tall structures and buildings. Further information on telecommunications can be found in LDD.....</p> <p>In summary, we recognise the early stage of LDFs and the early stage of the consultation process at which we are being asked for comment. We are suggesting that a clear and flexible telecommunications policy be introduced in one of the main LDDs. This should be introduced by a short paragraph outlining the development pressures and COUncil’s policy aims. In keeping with the aims and objectives of the new legislation any background information should be contained within a separate LDD which would not need to go through the same consultation process (like a current SPG).</p>	
<p>I am writing in relation to your emerging LDF on behalf of the National Offender Management Service (NOMS) which incorporates HM Prison Service. NOMS would wish to be involved with the LDF process within your district. I would be grateful if you would address future correspondence on this matter to Lambert Smith Hampton on behalf of NOMS / HM Prison Service.</p> <p>PPS12 ‘Local Development Frameworks’ notes that the core strategy development plan</p>	<p>National Offenders Management</p>

document should set out broad locations for delivering the housing and other strategic development needs such as essential public services. Paragraph 4.1 encourages early involvement of government agencies in the preparation of LDFs while paragraph B3 requires local planning authorities to develop a strategic approach to infrastructure provision (including community facilities) when preparing local development documents.

Circular 3/98 'Planning for Future Prison Development' highlights the continuing overcrowding within the prison estate and the need to replace outdated and inadequate facilities. Specifically there is a need to identify more sites for new prisons. The Secretary of State expects that local planning authorities will work together with the Prison Service to identify land for new prisons through the development plan process. The Circular advises that in order to enable authorities to make provision for prisons within their development plans the Prison Service will consult with authorities about likely areas of future need (paragraph 7).

Circular 3/98 recognises at Paragraph 2 that there should be guidance in development plans on community facilities and infrastructure requirements and also that they should take account of the need for new prison developments, which should be identified through the planning system.

The Circular notes that in identifying potential prison sites, the Prison Service has to take account of local and regional requirements for additional prison places, the court catchment areas served and the relationship of the site to nearby population centres. It goes on to specify a number of other site development considerations and also recognises that the objectives of sustainable development and in particular the need to reduce unnecessary travel should apply to site selection. Prisons should not be located too far from the centres of population they serve and there should be reasonably good accessibility to public transport services.

The Circular also recognises that new prisons have potential for a substantial and beneficial impact on the economy of a local area. New jobs are created on site (both during construction

<p>and permanent jobs), goods and services are purchased in the community and extra local income is generated as a result of the disposable income of prison staff.</p> <p>In recent years there has been a significant increase in the prison population. In the 1970's the prison population in England and Wales was in the order of 40,000; in July 2006 that figure had risen to approximately 78,500.</p> <p>The prison estate is experiencing serious overcrowding. NOMS is doing everything it can to maximise capacity at existing prisons by bringing buildings back into use through refurbishment, new house blocks, temporary units and 'ready to use' units. However, many prisons are already operating at capacity and there is limited potential to significantly increase the number of places at existing prisons. The prison system is therefore heavily dependent on new prisons to provide the additional places.</p> <p>While there are no specific proposals for new prison development in your area at present nor specific sites identified, in line with Government guidance NOMS requests that you consider the inclusion of a criteria based policy to deal with a firm prison proposal should it arise during the plan period. I would be pleased to propose a detailed policy for inclusion in your Development Plan Document and would welcome your views on how this proposal should be taken forward.</p>	
<p>Refer to file of LDF Core Strategy Representations for details of a site suitable for development called Wrose Brow Farm in Windhill, Shipley.</p>	<p>PM Coote Planning</p>
<p><u>i) Need for an Appropriate Assessment of the Core Strategy</u> A recent European Court of Justice decision that found against the UK Government on the transposition of the Habitats Directive¹ has significant implications for the preparation of Local Development Frameworks. This judgment made it clear that under Articles 6(3) and 6(4) of the Habitats Directive, land use plans must be subject to Appropriate Assessment if their policies</p>	<p>RSPB</p>

<p>or proposals are likely to have a significant effect on a European site (i.e. an SPA or SAC). All development plans with Natura 2000 sites in or adjacent to their area must be screened to decide whether there is likely to be a significant effect on the site: if so an Appropriate Assessment will be required. As the South Pennine Moors SPA and SAC lie within City of Bradford District Council, the Council should contact Natural England to determine whether the Core Strategy requires an Appropriate Assessment. If an Appropriate Assessment is required, the Council will need to provide the Planning Inspector with the relevant information to enable the Appropriate Assessment to be made and to comply with the subsequent tests as set out within the Habitats Directive.</p> <p><u>ii) Omission of internationally designated site</u> The Key Facts within section 2.17 does not refer to the South Pennine Moors Special Area of Conservation (SAC). This should be amended in the Preferred Options. The SAC is designated for a number of habitats, particularly bogs, wet heath and dry heath. This should be amended in The Spatial Picture in the Preferred Options,</p> <p><u>iii) Mapping within the Core Strategy</u> The Spatial Picture section would benefit from mapping or a diagram of the District. This would illustrate the issues, opportunities and constraints within Bradford and allow the spatial impacts of policies to be assessed. This map should show the boundaries of nationally and internationally designated sites, and sites identified for the restoration or creation of priority habitats.</p>	
<p>Appendix 2 of the Draft Plan Objectives, a publication that supports the Topic Papers, lists under DPD2 and DPD9 – promotion of well being and provision of accessible and varied opportunities for leisure and recreation, respectively. Sport England supports in principle these aspects within the LDF.</p> <p>They are measures that can help improve quality of life and generate a change for a more</p>	<p>Sport England</p>

active resident life style by: overcoming such issues as ill health, obesity and health disparities between prosperous and less prosperous areas. These issues are highlighted in Topic Paper 2. Spatial Vision and Strategy.

It is therefore disappointing to note that such key issues are not considered an equal priority to other subjects to be covered in the 3 year project plan (LDS) as listed in paragraph 1.8 of Topic Paper 1 Introduction and Background.

The evidence base it appears may already be in place (with KKP's study) to undertake an Open Space/ Sport/ Recreation DPD, in tandem with other listed DPD's. By not giving priority to such a DPD, the Allocations DPD may not be seen as truly sustainable, and could potentially be found to be unsound.

Both the Core Strategy and Allocations DPD will need to be seen as having full regard to the existence of this evidence base, in meeting community needs.

It is also considered important that the Annual Monitoring Report which monitors the LDF process, develop suitable sport and physical activity KPI's to help measure the performance of DPD's.

Open space, health & environmental quality issues can substantially influence the spatial vision of future development, in terms of degree of emphasis that should be given to regeneration of main urban areas, and degree to which there might be: focused dispersal /general dispersal/ dispersal to growth points, as per the options suggested in the consultation documents.

The danger of a stepped movement away from regeneration of the main urban area, might be a loss of focus away from the issue of seeking to reduce disparities between prosperous and less prosperous areas. Such divergence may also be considered less sustainable in terms of reduced accessibility to higher order infrastructure. Dispersal of social and community

<p>infrastructure could in addition be seen to have reduced economies of scale and reduced overall public accessibility to facilities by residents of the district.</p>	
<p>West Register Realisations Ltd have an interest in the land adjacent to Station Road, Queensbury, and it is their intention to pursue the residential allocation of the site through the LDF process. The purpose of this representation is to register our client's interest in the LDF process in general terms and site specific terms and to comment on the topic papers. A more comprehensive site specific representation will be made at the appropriate stage of the LDF process.</p>	<p>West Register Realisations Ltd</p>
<p>Whilst much of the background work is to be commended, I do not consider the process constitutes an <i>Issue and Options</i> exercise within the terms of regulation 25 and/or the process fails to address specific criteria of the soundness tests, specifically those aspects relating to the adequacy of the evidence base and the local distinctiveness of the material.</p> <p>The exercise which the Council have undertaken flags up potential sources of evidence not available at the date of the formulation of the <i>Issues and Options</i> papers. The areas of evidence which have been identified but not yet sourced are essential to the formulation of locally distinctive policies. The LDF process requires the evidence to be in place and lead to the development of policy not for the policy to be created and subsequently justified by evidence. See specifically paragraph 4.1 et sequi <i>Creating Local Development Frameworks – a Companion Guide to PPS 12</i>.</p> <p>Having regard to the aspects of emerging evidence which are identified in the Topic Papers, it is self evidence that the necessary evidence base does not yet exist. Accordingly the consultation is premature as a formal part of the LDF process under regulation 25.</p> <p>A second fundamental flaw lies in the nature of the options proposed. Policy in the LDF has to be to general conformity with RSS and the Community Strategy. It is anticipated that at the <i>Issues and Options</i> stage the evidence base will indicate a choice of locally distinct ways of developing policy within this matrix. The options offered, specifically Option B, cannot fit</p>	<p>George E Wright</p>

within this matrix and therefore cannot be regarded as an option. Nor do the options clearly and transparently indicate why they might be regarded as locally distinct within the matrix and/or are arising from the evidence base.

An example of potentially appropriate an option would be:-

Option A Development in the Main Urban Area for 70% of needs, at the Principal Service Centres for 15% of needs and in the Airedale Regeneration Action Areas 15%.

Option B [On lines of A] but with a different distribution and say additional development areas identified such as X % in the lower order settlements of Menston and Burley in the Wharfedale transport corridor and X % in Bingley and Silsden in the Airedale transport corridor.

However this approach assumes that the evidence base indicates those approaches are justified. For example distribution might be guided to an identified list of criteria such as levels of brownfield sites, the level of allocated employment land that can be re-designated for housing, other existing unimplemented allocations, assessing transport capacity and availability of facilities and infrastructure. The Topic Papers would then set out the relevant aspects of the evidence base which underpinned these option approaches.

In respect of *Housing*, the likelihood of higher requirement figures arising in the RSS process should be recognised. In light of the publication, subsequent to the RSS Examination, of the 2004 Household Projections it may reasonably be anticipated that even greater provision will be necessary. Thus the prospect of revision of green belt boundaries may be regarded as a distinct possibility in the process. In those circumstances it seems that it is premature to produce an *Issues and Options* paper. These circumstances point to a timescale of the release of an Issues and Option paper in the Autumn of 2007, provided the evidence base can be significantly augmented in time for appropriate Option to be established.

I accordingly conclude the process undertaken does not constitute a valid consultation under Regulation 25 and that process should not be undertaken until an adequate evidence base is first established. Once the evidence base is adequately established the *Issues and Options* paper should set out options which:-

- Arise from the evidence, and
- Are in general conformity with RSS, and
- Derive under the Community Strategy,

so as to produce the prospect of locally distinctive policies for the Core Strategy.

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