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Core Strategy Development Plan Document

Regulation 20 of the Town & Country (Local Development) (England) Regulations 2012.

Publication Draft - Representation Form

PART A: PERSONAL DETAILS

* If an agent is appointed, please complete only the Title, Name and Organisation in box 1 below but complete the full contact details of the agent in box 2.

	1. YOUR DETAILS*	2. AGENT DETAILS (if applicable)
Title	MR	
First Name	[REDACTED]	
Last Name	FINNIGAN	
Job Title (where relevant)	[REDACTED]	
Organisation (where relevant)	[REDACTED]	
Address Line 1	[REDACTED]	
Line 2	[REDACTED]	
Line 3	[REDACTED]	
Line 4	[REDACTED]	
Post Code	[REDACTED]	
Telephone Number	[REDACTED]	
Email Address	[REDACTED]	
Signature:	Authorised by resolution of the Trustees of the Tong and Fulneck Valley Association dated 20 March 2014	Date: 24 March 2014

Personal Details & Data Protection Act 1998

Regulation 22 of the Town & Country Planning (Local Development) (England) Regulations 2012 requires all representations received to be submitted to the Secretary of State. By completing this form you are giving your consent to the processing of personal data by the City of Bradford Metropolitan District Council and that any information received by the Council, including personal data may be put into the public domain, including on the Council's website. From the details above for you and your agent (if applicable) the Council will only publish your title, last name, organisation (if relevant) and town name or post code district.

Please note that the Council cannot accept any anonymous comments.

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PART B – YOUR REPRESENTATION - Please use a separate sheet for each representation.

3. To which part of the Plan does this representation relate?

Section	ALL	Paragraph		Policy	
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4. Do you consider the Plan is:

4 (1). Legally compliant	Yes		No	
4 (2). Sound	Yes		No	
4 (3). Complies with the Duty to co-operate	Yes		No	NO

5. Please give details of why you consider the Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please refer to the guidance note and be as precise as possible. If you wish to support the legal compliance, soundness of the Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

1. Grounds of Objection

- 1.1. We do not believe that the Plan complies with the Duty to cooperate.
- 1.2. So far the Bradford MDC (the “Council” or “Bradford”) has not published on its website its Background Paper specifying how it believes it has complied with the Duty to Cooperate. We reserve the right to raise further comments on that Paper when it is published (which we believe should have been before the period for representation commenced.)

2. Particulars of objection and supporting evidence

The extent of the duty

- 2.1. We note that the Duty to Cooperate came into force on 15th November 2011 (the “Appointed Day”). Paragraph 181 of the National Planning Policy Framework (“NPPF”) provides that this is a “*continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development*”. Accordingly the Council should have been able to show, in its Core Strategy or in the supporting Evidence Base, how the Duty to Cooperate has applied at each stage in the preparation of the Plan, at least since the Appointed Day.

Where the boundaries meet

- 2.2. The boundaries of Leeds, Bradford and Kirklees MDCs meet at a point between Tong/Holme Wood (in Bradford), Birkenshaw (in Kirklees) and Drighlington (in Leeds). Our concerns relate to that part of the Green Belt where the boundaries meet known as “Tong Valley”, and the nearby large estate of houses within Bradford known as “Holme Wood”, in respect of which the Core Strategy Development Plan

Document Publication Draft (the “Publication Draft”) contains a proposal for a major housing development as outlined below.

- 2.3. This is a critical sector, one of the most critical in the District, where the Green Belt divides the three authorities and where one would expect the highest degree of cross-boundary cooperation to apply in considering major housing proposals.
- 2.4. In respect of this key proposal in the Plan, we have seen little evidence of any significant co-operation between Bradford and Leeds and Kirklees MDCs either before or after the Appointed Day in relation to a) the scale and location of land for new homes; b) the strategic releases of Green Belt land required to give effect to major housing development planned, or c) its impact on infrastructure.

The Urban Extension

- 2.5. This representation therefore relates specifically to the “Duty to Cooperate” steps that were taken in relation to the proposals by Bradford to include in the Plan an urban extension (the “Urban Extension”) of 2,700 new homes at Holme Wood, of which 2,100 are planned to be included in a large scale Green Belt release within the Tong Valley. The Urban Extension is a key part of the Bradford strategy to provide 42,087 new homes by 2030. It is however a significant departure from the former Regional Spatial Strategy abolished by the government in July 2010.
- 2.6. The Urban Extension is referred to in the Publication Draft at Page 67, at Policy BD1 C.1 (page 73), Paragraph 4.1.3 (outcomes by 2030) (Page 64), Sub-area Policy BD2 E (Page 79) Paragraph 5.3.22 (page 158), Paragraph 5.3.34 (Page 161) Paragraph 5.3.35 (Page 162) Paragraph 5.3.37 (Page 162) Policy HO2 B 2 at Paragraph 5.3.37 (Page 163), Paragraph 5.3.42 (Page 164), Paragraph 5.3.61 (Page 169), Table 1 to Appendix 6 (Page 358) and Appendix 6 paragraph 1.9 (Page 363).

The Tong Valley – A strategic location requiring exceptional levels of cooperation

- 2.7. The Tong Valley/Holme Wood area is in an incredibly strategic position. Any development there is bound to have significant direct and indirect effects on these neighbouring authorities and will require an exceptional level of cooperation, particularly between Bradford and Leeds MDC.
- 2.8. Tong Valley is a triangular tongue or peninsular of Green Belt land at the South East corner of Bradford District projecting into Leeds MDC.
 - 2.8.1. On the north and north east it is bounded by the town of Pudsey and the Conservation Area of Fulneck (both in Leeds MDC).
 - 2.8.2. On the east it is bounded by other Green Belt land within the Leeds MDC boundaries, including very small pockets of habitation at Roker Lane and Troydale.
 - 2.8.3. On the south east side it is bounded by Cockersdale, which is also Green Belt land wholly within Leeds and comprising a large wooded area at Sykes Wood and open fields separating Tong Village from the settlement of Drighlington in Leeds.
 - 2.8.4. The western or upper part of Tong Valley is bounded in part by a small area of land falling within the boundaries of Kirklees MDC in its Birkenshaw Ward and as to the remainder by small pockets of housing at Westgate Hill, two school sites, one of which is currently redundant, the largely private Mossdale and Denbrook and Holme Beck Park housing estates and existing largely social

housing Holme Wood Estate.

- 2.9. The A650, known at the northern end as “Tong Street” and at the southern part as “Westgate Hill”, runs the length of the western part of the Tong Valley area. At the Westgate Hill roundabout, the A650 becomes the “Drighlington By-pass”, linking to the M62 and the M621. At the Westgate Hill roundabout the A 650 is also joined by two other roads, firstly the B 6165 “Bradford Road” which provides a direct connection with the Leeds settlement at Drighlington and secondly by an unclassified road “Cross Lane” leading to the settlement of Birkenshaw in Kirklees.
- 2.10. The location of Tong Valley is as illustrated in Figure BD1 in the Publication Draft (page 76). The area is more precisely shown at page 10 of the “Landscape Character Supplementary Planning Document Volume 7: Tong Valley 2008”, and on the SHLAA Site and Strategic Parcels Map: Bradford SE (the Growth Assessment Map”) at page 10 of the Bradford Growth Assessment prepared for the Council by Broadway Maylan and dated November 2013 (the “Growth Assessment”). Tong Valley is delineated in the Publication Draft on Figure EN4 on page 234.

Concerns about lack of cooperation in the preparation stages of the Plan

- 2.11. It has been a consistent concern of residents in the Holme Wood and Tong area that the relevant neighbouring authorities should be actively involved in plans for significant housing development on the boundary of the two authorities because of the need for adequate infrastructure to be provided and the recognition that to be effective and sustainable such housing development would require infrastructure to be in place across boundaries.
- 2.12. For example, at a public Neighbourhood Forum meeting held in Tong and Holme Wood on 19 November 2008, attended by Councillors and Officers from the Bradford Council’s LDF team, residents asked what consultations there had been with an adjoining authority in the course of developing the plans for large scale housing development in the Green Belt at Holme Wood and received a non-committal response. (*“Q. Have Leeds Council been consulted? R – Leeds themselves have to find 100,000 houses in their district and have raised concerns of developments this side of Bradford. Leeds Council is going through the same process, but is not as far on as Bradford.”*)
http://www.bradford.gov.uk/NR/rdonlyres/E9394CD6-794F-4C31-917A-E6FBD3143281/0/ConsultationLog_Holmewood_Jan09.pdf
- 2.13. Our Association has, over an extended period right up to the present date, been in communication with councillors from all parties representing wards outside Bradford MDC whose wards are adjacent to or affected by the proposed Urban Development. We have sought information about the extent to which they or their authority have been advised about these plans or asked for comment or help. In all cases the response has been that there has been no level of joint communication or co-operation between authorities. There is one exception. A single meeting was held at Holme Wood at the request of Leeds Councillors, following which Leeds Councillors expressed concern about the serious implications of large scale developments on the sites proposed.
- 2.14. One Leeds Councillor, a former Leader of the Leeds Council, and representing an affected ward has unilaterally sent us the following message:

“Leeds City Council must object to Bradford’s Core Strategy. There is a wholly unnecessary incursion into the Green Belt in Tong Valley and the Westgate Hill. This land is crucial as an environmental asset but also as the green wedge that separates the massive conurbations of Leeds and Bradford. I shall be doing

everything I can to support the Tong/Fulneck Valley Association but the powers that be in Leeds City Council must not let us down. Cllr Andrew Carter."

Objections by Leeds

- 2.15. Leeds MDC as a planning authority has already lodged formal objections to the Plan, at the Further Engagement Draft stage in the autumn of 2011, demonstrating a lack of cooperation between authorities at that stage.
- 2.16. Leeds objected to Policy HO2 in the Further Engagement Draft, which identified Holme Wood as an urban extension (unchanged in this regards in the Publication Draft) and Menston for growth of 900 dwellings. Leeds said *"The significant scale of development proposed at Holme Wood and Menston will require significant encroachment into the Green Belt gap between Bradford and Leeds which would be contrary to the role of Green Belt. Also, traffic congestion and hazards would be created to roads in Leeds, particularly the A657 and routes to Drighlington and beyond, and the A65."*
- 2.17. Leeds also objected to Policy SC7 on the grounds that, as a Green Belt policy, it failed to give due regard to national planning guidance in preventing neighbouring settlements from merging. (This policy has not changed in the Publication Draft)
- 2.18. We understand that Leeds made similar objections to the NDP (which originally identified the Urban Extension and delineated its preferred locations for development).
- 2.19. So far as we can ascertain Bradford made no attempt to seek to avoid objection by Leeds by trying to find some area of common agreement as to what level of development would or might be acceptable to Leeds. Quite the opposite.

Attacks by Bradford on Leeds "interference"

- 2.20. At the Bradford Executive Committee meeting on 20th January 2012, when the NDP was approved and the Urban Extension became official Council policy, Cllr Ian Greenfield, the then Leader of Bradford Council and Chair of the Executive, went out of his way to express disdain for the concern of any adjoining authority in Bradford's housing plans and made it clear that he was not interested in their input, however their residents might be affected.
- 2.21. The following day the Telegraph & Argus (the local paper circulating in Bradford) reported him as follows:-

"Council leader Ian Greenwood said of a resolution by Leeds Council to object to the proposals: "Leeds Council and Leeds residents do not decide the planning policy of Bradford Council."
http://www.thetelegraphandargus.co.uk/news/news_green/news_green_news/9485478.Holme_Wood_and_Tong_green_belt_housing_bid_recommended/
- 2.22. Councillor Greenwood continued his attacks on Leeds Council's purported "interference" in Bradford's housing plans in the press. The following report from the Telegraph & Argus on February 3rd 2012 illustrates the degree of lack of trust and mutual co-operation which existed between these two authorities in relation to the cross-border planning of major housing developments

"The leader of Bradford Council has hit back at a Leeds councillor who criticised his authority's plans for hundreds of new homes across the district.

Coun Ian Greenwood said Bradford would not be dictated to by Leeds over its core strategy and Local Development Framework (LDF) after being accused of not co-operating with its neighbours. At yesterday's unveiling of Leeds City Council's own LDF, Coun Richard Lewis, executive member for city development, said it was "crazy" Bradford had not talked to Leeds when drawing up controversial plans for up to 900 homes in Menston in its core strategy and promised his own authority is "very well aware" of local opposition to the scheme.

But last night, Coun Greenwood hit back at Coun Lewis.

"[His] comments are surprising given that Bradford has not been consulted on or made aware of this stage of the Leeds plan," Coun Greenwood said. "We will of course consult with residents in Bradford and Leeds on issues that affect them and take a reasoned and thoughtful approach.

"We should be clear, however, that while we will cooperate with others, we will not be dictated to by Leeds Council in respect of issues within Bradford. Coun Lewis' comments might have more credibility if he had shown any real desire to engage in a meaningful and mature way on issues affecting Bradford's border with Leeds when he has had the opportunity to do so in meetings with Bradford councillors in the past."

At the launch of the Leeds strategy, which outlines a vision for the district for 2028, including potential sites for up to 70,000 new homes, Coun Lewis pledged to preserve the character of communities.....Coun Lewis said

"There should have been a lot more co-operation because it does seem to me crazy that we have developments close to our border, that are bound to have a huge impact on us, that people didn't tell us about."

http://www.thetelegraphandargus.co.uk/news/local/localbrad/9510192.Council_criticised_over_housing_plans/

- 2.23. We understand that there have to date been no substantive co-operative discussions focussing on the major strategic proposal to place 6000 new homes in SE Bradford at the very fringe of the district and on the borders of both Kirklees and Leeds or on the infrastructural implications for these authorities.

Where there should have been cooperation across boundaries

- 2.24. We have not yet seen a detailed statement of how Bradford considers it has met its duty to cooperate obligations. In its "Background Paper: 1 Overview February 2014" (the "Background Paper") it states:-

"In line with the LCR agreed approach a draft table which documents the key strategic issues for the Bradford Core Strategy has been prepared and is found in Appendix 1. This is currently working draft and will be updated prior to submission to reflect ongoing consideration of strategic matters under the Duty to Cooperate. A further background paper will be produce[d] when the Plan is submitted setting out how the Council has met the duty to cooperate in preparation of the Core Strategy. In line with the LCR agreed approach a draft table which documents the key strategic issues for the Bradford Core Strategy has been prepared and is found in Appendix 1. This is currently working draft and will be updated prior to submission to reflect ongoing consideration of strategic matters under the Duty to Cooperate. A further background paper will be produce[d] when the Plan is submitted setting out how the Council has met the duty to cooperate in preparation of the Core Strategy."

- 2.25. Our view is that this further background paper should have been available at the representation stage.
- 2.26. We comment on the “*LCR agreed approach*”. We understand that this refers to an agreement of the Leaders Board of the Leeds City Region Partnership (the “Leaders Board”) on 12th December 2012 following the receipt of a report from its Chief Officer on the Duty to Cooperate. This recommends the adoption of a “beyond the plan area” methodology as applicable to the Kirklees Core Strategy (now withdrawn following the Inspector’s letter to Kirklees dated 13th September 2013) with the objective of using all reasonable measures to minimise the instances where “*objections are made to Plans being drawn up by other authorities in the Partnership*”.
- 2.27. Our view is that this verges dangerously close to an agreement “to keep tanks off the lawns” rather than an agreement to foster a new commitment to genuine cooperation. This agreement may however result in Leeds not repeating its earlier objections to the Urban Extension, even though there has been no change to the Plan which Bradford submitted at the Further Engagement Draft Stage.
- 2.28. We do not believe that the methodology and approach of the Leaders Board is an appropriate substitute for proper consultation at each preparation stage of the Plan. Indeed as the Inspector said in the letter to Kirklees mentioned above “*consultation on an already chosen strategy ...cannot take the place of cooperation through the plan preparation stages ...[the] “beyond the plan area issues” methodology is a useful exercise but only as a “mopping-up” tool designed to identify specific issues which have not been addressed through other co-operative plan preparation processes*”.
- 2.29. The decision by Bradford to pin its growth strategy around an urban extension at Holme Wood was taken in January 2012 and has not changed since. It was an “already chosen strategy” when the Leaders Board adopted its approach to the Duty to Cooperate.
- 2.30. The areas where the Publication Draft proposals impinge materially on adjoining authorities and bodies and where the views and suggestions of those authorities and bodies should have been sought and considered prior to Publication Draft are in our view summarised as:-

Scale and location of new homes

- 2.30.1. In Appendix 1 of the Background Paper (Ref 1A) the Council states that it will discharge the Duty to Cooperate in relation to scale and location of new homes by “*engaging with adjoining councils in agreeing a detailed methodology for green belt review when undertaken through the Allocations DPD*”.
- 2.30.2. There is no evidence from the Background Paper that this key element in the Plan has developed out of cooperative debate with neighbouring authorities. There is an assumption that the numbers of houses needed for the district and their location is an entirely local decision, with “detailed methodology” linked to green belt review to be worked out with adjoining authorities at a later stage. There does not appear to be a correlation with the Interim Strategy Statement of the Leeds City Region Partnership of April 2011.
- 2.30.3. The Council’s decision to seek to allocate land to meet a requirement (after allowances) for at least 42,100 homes in the period 2013 to 2030, set out in Policy HO1 B, is informed by the Housing Requirement Study referred to at Paragraph 5.3.11 of the Publication Draft.
- 2.30.4. Bradford took a strategic decision for the Urban Extension in January 2012 in isolation from strategy of the RSS or the Leeds City Region Partnership, and before it had received the Housing Requirement Study. It continued to place this decision at the heart of its Core Strategy in the Publication Draft, despite having reduced its housing needs, and it has undertaken no substantive discussions with its neighbouring authorities as to how that decision fits in with the overall strategic development of the City Region.

2.30.5. We accept that at a very late stage (January 2014) Bradford presented its Core Strategy to Leeds at a meeting between portfolio holders. We understand that there was no invitation to Leeds to open dialogue on the Plan. We contend that efforts to advise Leeds of the Plan's contents or even to seek the views of Leeds after publication of the draft Core Strategy, is not the same as cooperation through the plan preparation stages, which is what the Duty to Cooperate requires, although it may have had the effect of warding off a further "objection to the Plan", in accordance with the Leader's Board protocol.

The effect of large scale green belt release on the separation of the three conurbations (coalescence).

2.30.6. This is clearly inexorably linked to the issue of housing numbers and location. Bradford is saying that it must have the Urban Extension. The only way the Urban Extension can be built is by substantial incursion into the Green Belt. Indeed, as noted at paragraph 2.31.1 above, in Appendix 1 (Ref 1A) of the Background Paper, Bradford links its Duty to Cooperate on housing numbers and location with Green Belt review. At paragraph 3.103 of the Publication Draft it is stated that: *"The Council will seek to work closely with other local authorities in Leeds City Region, City Region partners, and other stakeholders to adopt a strategic approach to any detailed change to the Green Belt."*

Appendix 1 (ref 10) of the Background Paper states:

"Core Policy seeks to ensure strategic function of green belt is maintained where revisions are made. Plan seeks to establish green belt boundary for full plan period but given constraints of land supply and other environmental constraints is not proposing to allocate safeguarded land. The Long term extent of green belt will need to be addressed through subsequent plans comprehensively across the City Region."

2.30.7. Our view is that the duty of co-operation requires close working with other authorities not just in relation to detailed changes in the Green Belt after the Core Strategy has been adopted, but most particularly in relation to the strategic implications of a proposed major change intended to be incorporated in the Core Strategy, such as that required to implement the plans for the Urban Extension, before incorporating that proposal in its Core Strategy. It has failed to do this, and as it has put no other alternative approach into the Publication Draft.

2.30.8. Furthermore the National Planning Policy Framework ("NPPF") Paragraph 83 requires that the Plan should establish Green Belt boundaries. In respect of the Urban Extension, the Plan makes it clear that the Green Belt boundary must change, but makes no attempt to indicate how or where. From the note at Ref 10 of Appendix 1 to the Background Paper it is clear that there is no strategic consensus between authorities as to how the Green Belt should be redrawn, and without such consensus it is our view that it is premature for Bradford to bring forward a Core Strategy which depends so heavily for its delivery on Green Belt release at Holme Wood.

The impact on infrastructure

2.30.9. Highways

2.30.9.1. We have made a separate representation in respect of the "soundness" of the Plan in relation to the traffic implications of the Urban Extension at Holme Wood and the effects on the road network within the boundaries of Leeds and Kirklees.

2.30.9.2. This is an area where there are major adverse consequences for neighbouring authorities resulting from large scale housing on the Bradford boundary. This is recognised in the "CBMDC Local Infrastructure Plan October 2013" (the "Infrastructure Plan") which states at page 49 that *"Highway Agency and the CBMDC Bradford District-wide Transport*

Study (2010) have highlighted that the planned growth and development in and around these areas will see significant additional demand and impacts on the A650 route to M62 and on the A647 between Bradford and Leeds ring-roads.” and at paragraph 6.2 on page 121 “It is apparent that upgrades to the transport infrastructure are deemed to be the most important component in unlocking these developments. In light of uncertainties in major transport infrastructure funding, important decisions are required as to the approach on these development sites – with the prospect of phased delivery, allied with smallscale infrastructure improvements seeming more likely in the short to medium term, rather than waiting for major infrastructure investment to take place before any development occurs.”

- 2.30.9.3. Despite the significant effects on Leeds and Kirklees the only evidence of cooperation on highways infrastructure is the application made by Bradford in March 2013 under the West Yorkshire Plus Transport Fund for funding for *“Highway widening on the A650 to increase capacity at junctions and allow for either a bus lane or a High Occupancy Vehicle Lane from the A650/A651 Westgate Hill Street to Knowles Lane. There are also provisions for an inbound priority lane on Westgate Hill Street east of the A651.”* (The high occupancy lane referred to was installed in 2013 and removed before the year was out as being totally ineffective in improving traffic flow or public transport punctuality or usage.) An application was also made in March 2013, following approval by the Council, for an East Bradford Link Road described as *“A new highway link from the A650 to the A6177 in South East Bradford. The route will link to the A651 to North Kirklees and A650 Westgate Hill roundabout. The scheme also involves improving Bowling Back Lane between the A650 roundabout and Sticker Lane. This will provide an alternative route for traffic between Bradford City Centre and Thornbury Gyratory.”* Such a route would have required close cooperation with Leeds, as the A6177 at Tyersal runs along the Leeds boundary, and the Thornbury Gyratory feeds traffic from Bradford into Leeds and is currently at capacity.
- 2.30.9.4. However the Publication Draft contains no reference to this road. Instead it refers at Figure BD1 at page 76 to *“SE Bradford improvements”*, and in presenting the publication draft to Council on 10 December 2013 the Portfolio Holder said that there was *“no plan”* for an East Bradford Link Road and that access to the new housing would be along the lines of the existing highways.
- 2.30.9.5. In a response to a written request for information, The Principal Engineer – Transport Planning at Bradford MDC Department of Regeneration confirmed that the East Bradford Link Road had been considered at an early stage *“in concept”* only. He has said in an e-mail dated 14 February 2014 *“We are now looking at the option for access to potential new development in the Holme Wood area that was identified in the Holme Wood and Tong Neighbourhood Development Plan which provides a route from Westgate Hill Street through the new development to link in to the existing highway network at Holme Wood.”* This road proposal is also described as *“in concept”* only and is not proposed to be fully worked up until details of proposed housing allocations in the area are known. This would be a very different sort of road as the route suggested feeds traffic into either narrow rural lanes or estate roads within Holme Wood, neither of which would seem to be realistic concepts capable of providing access for the volume of traffic which could be expected to be generated by the Urban Extension.
- 2.30.9.6. We do not agree with the finding of the Sustainability Appraisal Report by AMEC dated October 2013 (the *“Sustainability Report”*) at page 51 that *“the proposed Urban Extension at Holme Wood will help to mitigate the increase in car use”*. AMEC provides no evidence to back this statement, and in view of the location of the proposed sites it is difficult to see how the new homes could not rely heavily on motor transport.

2.30.9.7. The only conclusion to be drawn is that Bradford recognises that to be sustainable its Urban Extension is dependent upon material highway works, but it has not yet formulated sufficiently advanced plans to enable it to undertake any meaningful cross-boundary discussions on the knock-on effects, or whether funding may be available, or if so, whether such funding would be sufficient to make the Urban Extension viable.

2.30.10. **The implications for adjoining authorities of large scale housing development on watercourses.**

2.30.10.1. The Publication Draft gives no indication of any co-operation with Leeds MDC or the Environment Agency or Yorkshire Water over the effects of the construction of 2700 houses at the head of the Tong Valley. The Sustainability Report by AMEC does not give any indication of a clear appreciation that water run-off is a major potential issue. They comment merely, in relation to flood risk and water quality that:-

"The Holme Wood area is not located within the floodplain. Notwithstanding this, as an urban extension there is a greater potential for new housing development to impact upon local water quality. There are several watercourses in this area (e.g. such as Kit Wood Beck)."(sic)

2.30.10.2. The main watercourse draining the Tong Valley is the Pudsey Beck which becomes the Farnley Beck and joins the Wortley Beck at the Leeds Ring Road (A6110). Along the Pudsey Beck, downstream of the sites of the Urban Extension, are several small pockets of housing, at South Park, Roker Lane and Troydale. Planning Applications for further housing at South Park are currently subject to appeal.

2.30.10.3. Bradford does not seem to have ascertained that all the Green Belt release sites proposed at Holme Wood drain into Leeds and not Bradford, and that housing alongside the Pudsey Beck and Farnley Beck could be affected by flash flooding resulting from surface run-off upstream unless preventative infrastructure is put in place.

2.30.10.4. We contend that where a major strategic development such as that proposed for Holme Wood is to be included in a Local Plan it is incumbent upon the Council to engage in cooperative discussions on foreseeable infrastructure issues, such as flooding.

2.30.11. **Other infrastructure**

2.30.11.1. The Infrastructure Plan indicates that Bradford has considered the implications of the Urban Extension in relation to the fire and ambulance services and that some broad cross boundary discussions may have taken place. However in relation to health and education infrastructure where at present significant numbers of residents from the Tong Ward use NHS services and schools in Leeds or Kirklees there is no indication of cross boundary discussions with the education authorities or the West Yorkshire Commissioning Board.

2.30.11.2. Discussions with utility suppliers do seem to have been undertaken, but we cannot judge from the disclosed information how detailed these are.

2.30.11.3. We await sight of the further Background Paper on Cross Boundary Cooperation.

Other representations

2.31. We have made separate legal representations, firstly about what was in our view a flawed consultation process which involved a purportedly parallel process in which a Neighbourhood Development Plan was drawn up for Holme Wood and Tong (the "NDP") at the same time as the Core Strategy moved to

its Further Engagement Stage, and secondly about the legal basis of the NDP itself. There is of necessity some duplication of representation between those legal representations and this Duty to Cooperate representation.

2.32. We have also submitted four representations as to the soundness of the Plan, including a representation relating to Bradford's references in the Core Strategy to a Leeds Bradford Country Park. In that representation, we give evidence of the unwillingness of Bradford in the past to work cross-boundary with Leeds on the Tong Cockersdale Countryside Management Project and its withdrawal from that partnership. We also suggest that there is no evidence of any current cross boundary working on the creation of a Leeds Bradford Country Park as indicated in the Core Strategy.

2.33. We incorporate by reference and repeat in this representation such relevant particulars and evidence of the failure of cross-boundary working as appears in our other representations.

3. Conclusion

We consider that neither the Publication Draft nor the supporting Evidence base provides sufficient information to show that the strategy for the Urban Extension has been informed at each planning stage to any significant degree by cross border cooperation, and that in consequence the Core Strategy does not meet the legislative requirements in relation to Duty to Cooperate.

Particulars of the Tong and Fulneck Valley Association

We are a non-profit making Association whose objects are the conservation, protection, maintenance and enhancement of the Tong and Fulneck Valley and its environment. We are governed by a Board of Trustees. We have 497 members most of whom live within the immediate area of the Tong Valley, and many of whom are active users of the footpaths and bridle-ways within the Tong Valley either as walkers, cyclists, horse riders or lovers of the flora and fauna of the Tong Valley. This representation has been authorised by a resolution of the Board of Trustees dated 20 March 2014.

6. Please set out what modification(s) you consider necessary to make the Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to the soundness. (N.B Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this modification will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We believe that the duty to cooperate requires the Plan to be formulated from the start with cooperative input from adjoining authorities.

However:-

if all references to the Urban Extension on the plan at Page 67, at Policy BD1 C.1 (page 73), Paragraph 4.1.3 (outcomes by 2030) (Page 64), Sub-area Policy BD2 E (Page 79) Paragraph 5.3.22 (page 158), Paragraph 5.3.34 (Page 161) Paragraph 5.3.35 (Page 162) Paragraph 5.3.37 (Page 162) Policy HO2 B 2 at Paragraph 5.3.37 (Page 163), Paragraph 5.3.42 (Page 164), Paragraph 5.3.61 (Page 169), Table 1 to Appendix 6 at Page 358 and Appendix 6 paragraph 1.9 (Page 363) were deleted and if the reference to the target number of 6000 in respect of SE Bradford at paragraph 5.3.38 were amended to 3,900 (reflecting the 2100 homes envisaged by the NDP to be constructed in a green belt release at Holme Wood) with the 2100 added as appropriate to other sector allocations either in the Regional City of Bradford or the wider District, and a statement included in Paragraph 3.103 (or elsewhere if appropriate) recognising the need to retain the Green Belt in the Tong Valley;

then the part of the Publication Draft we believe has not been subjected to the duty to cooperate would no longer apply.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. Please be as precise as possible.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification to the Plan, do you consider it necessary to participate at the oral part of the examination?

	No, I do not wish to participate at the oral examination
YES	Yes, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

I am not sure whether this question is appropriate to a legal representation, as I had understood that the inspector deals with these issues before commencing an examination. If however an oral examination does apply to legal representations then I would wish to be able to clarify or amplify any point which the inspector considers unclear or not fully explained in this written representation. It would be particularly helpful to be able to make reference to relevant plans.

Please note the Inspector will determine the most appropriate procedure to adopt when considering to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:	Authorised by resolution of the Trustees of the Tong and Fulneck Valley Association dated 20 March 2014	Date:	24 March 2014
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Core Strategy Development Plan Document (DPD) : Publication Draft

PART C: EQUALITY AND DIVERSITY MONITORING FORM

Bradford Council would like to find out the views of groups in the local community. Please help us to do this by filling in the form below. It will be separated from your representation above and will not be used for any purpose other than monitoring.

Please place an 'X' in the appropriate boxes.

1. Do you live within or have an interest in the Bradford District?

