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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	BRADFORD	
Line 4	[REDACTED]	
Post Code	BD4 [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?**

Sections	3  4  5	Paragraphs	<b>Key Diagram –Location Strategy and Key page 66/7</b>  4.1.3  <hr/> 5.3.22 5.3.34 5.3.35 5.3.37 5.3.42 5.3.61 <hr/> Appendix 6 Table 1 page 358 Appendix 6 Paragraph 1.9 Page 363	Policies	Sub-Area Policy BD1 C 1.  Sub-Area Policy BD2 E  Policy HO2 B 2.
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**4. Do you consider the Plan is:**

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

- 1.1. We contend that the Plan is unsound in that it is not effective because:
  - 1.1.1. there is not sufficient evidence of effective cross-boundary working jointly with neighbouring authorities, particularly Leeds; and
  - 1.1.2. that part of the Plan relating to the Urban Extension (defined below) is not deliverable within the timescales envisaged in the Plan.
- 1.2. Our representation specifically relates to that part of the Core Strategy Development Plan Document Publication Draft (the "Publication Draft") which refers to an urban extension at Holme Wood (the "Urban Extension"). The Urban Extension is a key part of the Bradford MDC (the "Council" or "Bradford") strategy to provide 42,087 new homes by 2030.
- 1.3. The Urban Extension is referred to 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 (Page 358) and Appendix 6 paragraph 1.9 (Page 363).
- 1.4. The Urban Extension was first proposed publicly in implied terms at the Further Issues and Options stage of the preparation of the Plan in November/December 2008, and in specific terms in the consultations which took place on the proposed Holme Wood and Tong Neighbourhood Development Plan (the "NDP") referred to in paragraph 1.9 of Appendix 6 to the Publication Draft. In the form adopted by the Council on 20 January 2012 this provides for the construction of 2700 new homes in and around the existing Holme Wood estate of which 2100 new homes are scheduled to be built in the green belt on sites identified as Site 1, Site 2 and Site 3 on the plan at page 13 of the NDP Delivery Plan, and as SHLAA sites on the plan (the SHLAA Site and Strategic Parcels Map: Bradford SE") at page 10 of the Bradford Growth Assessment prepared for the Council by Broadway Maylan and dated November 2013 (the "Growth Assessment").

## 2. Particulars of Representation and supporting evidence

### Other representations

- 2.1. We have submitted separate representations that the Plan is unsound because it was not positively prepared, that it was not justified and that it does not comply with national policy. We have also submitted representations on legal grounds arguing that the consultation arrangements relating to the NDP and the Core Strategy: Further Engagement Draft (the "Further Engagement Draft") were flawed and that the Duty to Cooperate was insufficiently observed in respect of that part of the Core Strategy which relates to the Urban Extension. The arguments set out in those representations may have application also to the issue of whether the Plan is effective and accordingly we may reiterate arguments here that appear in other representations. Set out in our other representations should be incorporated by reference in this representation.

### In relation to deliverability within the period of the Plan

- 2.2. The Publication Draft is unclear about the delivery timetable of the Urban Extension.
- 2.3. Strategic Core Policy 5 (SC5) on page 49 suggests that land will be allocated in the following order:

*"1. First priority to the re-use of deliverable and developable previously developed land and buildings provided that it is not of high environmental value and the more efficient and effective use of existing developed areas within the City of Bradford, Principal Towns of Ilkley, Keighley and Bingley, the Local*

*Growth Centres and the Local Service Centres.*

*2. Second priority to other Greenfield opportunities within the settlements.*

*3. Third priority to Local Green Belt releases to the built up areas of settlements in sustainable locations.*

*4. Fourth priority to larger urban extensions in sustainable locations."*

2.4. However in the Housing Implementation and Delivery Strategy set out in the Publication Draft, Table 1 at page 358 shows that in years 4-8 of the plan 2018-23 "Work on growth areas beginning to show results i.e. Canal Rd and Holme Wood Urban Extension".

2.5. If Table 1 represents current intentions, it clearly implies that release of land in SE Bradford for the Urban Extension would be given an earlier priority than set out in Policy SC5. The Bradford Growth Assessment shows just under 2300 Previously Developed Land sites in SE Bradford and under Policy SC5 those should be used first together with the identified greenfield opportunities before any work commences on the Urban Extension.

2.6. For the reasons given below in relation to the lack of cooperation on highway infrastructure, it is impossible that the road infrastructure necessary to support the Urban Extension Wood could be in place by year 4 of the plan, as the planning for it is in "conceptual" stage only at present, no cross-boundary consultations have taken place and no funding has been offered from any source.

2.7. The "CBMDC Local infrastructure Plan October 2013" (the "Infrastructure Plan") states at paragraph 6.2 on page 121 that:

*"In light of uncertainties in major transport infrastructure funding, important decisions are required as to the approach on these development sites [the Urban Development]— 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."*

2.8. For the reasons we have given in our representations on the Soundness of the Plan in respect of its positive preparation, it would not be effective to commence any work on the Urban Extension until all the necessary highways infrastructure is agreed with adjoining authorities, funded and materially in place to support the Urban Extension. The concept of ad hoc delivery associated with "smallscale infrastructure" is ludicrous and wholly ineffective.

2.9. The earliest estimate which has been given by Bradford highways engineers for commencement of improvement works to the A 650 is 6 years. (As reported verbally to the Tong Neighbourhood Forum in September 2013). As we have noted elsewhere such work would only deal with the existing congestion problem.

2.10. The Infrastructure Plan (page 143) places the commencement of work on the Urban Extension access road as "Long Term" "10-15 years".

2.11. We therefore conclude that the delivery of 2700 new homes in the Urban Extension is not achievable by 2030 and should therefore be struck out of the Plan.

#### **In relation cross boundary working:-**

2.12. Reference to the SHLAA Site and Strategic Parcels Map: Bradford SE shows that the Tong Valley, which is the site of the Urban Extension, is a triangular peninsula or tongue of land jutting into Leeds. It is surrounded on the north, north-east and south-east by Leeds MDC and on the west in part by Kirklees MDC. The A650 runs on the western side of the Tong Valley and provides a direct connection with both Leeds at Drighlington and with Kirklees at Birkenshaw. It also connects directly with the M62 and



M621.

- 2.13. On either side of the Tong Valley are historic villages; Fulneck is in Leeds and Tong Village is in Bradford. Both are Conservation areas and are linked by a 900 year old footpath.
- 2.14. The Holme Wood and Tong area is therefore in an incredibly strategic position and any development at that point in the District is bound to have significant direct and indirect effects on these neighbouring authorities.
- 2.15. It has been a consistent concern of residents in the Holme Wood and Tong area that the relevant neighbouring authority 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 in recognition of the fact that, to be effective and sustainable, such housing development would require infrastructure to be in place across boundaries. We gave examples of this concern in our representation on Duty to Cooperate, which we repeat by reference here.
- 2.16. Our Association has, over an extended period, right up to the present date, been in communication with elected representatives, from all parties, in wards outside Bradford MDC adjacent to or affected by the proposed Urban Development seeking information about the level of communication with and to them or their authority about these plans. In all cases the response has been that in relation to proposed housing development and highways issues there has been no level of joint working, joint communication or joint co-operation of which they were aware, with the exception of one site meeting on the edge of Holme Wood between neighbouring ward councillors, held at the request of Leeds councillors, following which Leeds councillors expressed concern about the serious implications of large scale developments on the sites proposed.
- 2.17. Leeds City Council, as a planning authority, was also so concerned about the effect of the Urban Extension on the continued effectiveness of the Green Belt, and on traffic infrastructure that it lodged formal objections to the Further Engagement Draft. Leeds objected to Policy HO2 in identifying Holme Wood as an urban extension 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."*  
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.
- 2.18. We understand that Leeds made similar objections to the NDP.
- 2.19. The fact that Leeds went to the length of formally objecting to Bradford's Core Strategy at Further Engagement stage witnesses the lack of cross-boundary working up to that point. We would have hoped that this would have resulted in a resolve by Bradford to rectify the situation and to engage in positive cross-boundary working thereafter, but this does not seem to be the case. There is no evidence that Bradford took any steps after Leeds lodged its objections to discuss with Leeds what its position might be, or whether there was any basis upon which agreement might be reached on an appropriate level of development or other modification to the Plan. Quite the opposite.
- 2.20. In our representation on the Duty to Cooperate we cite the public comments made by the Leader of Bradford City Council and the relevant Leeds Portfolio Holder responsible for the Leeds Core Strategy indicating lack of discussion and mutual hostility between the two authorities. We repeat by reference that evidence in this representation.
- 2.21. 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.

2.22. We set out in detail in our representation on Duty to Cooperate those areas where we would have expected that the Plan would have required cross-boundary consultation and working on proposals impinging materially on adjoining bodies and bodies. They are:

- 2.22.1. The scale and location of new homes;
- 2.22.2. The effect of Green Belt Release on the separation of conurbations;
- 2.22.3. The impact of housing development on existing infrastructure and resultant changes to infrastructure

2.23. We repeat those detailed comments here by reference. In summary we have not seen evidence of any substantive cross-boundary engagement in any of these issues in the past nor clear intention to undertake cross-boundary working at the level needed for the future.

2.24. We accept that Bradford did present the Publication Draft to Leeds for information purposes shortly after it had been approved by Council. We do not believe that that constitutes joint or cross-boundary working. We do not believe that a promise in the Core Strategy to "seek to work closely" at some unspecified time in the future on any detailed change to Green Belt (see paragraph 3.103 of the Publication Draft) indicates a commitment to the sort of joint-working required to give effect to the Core Strategy. It certainly does not indicate that any cross-boundary working on Green Belt has so far taken place. And we do not believe that the "beyond the plan area" methodology established by the Leaders Board of the Leeds City Region Partnership (referred to at paragraph 2.28 et seq of our representation on Duty to Cooperate) is a substitute for proper cross boundary working on the preparation and delivery of the Core Strategy.

2.25. We have also submitted a representation relating to Bradford's references in the Core Strategy to a Leeds Bradford Country Park. We repeat here, by reference, the evidence we give in that representation indicating 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.

2.26. Bradford has not got a good record of cooperative action with adjoining authorities in relation to the preparation of the Core Strategy, and for that reason we consider that the Plan must be much clearer about how cross-border working will apply throughout the period of its delivery.

## **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.

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) should be deleted and the reference to the target number of 6000 in respect of SE Bradford at paragraph 5.3.38 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;

*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:**

Whilst we have endeavoured to put our case clearly we feel that it may help clarify any areas of uncertainty, and to ensure that there is full co-ordination of evidence in relation to each of our representations if we were to be examined orally. It would be particularly helpful to be able to refer 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.**

<b>9. Signature:</b>	Authorised by resolution of the Trustees of the Tong and Fulneck Valley Association dated 20 March 2014	<b>Date:</b>	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.**