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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	██████████	
Last Name	Moore	
Job Title (where relevant)		
Organisation (where relevant)	Menston Action Group	
Address Line 1	██	
Line 2	██████████	
Line 3	Ilkley	
Line 4		
Post Code	LS29 ██████	
Telephone Number	██	
Email Address	██	
Signature:	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>	Date: 30 <sup>th</sup> 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	5.4	Paragraph	5.4.148	Policy	EN7
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**4. Do you consider the Plan is:**

4 (1). Legally compliant	Yes		No	<b>X</b>
4 (2). Sound	Yes		No	<b>X</b>
4 (3). Complies with the Duty to co-operate	Yes		No	<b>X</b>

**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.

**Policy E7, line A1, A2.**

1. Integrate sequential testing into all levels of plan-making.
2. Require space for the storage of flood water within Zones 2 and 3a

The Policy does not adequately take into account the flood risk from all sources, including Groundwater flooding. The Environment Agency flood risk map zones do not assess flood risk associated with groundwater flooding.

The NPPF technical guidance states: "flood risk" means **risk from all sources of flooding** - including from rivers and the sea, directly from rainfall on the ground surface **and rising groundwater, overwhelmed sewers and drainage systems**, and from reservoirs, canals and lakes and other artificial sources".

**Policy E7, line A7**

*"Require that all sources of flooding are addressed, that development proposals will only be acceptable where they do not increase flood risk elsewhere and that any need for improvements in drainage infrastructure is taken into account".*

There is overwhelming evidence, including Flood Risk Assessment and Geo-environmental appraisal that the current drainage proposals for development of land at Derry Hill and Bingley Road in Menston will **increase flood risk to neighbouring areas**. We are advised that this would be **unlawful**.

The Geo-environmental appraisal for Bingley Road states that the site is located within an area in which **ground water flooding may be a significant issue**. It goes on to say that *"installation of below ground rainwater / greywater storage, to conform to sustainability codes, is unlikely to be practical owing to the potential positive buoyancy of such tanks within the shallow groundwater regime, and that this may exacerbate the requirement for increased site discharges into existing drainage systems"*.

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.

**Policy E7, item A1.** – please amend as follows:

A1. Integrate sequential testing, **including flood risk assessment from all water sources**, into all levels of plan-making.

**Policy E7, item A2.** – please amend as follows:

A2. Require space for the storage of flood water **from all sources**. (delete “within Zones 2 and 3a”).

**Policy E7, item A7.** – please amend as follows:

A7 Require that all sources of flooding are addressed, that development proposals will only be acceptable where they do not increase flood risk elsewhere and that any need for improvements in drainage infrastructure **are completed prior to commencement of any development, including taking into account 100 year occurrences and climate change.**”

**Reason:** To comply with the NPPF technical guidance, to ensure that all sources of flooding are addressed and to ensure that the plan is legally compliant.

*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?

<input type="checkbox"/>	No, I do not wish to participate at the oral examination
<input checked="" type="checkbox"/>	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:

**We have strong evidence of groundwater flood risk which is very technical and better presented and explained at oral examination.**

*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:

Date:

30<sup>th</sup> March 2014