

For Office Use only:			
Date			
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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	Butterworth	
Job Title <small>(where relevant)</small>	████████████████████	
Organisation <small>(where relevant)</small>	BRAID	
Address Line 1	████████████████████	
Line 2	Baildon	
Line 3		
Line 4		
Post Code	BD17 ██████	
Telephone Number	████████████████████	
Email Address	████████████████████	
Signature:	<input type="text"/>	Date: <input type="text"/>

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	<input type="text" value="All of it."/>	Paragraph	<input type="text"/>	Policy	<input type="text"/>
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4. Do you consider the Plan is:

4 (1). Legally compliant	Yes	<input type="text"/>	No	<input checked="" type="checkbox"/>
4 (2). Sound	Yes	<input type="text"/>	No	<input checked="" type="checkbox"/>
4 (3). Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input checked="" type="checkbox"/>

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.

See attached.

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.

See attached.

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

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:	<input type="text"/>	Date:	<input type="text"/>
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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?			
Yes		No	I have an interest
2. Gender:			
Male		Female	Transgender
3. Age:			
16 or under		36 to 45 years	65 years +
16 to 25 years		46 to 55 years	
26 to 35 years		56 to 65 years	
4. Do you consider yourself to have a disability?			
No		Mental Health Issue	Hearing Loss
Physical Disability		Sight Loss	Deaf
Learning Disability		Blind	Other substantial and long term condition
5. Ethnic Origin:			
White English / Welsh / Scottish / Northern Ireland / British		Mixed Other	Black or Black British Other
White Irish		Asian or Asian British Indian	Chinese
White Eastern European		Asian or Asian British Pakistani	Arab
White Other		Asian or Asian British Kashmiri	Other
Mixed White / Black Caribbean		Asian or Asian British Other	Don't Know
Mixed White / Black African		Black or Black British Caribbean	Gypsy or Traveller
Mixed White / Black Asian		Black or Black British African	
6. Religion:			
No religion		Hindu	Sikh
Christian		Jewish	Other
Buddhist		Muslim	
7. Which of the following best describes how you think of yourself?			
Heterosexual / Straight		Gay	Lesbian
Bisexual		Other	
8. Equality Monitoring			
I do not wish to participate in this monitoring exercise			

Objections to Bradford Metropolitan District Council's Core Strategy.

Introduction.

On behalf of the people and residents of Baildon, BRAiD, (Baildon Residents Against inappropriate Development), wishes to object to Bradford Metropolitan District Council's Core Strategy on the grounds that it is unsound and that the consultation has not been conducted in an appropriate way.

Furthermore, as shown by the Buck Lane Hi-tech Park, the Council has a record of not delivering promises made in planning statements. For this reason the viability of the whole of the Core Strategy and Local Plan must be considered suspect.

Whilst we appreciate many of the sentiments expressed in the Core Strategy (such as HO9) we do not think they will prevail when confronted with a developer's profit motive. For this reason the Core Strategy, whilst an interesting document, is fundamentally undeliverable and therefore comprehensively unsound.

1. Engagement and Consultation.

When the National Planning Policy Framework (NPPF) was launched the Government undertook to make the system more accessible to the public.

In Baildon, Bradford Metropolitan District Council (BMDC) has failed to inform and communicate adequately.

1.1. The Core Strategy and supporting documents are voluminous and laden with jargon. As such they are very difficult for a non-specialist either to understand or find time to read in a busy working life.

1.2. The design of the form (CSPDCommentForm_Feb2014) that the Council wishes its citizens to use is intimidating and difficult to fill in. As such it has restricted participation.

The attempt at profiling is pointlessly intrusive, irrelevant and off-putting. In a democracy willingness to participate is the only necessary qualification. Ethnicity and sexual orientation have no relevance in the determination of land use.

1.3. The Council has not engaged with the people of Baildon. A hard copy of the Core Strategy was not placed in Baildon Library or any other local and publicly accessible place. Nor has the Strategy been explained in non-technical language by Officials at any of the Neighbourhood Forums or at specially convened meetings.

1.4. Also, as was demonstrated over the Buck Lane planning application and the subsequent petition, the Council remains uninfluenced by public concerns when preparing policy and determining action. Thus the Government's wish that planning policy should be formed locally has been subverted.

1.5. The Council has failed to take into account Government policy and guidance particularly in regard to the destruction of green belt and the reuse of brownfields when preparing the Core Strategy.

On the 10th of March the Minister for Planning reaffirmed the Governments commitments to “the importance of Green Belt protection and ensuring its robust safeguards are not undermined when assessing unmet housing needs”. The Minister also, once again, stressed “the importance of bringing brownfield land into use”.

In Baildon the majority of the proposed development will have to be either on green belt or green fields. In Baildon BMDC has a history of disregard for green spaces as instanced by the purchase of 15 acres of good quality agricultural land for the construction of an industrial estate that could have gone instead on the local brownfields.

2. Soundness.

2.1. It is claimed that Bradford will need up to 42,100 new homes. The vast majority of these will be built in the regional city to be created from Baildon, Shipley and North Bradford where 68% of the proposed development will take place (SC4, HO3). Thus the housing developments are not spread evenly over the whole of the District but are disproportionately concentrated in one area.

The target for land reuse in the regional city is 55% (5.3 HO6). However Baildon does not have anywhere near this proportion of brownfields. Most of the development will have to take place on green belt and green spaces.

Therefore Baildon is being asked to accept more than its fair share of the overall housing development and a disproportionate loss of green belt and green spaces. For these reasons Baildon should be removed from the regional city and development reduced so that half of it can take place on brownfields. That is to say, for every hectare of brownfield developed one hectare of green space could be developed. The brownfield development taking place first.

This imbalance in the treatment of Baildon is also detrimental to the Human Rights of Baildon residents. See Section 2.14 below.

2.2 All development in Baildon is unsound because it is unsustainable due to a lack of sufficient and suitable infrastructure. Both the NPPF and recent Government guidance make clear that developments must be supported by adequate infrastructure.

The flow of traffic through Baildon is dominated by the inescapable fact that Otley Road presents the only road crossing of the River Aire between Bingley and Apperley Bridge. As well as the considerable amount of local traffic it also carries a substantial part of the northern volume that approaches Bradford along Canal Road (see Figure SS1). Even before the proposed 450 houses and the additional commercial properties are built, there is extreme congestion at peak times.

As recent events have shown any restrictions in the traffic flow because of road works or accidents, results in traffic queues of more than a mile in length. Otley Road is clearly at, or over, capacity.

There are also more immediate pressures that have not been taken fully into account. Until they are, the plan remains unsound:

- i) the additional 110 homes to be built at Cliffe Lane
- ii) the 9 homes on the old glen fairground
- iii) the Wickes/KFC commercial development on Lower Holme which will attract traffic both locally and from outside the district
- iv) Buck Lane. Once the site is full this will be a major generator of car and HGV movements, especially during the peak hours.
- v) the new club house and residential development at Baildon Golf Club.
- vi) the 17 homes at Berry Works
- vii) the 114 flats in the Bankside development

In addition the Council's own plans call for a major development of the Canal Road corridor. This will pull significant amounts of additional traffic along the Otley Road and increase the congestion at Fox Corner.

Although the Council's traffic plans rely increasingly on the use of public transport, Baildon is not well served. The majority of the available land in Baildon (including green belt) is remote from the railway station and the existing bus routes. The frequency of the hourly bus service has just been reduced. The railway is single track and the station platform only four carriages long. This will severely limit any attempts to increase capacity.

2.3. The plan is unsound because it does not envisage any improvements to the infrastructure of Baildon before development commences.

In particular it is essential that funding for the Eastern Relief Road is obtained before the plan is progressed and that the road is actually constructed before any further development in Baildon is even considered. To be of any benefit to Baildon the Relief Road must bypass the whole length of Otley Road between Fox Corner and Guiseley.

The existence of the Eastern Relief Road is also an essential precursor for the Canal Road Corridor.

The fact that the Council has failed repeatedly to obtain funding for the Eastern Relief Road is a clear indication that it will never be built. Therefore any plans to expand the number of houses and commercial premises in Baildon should be abandoned as unsustainable.

2.4. The Plan is unsound because the upward pressure on the total housing requirement is flawed. It is not realistic. Instead, it is aspirational, which is Council-speak for 'much more than is actually needed'. This puts additional and unnecessary pressure on green belt and green spaces.

In Bradford the SHMA methodology overstates housing need. There are at least two reasons for this.

First the under-supply calculation for the previous periods does not take into account the reduced demand stemming from the recession and the difficulty in getting mortgages. Bradford's particularly poor socio-economic profile will have accentuated this shortfall.

Second, the rate of completions is always less than target. Since the target is always aspirational (= much more than is needed) then using the accumulated shortfall to calculate another aspirational target will produce larger and larger numbers with the proportion of unneeded houses increasing at each iteration.

Included in the target is the buffer requirement. This only serves to increase the scope for developers to cherry-pick the most profitable (greenfield) sites irrespective of whether there is a five-year land supply or not. The buffer is highly unlikely to result in significantly increased completion rates.

This buffer requirement is unsound and should be eliminated until there is clear evidence that it is needed to cope with an upsurge in demand for homes in Bradford.

Following on from Government guidance, using green belt to meet housing land targets is an option of last resort and this should therefore be another relevant factor in discounting the housing requirement.

2.5. Bradford is not a desirable place to live. It has failed to regenerate and is usually to be found at the bottom end of any national league table. In particular life-expectancy, joblessness, schooling and health provision all militate against Bradford's residential attractiveness.

Furthermore Bradford's desirability will not improve with the planned destruction of green belt and green spaces. Therefore the demand for homes in Bradford will be significantly less than national standards and norms would suggest. Until the housing need is realistically calculated taking in to account Bradford's present state the plan will be unsound.

2.6. The National Planning Policy Framework (NPPF) requires BMDC to *"ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework"*.

This means that the range of sustainability considerations outlined in the NPPF can create a set of constraints that would make it unrealistic for the authority to meet the objectively assessed need in full. The overriding consideration is sustainability, not the calculated housing need.

So, in Bradford's case, most of the areas where development could readily be accommodated, such as the city centre brownfields, suffer from low market demand and can therefore only be realistically developed with fiscal intervention. In Baildon and the adjoining Canal Road corridor, public transport, roads and other infrastructure shortfalls already pose major limitations on the capacity for growth.

It is therefore clear that Bradford has a case for planning a housing provision target substantially lower than the objectively assessed need. Until this is reassessed the plan remains unsound.

2.7. The plan is unsound because it assumes unreasonable housing density figures. In particular the minimum density target of 30 dwellings per hectare (dpha) is far too low and thereby unnecessarily increases the pressure on green space and green belt. See 5.3.77.

Anything below 60 dpha does not support public transport and is therefore unsustainable.

Developers will wish to persuade the Council that high density equates to overcrowding. This is demonstrably not true since most traditional developments, both in towns and villages, have housing densities in the range 50-100 dpha.

The developers are simply looking for permission to build low-density, high-price, high-profit, trophy homes. These are unsustainable because Bradford, as a low-skill, low-wage city, needs, above all, affordable homes that are economical to run. See 5.3.148 ff, HO11.

Posh houses on the periphery are built expressly as dormitories for the surrounding wealthier cities such as Leeds and Harrogate. As such they do not address Bradford's needs, and by failing to put in place mechanisms to resolve this sustainability issue the Council has failed in its duty of engagement with other authorities. Presented with choice between 5.3.113 and profit, the developer will choose profit every time.

In Baildon, which is a desirable periphery close to Leeds, BMDC has a poor record of controlling developers. The promised high technology park at Buck Lane turned into a B1.c industrial estate once it was in the hands of a developer.

BRAiD sees the density argument as key, and one in which the Council has neglected its prime duty of stewardship of the district's spacial assets. For this reason the plan is unsound.

If the minimum density was increased to just 40 dpha then the land requirement reduces by 25%. This is exactly the amount of green belt that the Council intends to destroy.

Bradford has some of the most crowded roads in Europe. Increasing the density to 60 dpha makes the necessary additional public transport viable and reduces the land required by 50%. At this level most of the required dwellings could be built on previously developed land (PDL).

The Council should abandon its present plan and rework it based on higher dwelling densities. Until it does so the plan remains unsound.

2.8. BRAiD strongly supports the need for phasing and sees this as absolutely essential if the developers are to be kept under control.

Without phasing the early release of sites will spread the housebuilding across too many locations risking the development of some sites that ultimately may either not be needed or later prove to be unsustainable.

A developer's business model revolves around having active planning permission on a wide range of sites. He can then manage the build rate on those sites in a way that suits his convenience and is consistent with the rate at which he believes he can sell houses. The objective is maximising profits, not meeting housing need. The developer's objectives are therefore not the same as those encapsulated in the NPPF.

Developers want to maximise their returns by building 'executive' homes on greenfield sites. Alongside the loss of amenity these sites are effectively wasted in terms of meeting Bradford's overriding need for affordable homes.

The plan is unsound because it is insufficiently precise about the types of housing that are needed in the various locations (5.3.100 ff & HO8). Without this detail it is impossible to guarantee that Bradford's housing supply will be brought into balance. Leaving the developer to determine the types of houses will not guarantee the optimum mix and for this reason the plan is unsound.

If the Council cannot demonstrate that it intends to take a robust attitude to phasing then the plan is unsound.

2.9. Since site-specific economic viability falls as competition from other sites increases, allowing greenfield developments to be built first will have a significant negative effect on brownfield site viability. This effect will be particularly strong in authorities such as Bradford where house prices are depressed.

The end result of releasing greenfields early will be that developers abandon previous commitments to brownfields and thereby reduce the five-year supply and increase the pressure on the green belt. The plan is unsound because it does not include mechanisms for counteracting this effect which will be highly pronounced in Bradford because of the levels of dereliction.

Recycling of previously developed land is an important sustainability objective in itself. For Bradford, the levels of dereliction and unused PDL should make this the dominant objective.

The Core Strategy claims that BMDC's main focus is on identifying housing development land on brownfield sites. A figure of 18,000 homes on PDL has been suggested. However this policy and figure are both unsound and without meaning unless developers have committed to these sites and can be guaranteed not to abandon them as we move through the plan period.

Whatever the Council's wishes, if a site is deemed insufficiently profitable it will not be developed. Until this issue is resolved the plan is deeply flawed and unsound because there are no guarantees that developers will build on any brownfield land at all.

The Council should not underestimate the cupidity of developers for green spaces. Nor should it conflate sustainability with profit.

If the Council mistakenly allows developers onto the green belt just so they can make more profit this will significantly reduce the scope and appetite for reusing land. Bradford as a whole will suffer and regeneration will become ever more elusive.

The plan is therefore unsound because it fails to address Bradford's overriding need for regeneration and is most likely to result in purely peripheral development.

2.10. As previously noted the majority of the proposed development in Baildon will have to be on green belt because other types of land are not available.

BRAiD understands that the existing green belt boundaries were agreed without the benefits of modern thinking on sustainability. Over the years, settlements change so that, in a few, rare, cases, it might be possible to demonstrate that a change to the green belt boundary would produce a more sustainable pattern of dwellings.

For instance, the recent decision on the Vale Mill extension showed that the Council will sacrifice green belt if it is justified by the potential benefits. However, this is not the case in Baildon, where the encroachment on the green belt is simply there to provide enough land for the Council's unsustainable target of 450 homes.

BRAiD strongly believes that attempting to meet the supply of housing land is not, in itself, a sufficient reason to take land out of the green belt. The only reason to sacrifice green belt is to create a settlement pattern that is more sustainable than the current one. In Baildon this is not the case.

For the above reasons the plan is unsound.

2.11. BRAiD is aware that the Council argue that they cannot meet their land supply requirements without releasing land from the green belt. They are also aware of the Council's view that the identified sites can be built on without damaging the green belt.

We do not agree with this. There are better mechanisms for focusing development where it is needed other than simply allowing the market to run wild. If these, more preferable, methods were employed the Council could probably obviate the need for green belt losses.

However, accepting the Council's premise, and assuming that the sites could be developed without harming the green belt, the problem then is that, once these sites are released, they are lost forever to development.

So in 2030, if similar arguments are used to justify further green belt destruction, then the identified sites will inevitably be in places where their loss will be much more damaging. (The more suitable, less harmful, sites having already been consumed by the 2015 plan.)

The present plan *might* have only a limited impact on the green belt, but it would leave Bradford in a situation where everything that was left to develop after 2030 would have a significant impact. Using up all the low-impact site options over one 15 year period is the worst kind of unprofessional short-termism.

If the plan does not leave spare green belt capacity that could be built on without inflicting harm then the plan is unsound and inconsistent with the NPPF and the housing target must be reduced.

2.12. In Baildon and similar places the plan is unsound because it is self-defeating. The proposed additional houses and commercial developments will increase congestion and frustrate the logistics of the companies wishing to move into the district thereby reducing the overall attractiveness of Baildon as a place to live and do business.

The increasingly crowded and congested nature of Baildon will reduce both the end selling price of the new houses and the developer's profits. This will render the proposed sites in Baildon less viable. The inevitable consequence is that developers will not build where they were supposed to and pressurise the Council for additional green belt sites elsewhere.

2.13. The plan is unsound because it does not take into sufficient account the new powers to turn empty commercial and retail premises into dwellings. See 5.3.88.

For most cities the number of commercial property conversions would provide a small but welcome boost to the housing stock. In Bradford, as a largely unregenerated city, the potential number of converted dwellings is large enough to be strategically significant. The plan needs to be redone taking these conversions fully into account and a target percentage needs to be presented. Until it is, the plan will remain unsound.

Similarly the issues with empty homes are well understood (HO10, 5.3.156) but there are no targets for the number to be brought back into the housing stock.

Without quantified objectives these are just expressions of good intent, not a strategy. For this reason the Council's empty homes and converted premises policy is unsound.

2.14. The plan is unsound because it denies the people of Bradford and Baildon their Human Rights by wilfully destroying countryside and by overdeveloping existing communities. Bradford already has poor access to countryside when compared with similar cities.

Human Rights Act, Protocol 1, Article 1. This states that a person has the right to peaceful enjoyment of all their possessions, which includes their home and other land.

Human Rights Act, Article 8. States that a person has the substantive right to respect for their private and family life.

In the case of *Britton vs SOS* the courts concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings.

In the particular instance of Baildon, the Council is preventing the peaceful enjoyment of home life by deliberately overbuilding in the immediate environment and introducing excessive and unnecessary congestion. Bradford Metropolitan District Council is therefore in breach of the Human Rights Act and is acting oppressively towards the residents of Baildon.

BRAID
29th March 2014

