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Dated: March 2014

**Representations to  
Bradford Metropolitan District Council  
Local Development Framework  
Core Strategy Publication Draft  
(February 2014)**

On behalf of

Barratt David Wilson Homes

Prepared by

I D Planning

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## 1. National Planning Policy Framework – Plan Making

- 1.1 These representations have been prepared in relation to the Core Strategy Publication Draft (February 2014) and address the following:-
- A response to the proposed policies and supporting text in the Core Strategy Publication Draft Paper;
  - Where appropriate a further commentary on the strategic approach promoted within the relevant sections; and
  - Whether the text referred to is sound and what changes would be required to make the Core Strategy DPD sound.
- 1.2 An assessment has been undertaken of each of the policies and paragraphs referred to, in order to determine whether the text meets the four tests of soundness as set out in the National Planning Policy Framework.

### National Planning Policy

#### **National Planning Policy Framework (NPPF)**

- 1.3 The National Planning Policy Framework (NPPF) was published on 27<sup>th</sup> March 2012.
- 1.4 Paragraphs 150 to 185 of the NPPF relate to plan-making. Paragraph 151 advises that local plans must be prepared with the objective of contributing to the achievement of sustainable development and therefore they should be consistent with the principles and policies set out in the Framework, including the presumption in favour of sustainable development.
- 1.5 Paragraph 154 requires plans to be aspirational but realistic. The framework also requires that a Local Plan sets out the strategic priorities for the area and should include strategic policies to deliver the homes and jobs needed for the area. An additional key diagram should also be provided indicating broad locations for strategic development.
- 1.6 The framework requires that plans should be drawn up over an appropriate timescale, preferably a 15-year timeframe, and should take account of longer term requirements and be kept up to date.
- 1.7 Paragraph 158 of the NPPF relates to the Local Plan evidence base, it requires that:-

*"Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals."*

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1.8 Specific guidance is given with regard to the evidence base relating to the housing needs of each Local Authority area at paragraph 159. Local Planning Authorities are required to:-

- *“Prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The Strategic Housing Market Assessment should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:*
  - *meets household and population projections, taking account of migration and demographic change;*
  - *addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families with children and people wishing to build their own homes); and*
  - *caters for housing demand and the scale of housing supply necessary to meet this demand;*
- *Prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.”*

1.9 Paragraph 178 advises that public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to strategic priorities.

### **Tests of Soundness**

1.10 Our response raises general concerns over the “Soundness” of the Core Strategy. In each case the representations made set out the reason/s why the policy or text is not deemed to be sound based on the four tests of soundness set out in the NPPF. Paragraph 182 of the NPPF states:-

1.11 “A local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- **Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

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- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
  - **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

**European SEA Directive and Environmental Assessment of Plans and Programmes Regulations 2004.**

1.12 In addition, the representations focus on the legal duty to comply with the European SEA Directive – 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004. The Directive and the Regulations require the need for:

1. Environmental reports to be of sufficient quality and provide proper information to allow consideration of all the potential effects.
2. Sufficient detail to allow the public to understand why the plan is said to be sound.
3. An accurate and equal assessment of the alternatives to the chosen strategy / policy and explanation as to why they were not considered to be the best option.

1.13 In consulting on the Publication Draft the Council must therefore adhere to the requirements of the European SEA Directive – 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004 and the NPPF.

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## **2. Representations to the Bradford Core Strategy Publication Draft (February 2014)**

- 2.1 These representations have been prepared in relation to the Core Strategy Publication Draft (February 2014) and address the following:-
- A response to the proposed policies and supporting text in the Core Strategy Publication Draft Paper;
  - Where appropriate a further commentary on the strategic approach promoted within the relevant sections; and
  - Whether the text referred to is sound and what changes would be required to make the Core Strategy DPD sound.
- 2.2 An assessment has been undertaken of each of the policies and paragraphs referred to, in order to determine whether the text meets the four tests of soundness as set out in the National Planning Policy Framework.

### **SECTION 1 – INTRODUCTION**

#### **Plan Period – Paragraph 1.2**

- 2.3 We **SUPPORT** the proposed plan period to 2030. The plan period has been extended to 2030 to ensure a 15 year plan period from the date of adoption, which is expected to be 2015.

#### **Paragraph 1.2 - Soundness**

- 2.4 The proposed timeframe of the Core Strategy is sound as the proposed plan period to 2030 ensures a 15 year timeframe from the proposed date of adoption. The plan period therefore accords with paragraph 157 of the NPPF, which requires that plans are drawn up over and appropriate time scale, preferably 15 years.

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## **SECTION 3 – SPATIAL VISION, OBJECTIVES AND CORE POLICIES**

### **Strategic Objective 2**

- 2.5 We **OBJECT** to the wording of Strategic Objective 2 which seeks to prioritise the use of deliverable and developable previously developed land.
- 2.6 This objective does not accord with the NPPF, which at paragraph 17 sets out twelve core planning principles of which the eighth principle seeks to *'encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value'*. The wording of objective 2 should therefore reflect the wording of the NPPF, which seeks to 'encourage' rather than 'prioritise' the development of brownfield sites.

### **Soundness**

- 2.7 Strategic Objective 2 is unsound as it is not consistent with national policy which seeks to encourage rather than prioritise the effective use of previously developed land.

### **Strategic Core Policy 4 (SC4): Hierarchy of Settlements**

- 2.8 We **SUPPORT** the proposed hierarchy of settlements, and in particular the identification of the new Local Growth Centre tier within the hierarchy. The Core Strategy proposes changes to the settlement hierarchy previously set out in the adopted Unitary Development Plan (UDP) and the now revoked Regional Strategy. The Core Strategy seeks to identify Bingley as a Principal Town and introduces an additional tier between Principal Towns and Local Service Centres with four settlements identified as Local Growth Centres.
- 2.9 The introduction of the Local Growth Centres tier is stated to reflect land supply constraints in the upper two tiers and the fact there are significant differences in the characteristics of the settlements below the Principal Towns level and their ability to grow in a sustainable way.
- 2.10 Policy SC4 states that the proposed Local Growth Centres of Queensbury and Thornton are sustainable local centres accessible to the Regional City of Bradford and Steeton with Eastburn and Silsden are sustainable local centres within Airedale. These settlements are all located along key public transport corridors and therefore these settlements should make a significant contribution to meeting the district's needs for housing, employment and provide for supporting community facilities.

### **Soundness**

- 2.11 The identification of Bingley as a Principal Town and the settlements of Queensbury, Thornton, Steeton with Eastburn and Silsden as Local Growth Centres are deemed to be legally compliant and sound.

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### **Strategic Core Policy (SC5): Location of Development**

- 2.12 We **OBJECT** to the proposed priorities for allocating sites set out in Strategic Core Policy SC5 (Location of Development). The policy proposes to give first priority to previously developed sites, second priority to greenfield opportunities within the settlements, third priority to local Green Belt releases and fourth priority to larger urban extensions.
- 2.13 Policy SC5 sets out, in essence, a sequential approach to site selection previously advocated in PPG3. Such an approach is not supported by current national policy guidance. There is nothing within the NPPF that supports the identification of sites on this basis. The NPPF requires local planning authorities to identify sites that are deliverable and developable. The key consideration being that there is sufficiency of supply in meeting the District's housing need.
- 2.14 In meeting the requirements of the NPPF a site would need to be in a location that is suitable for housing development, yet suitability is not solely determined by whether the site is classed as brownfield or greenfield, but would include a number of considerations including how sustainable the site is and how well it relates to existing development. The only reference within the NPPF which relates to whether a site has been previously developed, is set out in paragraph 111, where it is advised that planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed, provided that it is not of high environmental value. The NPPF does not state that priority should be given to the development of previously developed land, only that policies and decisions should encourage the effective use of previously developed land.
- 2.15 Indeed, it is relevant to highlight that paragraph 52 of the NPPF states that the supply of new homes can sometimes best be achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of garden cities. Local Planning Authorities are advised to consider whether such opportunities provide the best way of achieving sustainable development.
- 2.16 The Council's location of development policy in setting out a sequential approach to site selection is not consistent with current national planning policy. In addition, even if the policy was considered to be consistent with national policy, the wording the policy is confusing and cannot be considered to be effective.
- 2.17 For example, the second priority is for greenfield sites within settlements, whilst the third priority is for local Green Belt releases to the built up areas of settlements in sustainable locations. On a simplistic reading of these priorities, a lay person may assume there is not a category for greenfield sites adjacent to existing settlements. Whilst the reference to Green Belt sites is a result of all the settlements in Bradford District being surrounded by Green Belt, for clarity and consistency reference should be made to greenfield sites adjacent to built up areas. Furthermore, no guidance is given as to what would constitute a

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'local' Green Belt release as opposed to a 'non-local' Green Belt release. It is assumed the reference to 'local' is relevant in the context of the fourth priority which is for 'larger' urban extensions. However, nowhere within the policy or its supporting text is any clarification given as to what would constitute a local Green Belt release as opposed to a larger urban extension. In this regard, the wording of the policy is ineffective.

- 2.18 The second part of Policy SC5 states that when identifying and comparing sites for development, the Local Plan will adopt an accessibility orientated approach. The policy sets out four factors that will be taken into consideration, of which the third point requires that development must comply with the public transport accessibility criteria set out in Appendix 3. We **OBJECT** to the Accessibility Standards set out in Appendix 3 and the reference within Policy SC5 to it as it is maintained the standards are not justified and reliance on them could result in a plan that is not effective.
- 2.19 The wording of Policy SC5 requires that developments comply with accessibility standards and whilst the supporting text to Policy SC5 suggests some flexibility in meeting these standards, this is only in relation to a range of possible mitigation measures. It is advised that where a site does not conform to the accessibility standards at the time of submission it is expected that mitigating measures should be included within the development proposals that would come into effect at the time of initial occupation of the site. Examples given include extensions to existing bus services, re-routing existing bus services, increased frequency of services, new bus services, provision of community transport services, community car clubs, car sharing schemes, improvements to the walking and cycling network, contributions to other public transport provision and other innovative accessibility improvements.
- 2.20 Table 2 of Appendix 3 states that sites located within Bradford Urban Area or extensions to the urban area (Regional Cities, Principal Towns and Local Growth Centres) and proposed for housing and mixed use should normally be within 400 metres of a bus stop (or 800 metres of a rail station) offering a service of at least 4 times per hour to a town or city centre (transport interchange point, including all rail stations, in Bradford, Leeds, Halifax, Ilkley, Keighley, Bingley or Shipley) or 10 minute walk time (800 metres). It is maintained the imposition of rigid standards with little flexibility to assess sites on a site specific basis based on a holistic view of the sustainability of the site is wholly unjustified.
- 2.21 The only flexibility offered as part of the Accessibility Standards is for mitigation measures to be proposed where a site does not meet accessibility standards. This is insufficient. Whilst we would support an approach which seeks to support sustainably located sites, the imposition of strict distances inevitably leads to a lack of flexibility and may result in a site being considered to be poorly accessible when on all other counts the site is highly sustainable. Indeed, there is no simple level of flexibility where a site may be 410 metres from a bus stop. It is maintained the proposed approach cannot be justified and could lead to a plan that is not effective as slavishly adhering to these



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guidelines could lead to a site not being allocated when on balance it outperforms other sites in all other regards.

- 2.22 It is maintained that to be sound at most the policy in setting out considerations for allocating sites, should only state a preference for sites that meet the accessibility criteria. In doing so this would allow the policy to support sites that fall short of meeting the accessibility criteria but are otherwise sustainable and suitably located. An over emphasis on accessibility with the only flexibility relating to mitigation measures which ultimately rely on altering bus services would not be effective. For the policy to be justified and effective, it needs to be worded flexibly.

### **Soundness**

- 2.23 The wording of Policy SC5 is unsound. The first part of the policy sets out a sequential approach to site selection which is not consistent with national planning policy. National policy does not prioritise the development of brownfield sites, it encourages the development of such sites with the emphasis being on ensuring that a deliverable and developable supply of sites in suitable locations can be identified regardless of whether the sites are previously developed or greenfield.
- 2.24 Secondly, even if the first part of the policy was consistent with national policy, as worded the policy would not be effective. In particular, there is a lack of clarity as to whether a greenfield Green Belt site would fall within the third or fourth priority for allocation as no guidance is provided to determine what constitutes a 'local Green Belt release' as opposed to 'larger urban extensions in sustainable locations'.
- 2.25 The second part of the policy is also unsound. This part of the policy advises the Local Plan will adopt an accessibility orientated approach to development with part 3 of the second part of the policy requiring developments to comply with the public transport criteria set out in Appendix 3. The accessibility standards are not sufficiently flexible, with the only flexibility being for mitigation measures to be provided where a site does not meet the standards. However, in many cases the mitigation measures suggested would be out of the control of a land owner / developer. In addition, a strict application of the standards could result in an otherwise sustainable site not being allocated when on balance it outperforms sites which meet the standards but have other constraints. It is maintained that at most the policy should only state a preference for sites that meet the criteria and therefore to allow flexibility it would not mean that a site that is otherwise suitably located is discounted solely on this basis.
- 2.26 As the policy is split into two parts it is also unclear how sites would be assessed where for example a brownfield site that does not meet the accessibility criteria but is the first priority for development under the Council's current wording would be assessed in comparison to an urban extension site that does meet the accessibility criteria but is a fourth priority for development.

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2.27 In conclusion, the policy is not consistent with national policy, its approach cannot be justified and as worded, the policy is not effective.

**Strategic Core Policy 7 (SC7): Green Belt**

2.28 We **OBJECT** to Strategic Core Policy 7 as the policy only proposes to undertake a selective Green Belt review when it is maintained a full review of the Green Belt should be undertaken.

2.29 Policy SC7 acknowledges that to deliver longer term housing and jobs growth in the District a selective review of the Green Belt will be undertaken. The supporting text to the policy states that based upon the current evidence of need and land supply a selective review of the green belt is required to meet the unmet needs which cannot be accommodated in non Green Belt areas. No justification is provided as to why only a selective Green Belt review is required.

2.30 In Section 5 of the Publication Draft paragraph 5.3.30 advises that the Council estimates that Green Belt releases of land for around 11,000 dwellings will be needed to meet the housing need of the District. This equates to over a quarter of the number of dwellings the Council needs to provide through new allocations. It is therefore questioned why the Council considers only a selective review is appropriate.

2.31 In this regard it is relevant to note that following the recent examination of the Leeds Core Strategy, one of the main modifications required by the examining Inspector is that a full rather than a selective review of the Leeds Green Belt is undertaken. In the case of Leeds a not dissimilar amount of Green Belt development is proposed, with 30% of new housing expected to be on urban extension sites. The Inspector required this change to make the plan sound for clarity, effectiveness and to reflect the evidence.

2.32 Given the quantum of Green Belt release, it is maintained for the Core Strategy to be effective a full Green Belt Review is necessary. The Council has put forward no evidence to support their approach to only undertake a selective Green Belt Review and in this regard, the Council's approach is not justified.

**Soundness**

2.33 Strategic Core Policy 7 is unsound as whilst acknowledging that Green Belt release will be required to deliver longer term housing and employment growth, despite the quantum of development likely to be delivered from Green Belt release, only a selective review of the Green Belt is proposed. The supporting text suggests that based on the current level of need and land supply a selective review is required. However, such an approach is not justified and would not be effective not least because to meet the housing need alone, Section 5 of the Core Strategy identifies that over a quarter of new allocations will be met by Green Belt releases. To be sound, a full Green Belt review should therefore be required.

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## **SECTION 4 – SUB AREA POLICIES**

### **Section 4.2 Airedale**

#### **Sub Area Policy AD1: Airedale and AD2: Investment Priorities for Airedale**

- 2.34 We **OBJECT** to the broad distribution of development within the Airedale sub-area, and in particular the proposed distribution of 700 dwellings to the proposed Local Growth Centre of Steeton with Eastburn. It is proposed that the distribution should be increased to 1,500 dwellings to reflect this sustainable settlement's ability to accommodate growth and assist in ensuring the delivery of houses in the early part of the plan period given land constraints in higher tiered settlements, as set out in more detail in our representations to Policy HO3 relating to the distribution of development.
- 2.35 We **SUPPORT** the acknowledgement within Policies AD1 and AD2 that some local green belt changes in sustainable locations will be required to deliver new homes in Steeton with Eastburn.

#### **Soundness**

- 2.36 The proposal to distribute only 700 dwellings to the Local Growth Centre of Steeton with Eastburn is unsound and should be increased to 1,500 dwellings (see representations to Policy HO3).

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## SECTION 5 – PLANNING FOR PROSPERITY – TRANSPORTATION AND MOVEMENT

### **Policy TR3: Public Transport, Cycling and Walking**

- 2.37 Policy TR3 sets out a number of measures through which the Council will seek to safeguard and improve public transport, walking and cycling infrastructure and services. Part A of the policy refers to the accessibility standards set out in Appendix 3 and advises the standards, along with key transport networks will be used to guide the allocation and phasing of development sites in the Allocations DPD and the Area Action Plans DPD.
- 2.38 For the reasons set out in relation to Strategic Core Policy 5 (SC5), we **OBJECT** to the Accessibility Standards set out in Appendix 3 and the reference within Policy TR3 to them as it is maintained the standards are not justified and reliance on them could result in a plan that is not effective.
- 2.39 The accessibility standards are not sufficiently flexible, with the only flexibility being for mitigation measures to be provided where a site does not meet the standards. However, in many cases the mitigation measures suggested would be out of the control of a land owner / developer. In addition, a strict application of the standards could result in an otherwise sustainable site not being allocated when on balance it outperforms sites which meet the standards but have other constraints. It is maintained that at most the policy should only state a preference for sites that meet the criteria and therefore to allow flexibility it would mean that a site that is otherwise suitably located would not be discounted solely on this basis.

### **Soundness**

- 2.40 As previously set out, the proposed accessibility standards are not justified and reliance on them could result in a plan that is not effective, particularly in the future when it will be necessary to identify sufficient allocations to meet the District's housing need.

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## **SECTION 5.3 – PLANNING FOR PEOPLE - HOUSING**

### **Figure HO1: 10 Principles for Achieving Sustainable Development**

- 2.41 We **OBJECT** to the wording of the second principle set out in Figure HO1, which seeks to prioritise, wherever possible, the use and recycling of previously developed land and buildings. This wording is not consistent with national policy which at paragraph 111 seeks to encourage rather than prioritise the effective use of land by re-using land that has been previously developed.

#### **Soundness**

- 2.42 The Council's approach to prioritise rather than encourage the use of previously developed land is not consistent with national policy.

### **Policy HO1: The District's Housing Requirement. Table HO1 and associated paragraphs 5.3.12-5.3.20**

- 2.43 We **OBJECT** to the Council's proposed housing annual requirement figure of 2,200 per annum and the resultant total housing requirement of 56,140 dwellings which takes into account net completions from 2003-2013.
- 2.44 The figure is based on the conclusions of the Bradford District Housing Requirements Study (February 2013) prepared by Edge Analytics and GVA and the subsequent Addendum Report prepared in August 2013. The reports recommend a requirement figure based on the employment led (REM) scenario, which we support. However, the reason for the preparation of the addendum report was the publication of the 2011-based Interim Sub National Household Projections, with the earlier report having been based on the 2008-based Household Projections.
- 2.45 At paragraph 5.3.13 of the Publication Draft Core Strategy it is suggested the Addendum Report recommended the housing requirement be set at the mid point range of 1807 to 2565 dwellings per annum. This is in fact not the case, the Addendum Report recommended that the 2011-based projections should not be used alone to set Bradford's housing requirement. It was suggested the Council may consider adopting a figure based on a mid-point range, but this was not a formal recommendation of the report.
- 2.46 The original report based on the 2008 projections recommended a figure of 2,565 dwellings (employment-led scenario). Having re-run the figures based on the Interim 2011 household projections, the requirement based on the employment-led scenario is reduced to 1,807 dwellings. The Addendum Report states at paragraph 4.5 that GVA / Edge Analytics would not recommend setting Bradford's housing requirement by reference to the 2011 based interim household projections alone as this could imply a continuation of the economic conditions of the trend period i.e. of recession over the whole of the Local Plan period. On this basis they conclude it would not be supportive of the Council's aspirations to achieve economic growth and regeneration, provide sufficient

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affordable homes and reduce problems of overcrowding in parts of the urban area.

- 2.47 At paragraph 4.6 it is suggested that given the uncertainty over where the future performance of the economy and housing market might fall in the spectrum between assumptions underlying the 2008 and 2011 based household projections, the Local Planning Authority may consider that the most prudent approach would be to adopt a housing target which reflects the mid-point figure of 2,186 dwellings per annum.
- 2.48 We do not support this approach to choose a figure which reflects the mid-point of the 2008 and 2011 based household projections which results in a figure of 2,186 dwellings. The Addendum Report highlights the shortcomings of the 2011 based interim household projections and as such setting a requirement figure which takes into account the 2011 interim projections is not deemed to be sound as the approach cannot be justified.
- 2.49 The Addendum Report highlights at paragraph 2.3 that the 2011-based population projections provide a less reliable 'trend' projection of population growth than would otherwise be the case because at the time of release the Census results relating to fertility, mortality and migration were not yet available.
- 2.50 At paragraph 2.8 of the Addendum Report it is stated that the 2011-based interim projections must be interpreted in the context of the period in which they have been prepared, a period characterised by an unprecedented, deep recession and slow economic growth, fiscal austerity and historically low rates of housing completions. It is advised that the interim projections therefore reflect these limiting conditions on household formation and project the continuation of these trends for a further 10 years.
- 2.51 Paragraph 2.9 advises the time span of the projections (2011-2021) limits their usefulness for local planning authorities but acknowledges that the official projections, when they are released in 2014 will cover a full 25 year period and will deliver 2011 census alignment.
- 2.52 At paragraph 2.10 it is advised that projecting beyond 2021 using this new interim date would require the importation of "user defined" assumptions with regard to changes in headship rates in the remaining period of the Local Plan (i.e. 2021 - 2030). Theoretically, it is advised that such assumptions might consider a continuation of the trend projected in the 2011-based interim projection for the period 2011 to 2021, or alternatively "freezing" headship rates at projected 2021 levels. Neither approach is ideal and would in both cases produce theoretical results at best.
- 2.53 At paragraph 4.2 of the Addendum Report it is advised that even under the employment-led scenario the figures embed the conditions prevalent in the 2011-based interim projections and could therefore lead to a continuation of past trends over the period. Whilst paragraph 4.2 then suggests that equally, adopting the 2008-based projections could produce an over-estimate of

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housing need if the sort of economic and housing market which underpinned those projections do not return during the period covered by the Local Plan. In this regard the Council should have fully considered what the implications of under and over estimating housing need would be.

- 2.54 Clearly, if they under-estimated housing need having relied on the 2011-based interim projection it would be necessary to review the plan to identify additional sites, which is a lengthy process. However, even if the 2008-based projections resulted in an over-estimation of housing need, at worst this would mean holding back sites in the last phase of the plan, and providing an initial supply of sites for the next Core Strategy. The implications of under-estimating would therefore be greater than if the figures were over-estimated.
- 2.55 Of critical importance is the conclusion at paragraph 4.5 which states that GVA / Edge Analytics would not recommend setting Bradford's housing requirement by reference to the 2011 based interim household projections alone as this could imply a continuation of the economic conditions of the trend period i.e. of recession over the whole of the Local Plan period. In particular, it is highlighted that such an approach would not therefore be supportive of the Council's aspirations to achieve economic growth and regeneration, provide sufficient affordable homes and reduce problems of overcrowding in parts of the urban area.
- 2.56 In this regard, whilst the report suggests the Council may consider adopting a target that falls midway between the employment led scenarios using the 2008 and 2011 based projections, we do not consider such an approach can be justified. The Addendum Report clearly sets out the various shortcomings of relying on the 2011-based interim projections and in half relying on the 2011-based interim projection, the Council is still in part projecting forward recessionary conditions which is wholly at odds with the aspirations of the Council's plan for economic growth.
- 2.57 Choosing to use a mid-point figure would be at odds with the approach advocated in the original housing requirements study published in February 2013 which concluded that emphasis should be placed in terms of the setting of a dwelling requirement to support the strategy aim of supporting and facilitating economic growth.
- 2.58 In addition, paragraph 7.13 of the original requirement study suggests that initial results of the 2011 Census reinforced the position to plan for a level of growth above that identified within the re-based 2010 SNPP scenario. It is relevant in this regard to highlight the 2010 SNPP scenario resulted in a requirement figure of 2,210 dwellings, very similar to the mid-point figure now proposed.
- 2.59 Paragraph 7.17 and 7.18 of the original requirement study states that delivering homes based on the employment led scenario requirement figure of 2,565 dwellings will lead to a number of positive outcomes including:

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- The strong growth of the labour-force representing a significant asset in ensuring the foundation for a more resilient economy in Bradford in the future;
  - The potential to generate significant amounts of direct and indirect employment through the development and construction of new housing;
  - The capacity to increase local spending linked to the growth in population helping to support retail and other service sector businesses; and
  - Increasing Council tax revenues and payment of New Homes Bonus which can help to support investment in services, infrastructure and environmental improvements.

2.60 As the Council is now proposing to use a lower mid-point employment-led figure using the 2008 and 2011 based projections, the achievement of the positive outcomes listed will therefore be compromised.

2.61 It is maintained that based on current evidence the Council's housing requirement figure should be based on the employment-led scenario figure of 2,565 set out in the original requirement study as this figure more closely aligns with the Council's aspirations for economic growth, job creation and population growth set out in the Core Strategy.

2.62 The use of the 2,565 dwelling requirement figure is also supported by representations prepared by Nathaniel Litchfield on behalf of Barratt David Wilson Homes, CEG Land Promotions Ltd and Persimmon Homes. Nathaniel Litchfield also object to the proposed housing requirement figure and have undertaken their own modelling and conclude that a housing requirement figure of 2,500 dwellings per annum is reasonable and credible.

### **Soundness**

2.63 The proposed annual housing requirement figure of 2,200 dwellings is unsound as the figure proposed cannot be justified as it is in part based on figure which reflects a recessionary period and therefore to do so would be wholly incongruous with an overall strategy which seeks to deliver economic growth.

2.64 In choosing a figure that is in part based on the 2011-based interim household projections, there is a risk, given this trend based projection reflects a recessionary period, that the strategy will not then meet the objectively assessed need for housing as it could result in an under-provision of housing. On this basis, it is maintained the proposed housing requirement figure results in a plan that is not being positively prepared and which could be ineffective.

2.65 The plan should also be in accordance with the policies in the NPPF. Paragraph 47 of the NPPF states that Local Planning Authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. Choosing a housing requirement figure which in part reflects interim projections based on a recessionary period will not result in the full, objectively assessed housing need being met contrary to the requirements of the NPPF.



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2.66 It is maintained the Council's own evidence more appropriately supports the housing requirement figure set out in the original housing requirement study, that being the employment led scenario based on the 2008 household projections, a trend projection which better reflects the aspirations of the Core Strategy. This figure is also supported in representations prepared by Nathaniel Litchfield to Policy HO1 who have undertaken their own modelling and conclude a figure of 2,500 dwellings per annum is reasonable and credible.

2.67 To be sound, the annual requirement should therefore be 2,565 dwellings per annum as recommended in the housing requirement report (February 2013).

### **Policy HO2: Strategic Sources of Housing Supply**

2.68 Policy HO2 sets out the strategic sources of housing supply to meet the housing requirement set out in Policy HO1. We **OBJECT** to the wording of part 2 of part A the policy which refers to existing commitments with planning permission. To be consistent with national planning policy, it is maintained that part 2 should refer to deliverable existing commitments with planning permission in recognition of the fact that some sites with historic planning permissions may no longer be viable or there may not be demand for the types of units for which planning permission was granted.

2.69 Part 4 of part A of the policy also identifies safeguarded land sites identified in the RUDP. Whilst we **SUPPORT** the identification of these sites as a source of supply, Policy HO2 does not identify new safeguarded land sites as a potential source of supply to ensure the housing requirement can be met in the long term, without the need to review the extent of the Green Belt again. Indeed, there appears to be no policies within the Core Strategy that support the identification of new safeguarded land sites, despite the proposal to use existing safeguarded land sites to assist in meeting the District's housing requirement. We therefore **OBJECT** to there being no support within the Core Strategy to the identification of new safeguarded land sites. New safeguarded land sites should be identified as a source of strategic housing land supply set out in Policy HO2.

2.70 Part B of the policy refers to specific area based initiatives to help deliver the supply targets. Part 3 of this policy refers to local Green Belt releases where consistent with the Plan's sustainability principles and where other sources of supply have proved insufficient within the relevant settlement or strategic planning sub-area. We **OBJECT** to the caveat in this part of the policy which would only support local Green Belt releases where other sources of supply have provided insufficient within the relevant settlement or strategic planning sub area. It is maintained that sites should be assessed on their own merits, and there may be cases where a site adjacent to the existing settlement limits in a sustainable location may provide the best way of achieving sustainable development, an approach supported by paragraph 52 of the NPPF.

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## Soundness

- 2.71 Policy HO2 is unsound as to be consistent with national policy the Council should refer to existing permissions that are deliverable as a potential source of supply in accordance with paragraph 47 and footnote 11 of the NPPF.
- 2.72 In addition, the policy seeks to utilise existing RUDP safeguarded land sites but does not propose within the policy or anywhere else within the Core Strategy to identify new safeguarded land sites to ensure the District's housing requirement can be delivered in the long term to ensure the Green Belt boundary endures beyond the plan period, as supported by paragraphs 83 and 85 of the NPPF. The Council's lack of support for the identification of new safeguarded land sites is therefore not consistent with national policy, it would result in a plan that has not be positively prepared as without long-term flexibility in housing land supply, the plan is not seeking to meet objectively assessed housing needs. On this basis, it is maintained the Council's approach to safeguarded land would also result in a plan that is not justified or effective. To address these soundness issues, the plan should support the identification of new safeguarded land sites.
- 2.73 Policy HO2 is also considered to be unsound as it again supports a sequential approach to site selection in supporting Green Belt release only where other sources of supply have proved insufficient. Such an approach is inconsistent with national policy which does not support a sequential approach to site selection and which does support sustainable urban extensions and new settlements.

## **Policy HO3: Distribution of Housing Development**

- 2.74 We **OBJECT** to the proposed distribution of Housing Development set out in part B of Policy HO3. Detailed work on the proposed distribution of development has been undertaken by Johnson Brook on behalf of Barratt David Wilson, Persimmon Homes, Redrow and CEG Land Promotions Ltd, who proposed the following distribution:-

### **Johnson Brook's Proposed Distribution**

<b>Settlement</b>	<b>Objectors Proposed Redistribution</b>
Bradford	3500
Shipley & Canal Road Corridor	3200
Shipley	1250
North East Bradford	4700
South East Bradford	5500
South West Bradford	5000
North West Bradford	4500
Keighley	5100
Bingley	1600
Ilkley	1750
Silsden	1750
Steeton with Eastburn	1500

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Queensbury	700
Thornton	1500
Addingham	500
Baildon	550
Burley in Wharfedale	500
Cottingley	275
Cullingworth	500
Denholme	500
East Morton	150
Harden	150
Haworth	600
Menston	900
Oakworth	250
Oxenhope	150
Wilsden	500

- 2.75 We support the work undertaken by Johnson Brook in relation to the proposed distribution which seeks to increase the distribution to the Local Growth Centre of Steeton with Eastburn to 1,500 dwellings, which will support its role and function in the settlement hierarchy as a sustainable settlement which can accommodate growth.

#### **Soundness**

- 2.76 As referred to in detail in the Johnson Brook representations, the proposed distribution of housing is unsound as the proposed approach cannot be justified given evidence relating to land constraints in some settlements in the first two tiers of the settlement hierarchy and the ability of settlements in the Wharfedale area to accommodate a higher level of growth than is proposed. The distribution proposed still results in the primacy of development in top two tiers of the hierarchy, but distributes development to support the delivery of sites in the early part of the plan period where some sites in high level tiers are more constrained. The distribution proposed therefore ensures the delivery of the objectively assessed need for housing while remaining in proportion with each settlement's position within the settlement hierarchy.

#### **Policy HO4: Phasing the Release of Housing Sites**

- 2.77 We **OBJECT** to Policy HO4 which seeks to phase the release of housing allocations. There is no specific support for the phased release of housing sites within the NPPF and it is maintained the Council's proposal to phase the release of sites has the potential to constrain the development of deliverable sites.
- 2.78 As the Council suggest in the supporting text to the policy that there would be no bar on a particular type of site being placed within the first phase, it is maintained the delivery of sites is best considered on a site by site basis, rather than arbitrarily splitting the allocations into two phases which may result in

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otherwise deliverable sites being unnecessarily held back from being developed.

### **Soundness**

2.79 Policy HO4 is unsound as its inclusion could result in a plan which is ineffective in delivering the quantum of housing to meet the objectively assessed needs for the District as it could unnecessarily hold back deliverable sites whilst in contrast there may be sites in the first phase which are not deliverable in the first half of the plan period.

2.80 To ensure the plan is effective and deliverable over its period, the phasing policy should be removed to provide developers and landowners to bring forward sites when they are deliverable rather than arbitrarily splitting sites into two phases.

### **Policy HO5: Density of Housing Schemes and paragraph 5.3.80**

2.81 We broadly support the wording of Policy HO5 which allows some flexibility to ensure the most efficient use of land is made whilst ensuring an appropriate layout is achieved reflecting the nature of a site. Density targets are only set out for Bradford and the Principal Towns, with densities in lower tiers of the settlement hierarchy to be set out in the Allocations DPD.

2.82 Paragraph 5.3.80 of the supporting text to Policy HO5 confirms the policy wording also allows for flexibility for the negotiation of either lower or higher yields when planning applications are submitted. The text then goes on to advise that higher densities may be required where sites are located in areas well served by public transport, with 'well served' being defined as within city or town centres, within an 800 metre radii around existing railway stations or within 400 metres of a bus stop offering a service four times per hour / 15 minute frequency to one or more of the following centres: Bradford, Leeds, Halifax, Ilkley, Keighley, Bingley or Shipley.

2.83 The supporting text refers to the delivery of higher densities in areas well served by public transport as set out in the policy. However, the supporting text is extremely prescriptive and this is not reflected in the wording of the policy. Indeed, the prescriptive nature of the supporting text contradicts the flexibility suggested in the wording of the policy. In addition, the accessibility of the site should not be the sole determining factor in assessing whether higher densities will be required, as this should be determined on a site by site basis taking into account the surrounding density of development and other site specific factors.

### **Soundness**

2.84 Policy HO5 is deemed to be sound. However, the supporting text set out in paragraph 5.3.80 is unduly restrictive and cannot be justified, given the general policy approach allows for flexibility.

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**Policy HO6: Maximising the Use of Previously Developed Land (PDL) and Paragraph 5.3.91**

- 2.85 Policy HO6 supports the development of PDL. Whilst we broadly support the general approach of the policy, the wording of the policy is deemed to be inconsistent with NPPF.
- 2.86 The supporting text to Policy HO6 refers to the NPPF and the core principle that the planning system should encourage the effective use of land. However, the wording in the NPPF does not reflect the wording in Policy HO6, which states that the Council will give priority to the development of previously developed land and buildings. In seeking to give priority to the development of PDL, rather than encourage its development, this approach is contrary to the wording of the NPPF.
- 2.87 The policy sets a District wide target of 50% which is considered to be appropriate and supported by evidence within the Council's SHLAA. In Local Growth Centres a lower target of 15% has been set to reflect the nature of the land supply in those settlements. We support this lower target in the Local Growth Centres.
- 2.88 Supporting paragraph 5.3.91 states that it is important to stress that the Council are not proposing any form of moratorium of the development of greenfield sites, nor are they proposing that a site's status as greenfield or brownfield should be the only factor in the determination of which sites are allocated. It is advised that in order to gain an overall appreciation of the Council's approach to the release of land, Policy HO6 should be read alongside Policy SC4, which sets out a sequential approach to the location of development and Policy HO7 which sets out more detailed criteria and principles by which sites will be compared, assessed and selected for allocation. It should be noted that it is Policy SC5, and not SC4, which refers to the location of development.
- 2.89 Whilst suggesting that no moratorium is being proposed and that a site's status will not be the only factor in determining which sites will be allocated, Policy SC5 which sets out a sequential approach to site selection and therefore does prioritise the development of brownfield sites. This policy therefore results in brownfield sites being afforded more weight in the allocation process than is suggested in paragraph 5.3.91. As previously set out, we do not consider Policy SC5 to be sound and do not support the sequential approach to site selection supported by that policy.

**Soundness**

- 2.90 Policy HO6 is deemed to be unsound as it states the Council will give priority to the development of previously developed land and buildings. This wording is not consistent with national planning policy which encourages, rather than prioritises the development of PDL.
- 2.91 In addition, it is maintained the statement in paragraph 5.3.91 is unsound as it plays down the importance attached to a site's brownfield or greenfield status,

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whilst wholly contradicted by the inclusion of Policy SC5 which sets out a sequential approach to site selection. Paragraph 5.3.91 would only be justified if Policy SC5, which is deemed to be unsound, is deleted. The supporting text refers to Policy SC4 in error, as it is clear the text should be cross-referencing Policy SC5.

### **Policy HO7: Housing Site Allocations Principles**

2.92 Policy HO7 sets out a number of principles against which sites will be identified, assessed, compared and allocated for housing. Paragraph 5.3.96 advises the policy does not represent an exhaustive list of all the factors which will be used in selecting sites and that it does not indicate a particular order of preference in applying the principles. In this regard, we support the general approach of the policy which seeks to indicate the key considerations that will shape the allocation process.

2.93 Part C of the policy states that the Council will seek to maximise the use of previously developed land whilst part E seeks to minimise the use of green belt land. In seeking to maximise the use of previously developed land it is stated that this is subject to the maintenance of a range of sites which meet local need and provision of a 5 year supply of deliverable sites. In seeking to minimise the use of Green Belt land there is no such reference to the maintenance of a range of sites to meet local need or a 5 year housing land supply.

### **Soundness**

2.94 To be consistent and to ensure the plan is effective in ensuring there is sufficient deliverable and developable sites allocated to meet the District's housing requirement and to ensure there is a rolling 5 year housing land supply, the reference to green belt land should also refer to the maintenance of a range of sites which meet local need and provision of a 5 year supply of deliverable sites.

### **Policy HO8: Housing Mix**

2.95 Policy HO8 seeks to ensure a mix and balance of housing is provided with all large sites expected to incorporate a mix of housing types, sizes, prices and tenures. It is advised the exact mix should be based on both market demand and evidence of local need. Larger sites are defined at paragraph 5.3.114 as comprising sites of 0.4 hectares or 10 dwellings or more. This threshold is deemed to be low given the thrust of the policy. It is questioned whether a site of 10 dwellings / 0.4 hectares could genuinely deliver a mix of dwellings. It is maintained this threshold should be increased to ensure the policy is genuinely deliverable.

### **Soundness**

2.96 Policy HO8 is deemed to be unsound as the policy is considered to be ineffective as it is not considered a genuine mix of houses can be delivered on

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sites as small as 10 dwellings / 0.4 hectares. The site size threshold should therefore be increased for the policy to be effective and sound.

**Policy HO9: Housing Quality and Paragraph 5.3.136**

- 2.97 Policy HO9 requires all housing developments to meet Code for Sustainable Homes Level 4 from the date of adoption and Zero Carbon from 1<sup>st</sup> April 2016. Paragraph 5.3.133 also confirms the policy has been assessed as part of the Local Plan Economic Viability Assessment and that sustainable construction standards are identified as having an impact on plan viability. To address this, the policy states that meeting these requirements will be subject to feasibility and / or viability to respond to changing conditions throughout the plan period. Whilst the policy therefore has some flexibility, it is questioned why the Council is imposing Code Level 4 from the date of adoption when it is advised that sustainable construction standards are having an impact on plan viability and it is in the future that it is envisaged the standards could be met if market conditions improve.
- 2.98 The Council's approach in relation to the imposition of building quality standards is not consistent with their own evidence base. The Local Plan Viability Assessment prepared by DTZ (September 2013) specifically considers the viability implications of this policy and identifies this policy is the largest contributor to the impact on viability. It is advised that there is a case for the amendment of this policy, particularly given building regulations will ensure compliance with environmental construction standards. The report goes on to state that as a minimum, the policy wording should be amended to allow a "subject to viability test" in each case to ensure minimum compliance and avert challenge of the Local Plan through examination.
- 2.99 We do not support the Council's approach in adding the "subject to viability test", which seeks to 'avert challenge of the Local Plan'. The Local Plan Viability Assessment clearly advises at paragraph 4.16.4 that there is uncertainty over the actual standards that will be required in the future by building regulations given concerns over the impact on development viability and that given the possibility of amendments to sustainable construction requirements after the plan's adoption, the removal of this policy requirement from Bradford's emerging Local Plan may be sensible.
- 2.100 At paragraph 5.5 of the Local Plan Viability Assessment concludes the viability testing has revealed the cumulative impact of policies is likely to exceed the "pot" that will be available for such standards across the District and therefore to meet the requirements of the NPPF and ensure the Local Plan is sound, adjustments need to be made to policy. In relation to Policy HO9 it is advised that consideration should be given to whether this policy should be amended, as the largest contributor to impact on viability (particularly in respect of Level 6), it is stated there is a case for the amendment of this policy given building regulations will ensure compliance with environmental construction standards.
- 2.101 Paragraph 5.3.136 provides further information in relation to part A of Policy HO9. It advises that schemes of over 10 units will be determined through a

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Building for Life Assessment. This requirement is not reflected in the wording of the policy and is deemed to be unduly onerous for schemes starting at 10 dwellings.

- 2.102 Part G of Policy HO9 states that higher standards of sustainable design and construction may be required for certain sites or areas where it is feasible and viable to do so. This part of the policy is extremely ambiguous and gives no certainty to developers as to when this part of the policy may be applied. In this regard, part G is considered to be unjustified and ineffective.

### **Soundness**

- 2.103 Whilst Policy HO9 is worded in a flexible manner to address current restrictions resulting from development viability, it is maintained the requirement to meet Code Level 4 from the date of adoption cannot be justified given viability issues have been identified in current market conditions. The requirement to meet building quality standards is best addressed through Building Regulations, rather than the planning process and such an approach is supported by the Council's own Local Plan Viability Assessment. It is maintained this policy is unnecessary in this regard, and cannot be justified on the basis of current viability evidence.
- 2.104 The requirement for schemes of over 10 dwellings to have to provide a building for life assessment is considered to be unduly onerous and is not justified.
- 2.105 Part G of Policy HO9 is ambiguously worded and gives no certainty to developers as to when this part of the policy will be applied. This part of the policy is deemed to be unjustified and ineffective.

### **Policy HO11: Affordable Housing**

- 2.106 Policy HO11 sets out three different affordable housing targets which have been determined on the basis of viability across the District. The policy seeks to achieve up to 30% in Wharfedale, 20% in the towns, suburbs and villages and 15% in Inner Bradford and Keighley. Part B of the policy states that the Council will negotiate for up to the amounts stated, subject to viability.
- 2.107 Whilst we support the flexible wording of the policy which provides the opportunity to negotiate affordable housing based on viability, the Affordable Housing Economic Viability Assessment (HEVA) was undertaken in October 2010 and is therefore considered to be out of date, particularly as it was prepared prior to the adoption of the NPPF. Nevertheless, the Local Plan Viability Assessment undertaken by DTZ (September 2013) has assessed the viability of the targets proposed alongside other policy requirements.
- 2.108 The Local Plan Viability Assessment identifies that based on current values, viability is compromised in lower value areas 3, 4 and 5. Even in the mid-value scenario, there remains viability issues in areas 4 and 5. When considering the cumulative impact of affordable housing and requirements of other policies, the assessment concludes that even if market conditions improved some areas



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should still be unlikely to withstand the cumulative impact of the plan's requirements.

- 2.109 Paragraph 4.16.3 of the Local Plan Viability Assessment advises that only with the return to peak market conditions, the proposed standards are only viable is considered independently of other standards and obligations. When combined with other standards, viability is undermined. It is advised the locations in which the effects are most pronounced are value areas 4 and 5, the urban areas of Bradford and Keighley) where a requirement for 15% is imposed, and to a lesser degree in mid value areas (2 and 3), where 30% is applied. The reports concludes that consideration should be given to reducing affordable housing requirements in these areas, yet the Council has not reduced the requirements.
- 2.110 Based on the Council's current approach, the provision of affordable housing at present in in value areas 2-5 is not viable and this is known, resulting in applicant's having to submit viability assessments in all cases given Part E of the Policy advises that where an applicant can provide a robust, up to date and verifiable evidence to support the view that a site would be unviable if affordable housing targets are required then the exact amount of affordable housing, or financial contribution to be delivered will be determined by economic viability having regard to the individual site and market conditions.
- 2.111 Whilst we support the Council's flexible approach to the provision of affordable housing where there are viability issues, given the evidence clearly demonstrates the targets are unviable they should be reduced accordingly and in the event there is a step change in market conditions, the policy could be reviewed at the appropriate time. To propose a figure that the Council know cannot be achieved alongside other plan requirements is not justified.
- 2.112 Part C of the policy states that the affordable housing targets will apply to sites of more than 15 dwellings and on sites over 0.4 hectares in size, except in Wharfedale and the villages of Haworth, Oakworth, Oxenhope, Denholme, Cullingworth, Harden, Wilsden and Cottingley, where a lower threshold of 5 dwellings is applied.

### **Soundness**

- 2.113 The Council's affordable housing policy is deemed to be unsound as the Local Plan Viability Assessment clearly demonstrates the targets are unviable when assessed alongside other plan requirements. To include targets which could be met only in peak market conditions cannot be justified and places an onerous burden for applicant's to prepare viability assessments when it is known the targets cannot be met. Whilst we support the flexible approach proposed within the policy, it is maintained the figures should be reduced in Wharfedale and inner Bradford and Keighley to reflect the Council's evidence base which demonstrates the targets proposed in these areas are unviable.