For Office Use only:

Date

Ref

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	N/A	**Miss**
First Name		[redacted]
Last Name		**Allison**
Job Title (where relevant)		**N/A**
Organisation (where relevant)		**Walton & Co**
Address Line 1		[redacted]
Line 2		**Leeds**
Line 3		
Line 4		
Post Code		**LS1** [redacted]
Telephone Number		[redacted]
Email Address		[redacted]
Signature:		**Date:**

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	Housing	Paragraph		Policy	HO4

4. Do you consider the Plan is:

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

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.

Please see the attached representation

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.

Please see the attached representation

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

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

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

	No, I do not wish to participate at the oral examination
x	**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:

To ensure a full examination takes place

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

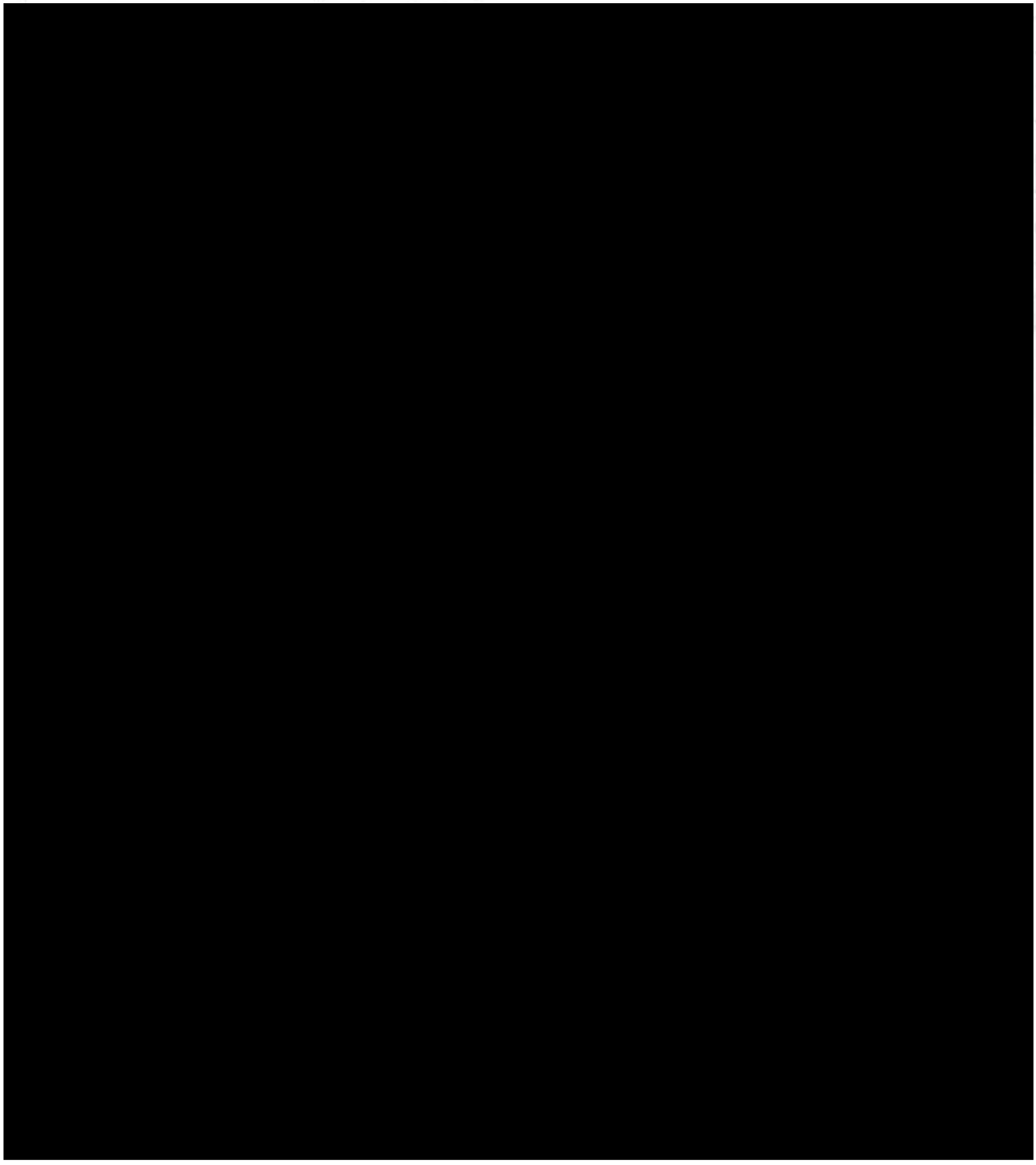
9. Signature: **Date:**

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.



REPRESENTATIONS TO

BRADFORD COUNCILCORE STRATEGY DEVELOPMENT PLAN DOCUMENT PUBLICATION DRAFT VERSION

1. Introduction

1.1 These representations are made in respect of the Bradford District.

1.2 Bradford Metropolitan Borough Council ("The Council") has published its Core Strategy Development Plan Document Publication Draft Version ("Core Strategy") which is out for consultation until 31st March 2014.

1.3 These representations are submitted in relation to the policies contained within the Core Strategy and for the reasons set out below.

2. Legal Context

2.1 Section 20(5)(b) of the Planning and Compulsory Purchase Act 2004 requires an inspector (at an independent examination) to determine whether a Development Plan Document is "sound".

3. National Planning Policy

Soundness

3.1 Paragraph 182 of the National Planning Policy Framework ("NPPF") deals with examining Local Plans and states:

> *"The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. 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;*
> - ***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."*

3.2 We note that the existing guidance published by the Planning Inspectorate entitled 'Examining Development Plan Documents: Soundness Guidance August 2009' remains the approved guidance to Inspectors and still refers to the guidance contained within PPS12, which although withdrawn is still to be relevant to the Inspectors.

3.3 In particular we note that with regard to the test of "justified", PPS12 requires Plans to be:

- *founded on robust and credible evidence; and*
- *the most appropriate strategy when considered against reasonable alternatives.*

3.4 The concept of justification is expanded at paragraphs 4.37 and 4.38 of PPS12. These paragraphs relate to Core Strategies but the concept applies equally to other development plan documents. Paragraph 4.37 deals with evidence base and states:

> *"... It is therefore essential that core strategies are based on thorough evidence. The evidence base should contain two elements:*
>
> > *Participation: evidence of the views of the local community and others who have a stake in the future of the area.*
> >
> > *Research/fact finding: evidence that the choices made by the plan are backed up by the background facts.*
>
> *Evidence gathered should be proportionate to the job being undertaken by the plan, relevant to the place in question and as up-to-date as practical having regard to what may have changed since the evidence was collected."*

3.5 Paragraph 4.38 of PPS12 deals with the issue of 'alternatives' and states:

> *"The ability to demonstrate that the plan is the most appropriate when considered against reasonable alternatives delivers confidence in the strategy. It requires the local planning authority to seek out and evaluate reasonable alternatives promoted by themselves and others to ensure that they bring forward those alternatives which they consider the LPA should evaluate as part of the plan-making process. There is no point in inventing alternatives if they are not realistic. Being able to demonstrate that the plan is the most appropriate having gone through an objective process of assessing alternatives will pay dividends in terms of an easier passage for the plan through the examination process. It will assist in the process of evaluating the claims of those who wish to oppose the strategy."*

3.6 PPS12 also provides guidance on the test of "effective". The concept of effectiveness is expanded in paragraphs 4.45 to 4.47 in relation to Core Strategies but also applies to other development plan documents. Paragraph 4.45 deals with deliverability and advises:

"Core strategies should show how the vision, objectives and strategy for the area will be delivered and by whom, and when. This includes making it clear how infrastructure which is needed to support the strategy will be provided and ensuring that what is in the plan is consistent with other relevant plans and strategies relating to adjoining areas. This evidence must be strong enough to stand up to independent scrutiny..."

General Policies

3.7 The NPPF contains a presumption in favour of sustainable development. Paragraph 14 provides:

*"At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.*

*For **plan-making** this means that:*

- *local planning authorities should positively seek opportunities to meet the development needs of their area;*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - *specific policies in this Framework indicate development should be restricted..."*

3.8 One of the Core Planning Principles contained in the NPPF (at paragraph 17) is to:

"proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities" (our emphasis)

3.9 In regard to housing, a key and overriding objective of the NPPF, as stated at paragraph 47 is:

"To boost significantly the supply of housing"

3.10 In doing so this 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 as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period"

3.11 Having regard to the above policies and statutory context we do not consider that the Core Strategy is sound for the following reasons.

4. Representations to the Core Strategy

Policy HO1 – Objection District Housing Requirement

4.1 We object to the housing requirement. The NPPF at paragraph 47 is quite clear that local plan makers are exhorted boost housing supply.

4.2 The housing requirement has been set at a mid-point of a range between 1807 to 2565. Having regard to the NPPF policy, the annual target should be the higher end of the range identified in the report.

Policy HO2 – Strategic Sources of Housing Supply

4.3 A full review of the Green Belt is required to identify sufficient housing supply. In particular, the Council have identified that there is a deficit in short term deliverable sites and are accordingly suggesting a phasing policy (see further objection to policy H04). Fundamentally, a full Green Belt Review is required to meet objectively identifiable needs.

Policy – HO3 – Distribution of Housing Land

4.4 Objection is made to the distribution. It is considered that increased allocations are required in Keighley which does have the identifiable capacity in accordance with the SHLAA. In addition, Silsden should meet a higher target and should not be constrained by the need to deliver Silsden Bypass. The NPPF is clear that only if traffic congestion is severe, should housing proposals be refused.

Policy – HO4 – Phasing

4.5 The phasing policy is fundamentally contrary to the injunction in the NPPF to significantly boost housing. It is also contrary to the recent Hunston case in which Sir David Keane noted that the correct approach is to first identify the objectively assessed need and then to consider whether that need is consistent with the policies set out in the framework. It is not appropriate to introduce phasing policies which are determined by the extent to which supply can come forward. Such an approach flies in the face of the Hunston Judgment. The use of phasing policy is fundamentally contrary to the NPPF.

Policy H07 – Housing Site Allocation Principles

4.6 The explicit use of phasing policies within the site allocation principles is again contrary to the NPPF. The Council must assess the objectively assessed needs and ensure that the supply will meet those needs.

Policy EN2 – Housing Site Allocations

4.7 Objection is raised to this policy which restricts housing and development in the North and South Pennine Moors. Development should be permitted if adverse effects on these areas can be mitigated and secured at the time of an application for proposed development.

Sub Area Policy BD1 – the Regional City of Bradford including Shipley and Lower Baildon

4.8 Objection is raised to this policy. It should be made clear that the policy should also provide for regeneration of the Shipley Corridor through a retail scheme such as the Crag Road, Shipley Exchange.

Sub Area policy AD1 - Airedale

4.9 Objection is raised to the requirement that a bypass for Silsden is required in order to accommodate a 1000 new homes. Objection is specifically raised to Highway improvement T4 to the East of Silsden, so far as it is suggested that such scheme is necessary to enable a 1000 dwellings to be brought forward.

4.10 Objection is again raised to the South Pennine Moors SPA and Policy EN2 on the basis that it does not allow for development to be approved providing mitigation measures are introduced.

5.1 Having regard to the objections set out in section 4 above, we consider that the following amendments are required to the Core Strategy:

- Policy HO1- The housing target should be higher in order to meet objectively identified needs.
- Policy HO2 - A few Green Belt Review is required.
- Policy HO3 – Keighley & Silsden should meet higher numbers.
- Policy HO4 – Phasing should not be introduced.
- Policy HO7 – Phasing should not be introduced.
- Policy EN2 - Development should be allowed if mitigation can be provided.
- Policy BD1 - A retail store should form the basis of enabling development.
- Policy T4 - Silsden Bypass is not required.
- Policy AD1- A retail led scheme should be proposed.

DRW.LA. 31st March 2014

[redacted]