



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	Mr	
First Name	[REDACTED]	
Last Name	Brown	
Job Title <small>(where relevant)</small>	Chairman	
Organisation <small>(where relevant)</small>	Greenhill Action Group Ltd	
Address Line 1	[REDACTED]	
Line 2	Bingley	
Line 3	[REDACTED]	
Line 4		
Post Code	BD16 [REDACTED]	
Telephone Number	[REDACTED]	
Email Address	[REDACTED]	
Signature:	[REDACTED]	Date: 31 st March 2014

Personal Details & Data Protection Act 1998

Regulation 22 of the Town & Country Planning (Local Development) (England) Regulations 2012 requires all representations received to be submitted to the Secretary of State. By completing this form you are giving your consent to the processing of personal data by the City of Bradford Metropolitan District Council and that any information received by the Council, including personal data may be put into the public domain, including on the Council's website. From the details above for you and your agent (if applicable) the Council will only publish your title, last name, organisation (if relevant) and town name or post code district. Please note that the Council cannot accept any anonymous comments.

For Office Use only:			
Date			
Ref			

PART B – YOUR REPRESENTATION - Please use a separate sheet for each representation.

3. To which part of the Plan does this representation relate?

Section	Section 3	Paragraph	-	Policy	Spatial Vision
	Section 4.2		-		Sub Area Policies: Airedale
	Section 5.2		-		Transport and Movement
	Section 5.3		-		Housing
	Section 5.4		-		Environment

4. Do you consider the Plan is:

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

5. Please give details of why you consider the Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please refer to the guidance note and be as precise as possible.

If you wish to support the legal compliance, soundness of the Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Note: Where 'Draft' or 'Plan' appears it means the Core Strategy Development Document Publication Draft.

Greenhill Action Group is a pressure group established for the public benefit in the area to the west of Bingley comprising Crossflatts, Micklethwaite and the Fairfax, Oakwood, Lady Lane environs of Bingley. This area (commonly termed Sty Lane, Micklethwaite) has been subject of many Planning Panels and Public Inquiries over 20+ years, each of which we have won.

Greenhill Action Group are supported by Philip Davies, MP; Councillors, David Heseltine, John Pennington and Mark Shaw but more importantly by thousands of residents in the local area not only surrounding this site but also farther afield in the wider Bingley and East Morton area.

1. LEGAL COMPLIANCE

1.1. The Draft fails to be legally compliant because there has been no meaningful co-operation with neighbouring Authorities particularly in terms of housing requirement in the housing market area, constraints and opportunities in the market area. The Draft has deficiencies in how the Council has performed its **Duty to Co-operate** which include:

1.1.1. Inadequate Co-operation with LPAs having common boundaries with CBMDC.

1.1.1.1. **Housing.** The Council has a duty to co-operate with adjacent LPAs. There is no record in the Draft that quantifies the extent and quality of co-operation undertaken or that identifies those with whom the Council co-operated, what the process was and to what extent any outcome has impacted on the Draft. This failure to co-operate adequately will have a harmful impact on sensitive issues such as:

- Preservation of green belt and green land
- The calculation of actual housing need as between CBMDC and adjacent/contiguous LPAs
- Further impact will be made on the location of sites within CBMDC where housing development will proceed
- Checking the unrestricted sprawl of large built up areas
- Transportation and movement of people within CBMDC and adjacent LPAs

1.1.1.2. **Employment.** The Council's duty co-operate under this heading is equally important. The same criticisms apply here as in 1.1.1.1.

1.1.2. **Inadequate Co-operation with Public Bodies and National/Local Organisations who understand matters of legacy, heritage, conservation and wild life preservation.** There is little evidence of co-operation with such bodies, the nature of any engagement and the outcomes. The Draft is incomplete leading to hazards including

1.1.2.1. Increased health care challenges

1.1.2.2. Inadequate supply of school places

1.1.2.3. Flood risk.

1.1.2.4. An impoverishment of public amenity as heritage and conservation values are not understood or embraced

1.1.2.5. Legacy issues, nourishment of the amenity and quality of the City itself (including SEGIs, green lungs, heritage locations and conservation areas) and life for future

generations do not receive the emphasis that compliance with NPPF requires.

2. SOUNDNESS OF THE PLAN

2.1. The Draft is not sound because its strategy fails to have regard to constraints that will be prejudicial the delivery of the Plan. Therefore, Draft is not positively prepared.

2.1.1. The NPPF states '**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'. The Draft cannot be characterised as 'positively prepared' since it omits inter alia:

2.1.1.1. The required co-operation with neighbouring authorities (as described in 1.1.1.1.) that might have identified any 'unmet needs'.

2.1.2. The NPPF, under the section *Achieving Sustainable Development*, adopts the United Nations General Assembly's Resolution 42/187 which defined sustainable development as '*meeting the needs of the present without compromising the ability of future generations to meet their own needs*'. Yet, in its Sustainability Assessment the Council chooses to adopt a different definition of sustainability (AMEC's Sustainability Assessment 1.3 '*commonly defined as ensuring that there is a better quality of life for everyone now and in the future*'). It is irrational not to adopt the NPPF UN definition.

2.1.3. The Draft adopts a less rigorous definition of sustainability than NPPF therefore its Sustainability Assessment is unreliable.

2.2. The plan is not based on thorough evidence and analysis of constraints and opportunities including reviews of Green Belt and other open land.

2.2.1. The NPPF states '**Justified** - the plan should be the most appropriate strategy, when considered against reasonable alternatives, based on proportionate evidence'. Choices made in the draft are inappropriate in the light of 'proportionate evidence' among which are

2.2.1.1. In Section 3 Spatial Vision the Key Diagram-Location Strategy (p66) displays 20 Potential Localised Green Belt Deletions. Until the other issues ranging from

- co-operation with surrounding LPAs
- subsequent re-appraisal of housing need and site locations
- improved performance on PDL uptake
- other issues raised in this representation

the extent to which the Draft inclines toward deletions of green belt land is premature and inappropriate. Furthermore, it is at odds with NPPF paras 79, 83-85.

2.3. The NPPF states '**Effective** - the plan should be deliverable over its period'. There is no evidence to demonstrate that the plan will deliver a sustainable pattern of development and the Council's historic performance creates dubiety.

2.3.1. Over a period of 10 years the Council has failed to meet its published ambitions for new housing starts.

2.3.2. It has been unable to materially improve its performance in reducing the number of empty houses in the City

2.3.3. The volume of sites protected for new house development has, over the period, far exceeded actual housing starts delivered

2.3.4. The Council's performance (compared with other LPAs) in recycling of PDL is weak. The Draft

includes yet more targets and percentages for take up of PDL but there is little evidence in the Draft to offer reassurance that performance will improve.

- 2.3.5. This weak performance puts unnecessary pressure to develop green belt and green land which runs against the thrust of the NPPF.
 - 2.3.6. The above can be levelled at the Council's performance in the recycling of derelict land: the Draft is deficient on the point.
 - 2.3.7. The Draft (5.3.24) includes 4935 sites (of which Table HO2 shows that no less than 3,891 are on green land) that were allocated for housing in the RUDP. But the Council failed to save schedules H1 and H2 the result of which is that the Council has no sites carried forward from the RUDP, as the Council itself has conceded. The Draft is flawed in this regard.
 - 2.3.8. The Council should be asked to explain why the numbers of housing sites discussed in the Draft rely on a quantity of sites where highways/access constraints show no evidence they are capable of being overcome e.g. 420 houses, Sty Lane, Micklethwaite. Such sites may prove undeliverable.
 - 2.3.9. Housing Site Allocation Principles as set out in table HO7 are at variance with other policies in the Draft, are imprecise and are still a work in progress: none of this gives reassurance to the public that this important policy will be executed equitably and proportionally: in this latter respect the draft is incomplete.
 - 2.3.10. The draft mentions (2.64) *"A 16 mile navigable stretch of the Leeds and Liverpool Canal protected by conservation area designation with iconic historic structures such the Five Rise Locks,"* and (3.95 fig SS3 point 5 **Leeds-Liverpool Canal Corridor and key beck corridors**) *"Enhance their positive contribution to recreation, tourism, transport, heritage, biodiversity and environmental quality within the district"*.
 - 2.3.10.1. The Council should take positive action to ensure the conservation area is preserved and nothing is done in its vicinity to destroy its contribution to recreation, tourism and environmental quality just to develop housing.
 - 2.3.10.2. Housing development immediately adjacent to the Leeds-Liverpool Canal Corridor Conservation Area is in contravention of Section 5.4.68, policy EN3 (Historic Environment) point C5, in that they must conserve and enhance the **setting** of heritage assets.
- 2.4. The NPPF states '**Consistent with National Policy - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework**'. The Draft is inconsistent with National Policy in several aspects including:
- 2.4.1. The emphasis on housing and employment development pushing ahead in outlying areas will create avoidable stresses in the transport infrastructure and generate an increase in car journeys.
 - 2.4.2. The City's 'carbon footprint' will be made avoidably larger.
 - 2.4.3. The direction of travel is towards large unmixed use (either housing or industrial) developments which themselves are not sustainable.

3. **BINGLEY**

- 3.1. Supplementary representation by Green Hill Action Group on issues specific to Bingley

3.1.1. **HOUSING**

- 3.1.1.1. The proposal in the Draft for an additional 1400 houses in the town is predicated on the accuracy of the total of 42,100 houses said to be required, given that 1400 is a portion of that 42,100. As pointed out elsewhere in this representation the 42,100 is unreliable because of the Council's failure in its Duty to Co-operate with adjacent LPAs to arrive at an area wide assessment of housing need. In this regard the Draft is not legal and this illegality will have impacts (noted elsewhere) on the numbers, locations and timing of new house building within the boundaries of CBMDC.
- 3.1.1.2. The method by which 1400 was calculated as proportionate for Bingley is imprecise and to a degree hypothetical: no specification of the GIS used is provided, how it was selected and applied to arrive at numbers proposed in the Draft. In this regard the Draft is not Sound.
- 3.1.1.3. The Draft relies on 420 houses from a site that (after a PI in 2003) was allocated for housing but is no longer so allocated because the Council omitted to 'save' its RUDP H2 schedule. In this regard the plan is not sound, not deliverable and, arguably, not legal.
- 3.1.1.4. This same site is unlikely to be deliverable due to highways and access constraints. There is no evidence that these can be overcome. The site has been the subject of a planning application that was refused by 3 Planning Panels, a Public Inquiry that recommended refusal and was called in by the Secretary of State who upheld the refusal. If the site is not deliverable the draft is not sound.

3.1.2. IMPACT ON A CONSERVATION AREA

- 3.1.2.1. The above site lies alongside the Leeds & Liverpool Canal which forms its southern boundary. Since the 2003 PI a material change has occurred inasmuch as this stretch of the canal has been designated a SEGI and a Conservation Corridor established. It is arguable that in today's circumstances, a PI would not have allowed the site to be allocated for housing due to the high risk that development would fail the statutory test to 'enhance' under Sect. 72 Town & Country Planning Act 1990.
- 3.1.2.2. Looking to the future and the NPPF Sect 12 *Conserving and enhancing the historic environment* will come into play. The burden of paragraphs 126, 129, 131 and others will weigh heavily against any future development in this location. As stated elsewhere, development would be in conflict with policy EN3 point C5.

3.1.3. WIDER ISSUES

- 3.1.3.1. The highways infrastructure around Bingley is a network of lanes and traditional estate roads
 - which was acknowledged as inadequate by the Inspectors at the 2003 and 2012 Public Inquiries,
 - added to which the Aire Valley railway line is already over capacity,
 - and the combination of these factors raise huge doubts over the sustainability of further development.
- 3.1.3.2. The above will bring increased car usage, an enlarged carbon footprint, and reduction in air quality which is all at odds with the key ambitions of the Draft and the NPPF.
- 3.1.3.3. There will be conflict with Sub Area Policy AD1: Airedale specifically section D3 which states '*Environment – Improve green infrastructure along the Airedale river, canal and public transport corridors*'. Figure AD1 illustrates.

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.

We are individuals from the local community who do not have the knowledge and skills to advise the Council on how they should modify their approach but suffice to say that they could begin by remedying each of our concerns.

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

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

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

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

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

We have tried to state our case to the best of our ability as laypersons but we consider it is essential that Groups such as ours have the opportunity to input fully into the development of our area. As stated by Parliamentary Under Secretary of State for Planning it is fundamental to the NPPF that local authorities, and the communities who elect them, are in charge of planning for their own areas.

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:

31st March 2014

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.

