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LAND AT SUN LANE BURLEY IN WHARFEDALE

STATEMENT

BY

JEFFREY McQUILLAN

**GREEN BELT and VERY SPECIAL
CIRCUMSTANCES,
LANDSCAPE CHARACTER and AREA OF
OUTSTANDING NATURAL BEAUTY**

Text highlighted within quotes are that of Jeff McQuillan

Introduction

1. I, Jeff McQuillan, am a resident of Burley in Wharfedale, and have lived there for some 18 years. I have worked as a professional town planner but am now retired. I hold a Diploma in Town planning. I am acting in a voluntary capacity as an objector to a significantly controversial proposal that does not serve the best interests of this community.
2. Many local people have objected to this scheme. That demonstrates the strength of feeling over a significantly large housing scheme in the Green Belt. Local political parties are strongly opposed (**Appendix 1**).

Key points to be addressed are:

3. There is a growing lack of public confidence at a local level about the way Bradford Council interprets Green Belt policy in Wharfedale.
4. Bradford Council has placed insufficient weight to landscape character and the significance of the Area of Outstanding Natural Beauty in Wharfedale when dealing with planning policy and/or planning applications.
5. In view of the current partial review of the adopted Core Strategy, it is premature to argue that 700 dwellings are needed in Burley. Such a review is a significant material consideration matter.
6. There is little weight to CEG's scheme in terms of a school and affordable housing. This is a bolted-on scheme that is not sustainable in practice. It furthers urban sprawl and contributes to poor air quality through significant car generation. Therefore, there are no very special circumstances that would clearly outweigh the harm to the Green Belt.
7. Such land in the Green Belt should not be considered for early release, if approved. Any land in the Green Belt should be left alone until other priorities have been developed in the plan period.

Purpose of the Green Belt in Wharfedale

8. The Green Belt has been one of the most successful tools in town planning since the post-war years. It has controlled the expansion of settlements that could have led to merging.
9. The National Planning Policy Framework (NPPF) states in para 134. That:

'the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'.

10. In the context of Wharfedale, it is used to check the unrestricted sprawl of towns and villages like Ilkley and Burley to prevent merging into one another and to assist in safeguarding the valley floor from encroachment.

Green Belt - Wharfedale between Burley and Ilkley

11. The CEG site lies in Wharfedale within the valley floor, between Burley and Ilkley. This section is marked by developments that have affected the landscape character of Wharfedale. Concerns need to be raised over how Green Belt policy has been, and is being, interpreted by Bradford Council, given the approvals it has made. Specific proposals will be referred to later.
12. Wharfedale is a valley of two halves with the River Wharfe acting as an administrative divide. On one side is Harrogate District in North Yorkshire, and Bradford Council in West Yorkshire on the other. The Harrogate side includes an Area of Outstanding Natural Beauty that covers half of Wharfedale. That places Wharfedale of national importance. This is where the character of Wharfedale is best appreciated. However, the valley floor on the Bradford side, between Burley and Ilkley, is verging on being 'semi-urban' in nature, yet within the existing Green Belt.
13. In Wharfedale, the valley floor lends itself to a linear form of development, but the danger is that ribbon development can work against the fundamental aim of the Green Belt. If unrestricted, a large finger of urban sprawl would be created as to destroy the special landscape quality that Wharfedale has. When developers push at those settlement boundaries, local controversy arises because local communities value highly the landscape quality of Wharfedale, and do not want to see this destroyed. This is an asset for all to enjoy.
14. The National Planning Policy Framework (NPPF) states that there is 'a presumption in favour of sustainable development', but that does not give Bradford Council nor any developer a licence to go beyond clear guidance and clear tests, such as the need to maintain the Green Belt. Bradford Council seems too eager to justify developments in the Green Belt as is shown below.
15. In Wharfedale, Green Belt policy needs to be operated through a tight strait-jacket because of the historic closeness of many settlements, such as Burley, Menston and Ilkley. Burley has virtually merged with Menston; a field distance apart does not represent separateness. There is a strong sense of identity in the town and villages in Wharfedale. Its people value the protection that the Green Belt affords them.

Wharfedale's Green Belt - Developments/proposals between Burley and Ilkley

16. I will demonstrate Bradford Council's 'pro-development' approach to the Green Belt by focussing on the corridor between Burley and Ilkley because that is where CEG's proposal lies. Some buildings have existed for many years, but some, like playing pitches on green fields, have been allowed to develop into an intensive physical form that should not have been approved. This form comprises three all-weather artificial grass pitches with high fencing and floodlighting, car parking and clubhouses that is more suited to a suburban area than to the special landscape character of Wharfedale.
17. **Appendix 2** shows the list of developments along this A65 corridor between Burley and Ilkley. It is the visual and spatial impact of those developments, taken together, that makes me conclude that there is little separation between the two settlements. This pattern therefore creates this move towards a semi-urban character. One example of this is the Ben Rhydding Sports Club.

18. Ben Rhydding Sports Club - In 2015, the club put forward a scheme for an all-weather artificial grass pitch to include floodlighting, small spectator-stand, high metal fencing, additional car parking. See Planning Officer's report and decision notice (**Appendix 3**). This was approved by Bradford Council on the basis that these facilities are justified in the Green Belt as they are appropriate for supporting and sustaining a long-established outdoor sports use of the site. This was in addition to the two existing artificial floodlit pitches adjoining the proposed site. It was judged that:

'the new facilities are an exception to the presumption against inappropriate development, and while the character would change, this is outweighed by the benefits of the better facilities for sport being created at the site'.

19. I disagree with that decision. I cite the High Court case of 16 January 2017 (Elmbridge Council v R Boot) in which Green Belt land was to be used to establish sports facilities (**Appendix 4**). It concluded that Elmbridge Borough Council's scheme to develop a 'sports hub' at Waterside Drive by the Thames in Walton, was unlawful.

20. The basic rule for development in Green Belt is that it should be not be 'inappropriate', which means not causing 'harm to openness'. It was argued that the Council had unlawfully decided, when granting itself planning permission, that there was harm to openness but that the harm was acceptable.

21. Green Belt policy needs to be interpreted in a proper manner by local authorities, like Bradford Council. It is my view that the intensive use of land, in the case of Ben Rhydding Sports Club, should not have been granted by Bradford Council. This is one key example of how the Green Belt has been eroded over the years by inappropriate development as to dilute the strong sense of separateness of settlements as required in the NPPF.

22. Another key example shows a further 'pro-development' view by Bradford Council to a major scheme by Ilkley Grammar School to build a school in the Green Belt.

23. Ilkley Grammar School - In 2009, there was a major proposal to build a new Ilkley Grammar School off Wheatley Lane on Green Belt land alongside the A65 road to replace the school on their existing site (**Appendix 5**). This was in response to a Government funding scheme at the time. The school explored the options for a new school and the Wheatley Lane site was preferred. This land represents a substantial site that is owned by Bradford Council. It is very prominent and represents valuable green fields that form a special part of the landscape character of Wharfedale.

24. At Bradford Council's Executive Committee on 21 April 2009, a technical report (**Appendix 6**) stated that, in the context of Ilkley Grammar School:

*'obtaining consent to build on a green belt area and ensuring improvement to surrounding highways, would need to be addressed, **it was felt that such risks were minimal** compared to those associated with redeveloping the current site'.*

25. A Bradford Council report: 'Ilkley Grammar School site search green belt justification' for a replacement school, concluded that there were exceptional circumstances justifying the setting aside of Green Belt criteria (**Appendix 7**).

26. This was a controversial proposal and residents of Ben Rhydding mounted a campaign opposing it. It was fortunate that the funding for the scheme fell through. Now Ilkley Grammar School is remaining on its present site and extending the school. This demonstrates the 'pro-development' approach taken by Bradford Council's officers on an important Green Belt site.

27. In 2017, Bradford Council approved a scheme for a retail unit (garden centre with café), a folly, and a glasshouse for the cultivation of plants (**Appendix 8**). The building floorspace would increase by one-third, excluding the folly element and the glasshouse. The assumption appears to be that what was there – a caravan storage area and building - would be a visual improvement through this scheme. What is happening here is that a more permanent structure is being created in the Green Belt, whereas caravans, being temporary in nature, can be removed at will.

28. The report states:

*'Officers consider that the building itself does not fully meet the tests for exceptions under paragraphs 89 and 90 due to the 32% increase in size of buildings. However, taken as whole, the new use would **have a beneficial impact on openness because the caravan storage forms noticeable sprawl and encroachment.** Some storage would be retained at the north side of the site, but replacement of caravans which are often stacked in close proximity with the more transient customer car park, areas of planting, peripheral landscaping and the glasshouses would present **a less urbanised and more open appearance.***

The garden centre use as a whole is therefore not judged to be a departure from the development plan'

*In conclusion, the cross section demonstrates that the bulk and form of the new garden centre pavilion building would certainly be larger than the existing buildings, but its **impact on openness and perceptions of sprawl and encroachment would not be especially pronounced.** Whilst the 32% larger buildings would have more impact on openness than the existing buildings, the use as a whole would have less effect due to the removal of the clutter of the stored caravans which forms noticeable encroachment, especially in views from the hills to north and south, and which adds to perceptions of sprawl of urbanising influences along the A65. **In this respect, the garden centre use of the land would conflict marginally less with the purposes of Green Belt than the existing development.** Any effects on openness are also mitigated by the visual and landscape character benefits presented by the proposals.*

On balance, the proposed use is considered to have a beneficial impact on openness and to cause less conflict with the purposes of Green Belt than the existing use'.

29. Retailing or the erection of a commercial glasshouse are not acceptable uses in the Green Belt and such a scheme could become so successful as a retail operation that an extension of buildings and car parking within the site could come forward later. This scheme was against NPPF para.149(d) that replacement buildings should be of same use and not larger.

30. SHLAA Site, Ben Rhydding - Bradford Council put forward its own landholding for potential housing development in the context of SHLAA. This is the same site put

forward for a new grammar school referred to in para.19. This site is substantial in size (nearly 26 acres) and has a frontage onto the A65 road, of 1 km in length. It could produce over five hundred dwellings, similar to the CEG site in Burley. This, together with the CEG site will reduce the Green Belt separation by 1.7 metres between Burley and Ilkley, giving an effective separation of 1.1 kms. That is a totally unacceptable level of separation, given the existing and proposed developments mentioned above.

31. This demonstrates Bradford Council's 'pro-development' approach to the Green Belt. If this site becomes one of the preferred sites in its Allocations DPD for Ilkley, then that raises more serious concerns about urban sprawl and the merging of settlements in Bradford District's most scenically attractive valley of high landscape value. More importantly, this raises a key issue of public trust in a local planning authority that should be safeguarding these interests for the public good.

Green Belt Concerns

32. During the public hearing on the Core Strategy, Bradford Council, produced a paper (**Appendix 9**) on 'Green Belt and Exceptional Circumstances' on 6th March 2015. Para.2.3, refers to:

'a significant number of strategic land parcels which adjoins settlements which could be developed in a sustainable manner and which would not unduly harm the strategic functioning of the Green Belt'...

33. It is highly likely that the CEG site was one of those. Yet, in para 2.5, it states that '**the Council will seek to minimise as far as possible green belt release when it prepares the detailed site allocating components of the Local Plan**'.

34. The Council states in para.2.4 that land for 11,000 dwellings in the Green Belt **may be required**. That is hardly a fixed figure.

35. In para 2.2 of that report, it states that:

*'It has also been mindful of the danger that if economic and jobs growth outstrips the provision of new housing, the benefits that may or may not accrue from slightly smaller green belt change would be outweighed by increased levels of commuting which in turn **would impact on the Council's goals to reduce greenhouse gas emissions, reduce or manage congestion and improve air quality**'.*

36. The CEG site would reinforce Burley as a commuter village and increase levels of poor air quality through car use as the main mode of travel. That is a strong case for refusing the CEG scheme which will generate many hundreds of cars on the road.

37. Core Strategy Policy HO7 on 'Site Allocation Principles' includes the need for minimising use of Green Belt land and environmental impacts of housing growth such as flood-risk and biodiversity. **Part G of that policy refers to the need to reduce travel and ensuring that sites relate well to the form and character of the settlement and do not detract from its landscape setting.** CEG's site does not relate well to the village form. It represents a bolted-on development that could destroy the form and character of the village.

38. As part of the development of the Core Strategy, the status of Burley as a Local Growth Centre only arose after CEG's challenge of Bradford Council's interpretation of the Habitat Regulations Assessment. The sudden change in status from Burley as a Local Service Centre means that Bradford Council is willing to see further growth in housing and employment by rolling back even more Green Belt in years to come. The housing allocation changed significantly from 200 dwellings to 700 dwellings, all because of the pressure put on Bradford Council by CEG to see their site for 500 dwellings included as part of Burley's allocation. That represents a significant increase and would, if developed fully, increase the population of Burley by over 20% in the plan period (350% increase in site allocation).
39. Identifying Burley and Menston as 'Local Growth Centres' is fundamentally flawed. Promoting 2,400 houses in Wharfedale with its associated urban sprawl will erode the special character that Wharfedale presents. This review of the Core Strategy is welcomed and couldn't come soon enough.
40. This policy (SC4) on hierarchy of settlements, although adopted, will have dire consequences on the future village and landscape character of Wharfedale, when one considers that Ilkley is a 'Principal Town' and Burley and Menston are 'Local Growth Centres'. There are serious consequences of this policy that needs to be challenged.

Landscape Character

41. Wharfedale is the most scenically attractive part of Bradford District. This is demonstrated by the many visitors and tourists who come to visit. Ilkley has a tourist information point, and holds many cultural festivals, such as the Ilkley Literature Festival. It is boosted by its status as part of an Area of Outstanding Natural Beauty. AONBs are nationally protected by Government legislation in recognition of their national importance to ensure that their character and qualities are maintained for all to enjoy.
42. Wharfedale's landscape cannot be appreciated by looking solely at the Bradford side of the valley. One looks at the valley as a whole. Nature didn't plan administrative boundaries using the river! This landscape character has been fully expressed in Bradford Council's document (Landscape Character Supplementary Planning Document Vol 8 Wharfedale – Oct 2008) (**Appendix 10**). It refers to the strength of landscape character as 'strong'. In para 4.1 it states that it holds:

'a distinctive identify within the district created primarily by landform supported by a well-wooded landscape and settlements with distinct edged and separate identities.

43. It also states in para 4.1 that:

'although lacking statutory designation, the Wharfedale character is considered to have a high landscape quality'.

44. In para. 5.6 it states that:

'Opportunities for new development in Wharfedale are limited by the need to preserve the sharp edges of the existing settlements. The retention of the separate identity of the existing towns and villages through physical separation, should be a long-term aim'.

45. Following concerns over the appeal cases over landscape character, Brandon Lewis MP, former Minister of State for Housing and Planning, in a letter (**Appendix 11**) dated 27 March 2015 to the Planning Inspectorate, stated the following:

*'I have become aware of several recent appeal cases in which harm to landscape character has been an important consideration in the appeal being dismissed. These cases are a reminder of one of the twelve core principles at paragraph 17 of the NPPF - that plans, and decisions **should take into account the different roles and character of different areas and recognise the intrinsic character and beauty of the countryside – to ensure that development is suitable for the local context**'.*

46. Bradford Council seems to treat one green field just like any other in the District. If it heeded the above advice, why would they increase the allocation for Burley by 350%?
47. When assessing CEG's planning application, Bradford Council's own Landscape Section made the following response as an internal consultee (**Appendix 12**):

'Having assessed all of the relevant submitted information, we believe that the proposed development does not comply with either of these CBMDC policies and that it would adversely affect the distinctive and sensitive existing landscape character of the Wharfedale area'.

48. It is my view that the landscape character of Wharfedale has not been given sufficient weight. Careful consideration should have been given to this matter and to the critical importance of the Green Belt in Wharfedale, before Bradford Council supported the CEG scheme, and changed Burley's status to a 'Local Growth Centre'. That critical moment was a point of no return for the Council.

CEG scheme for 500 dwellings

49. This scheme, by all accounts, is the biggest in scale that Burley has seen for many years. The site put forward is larger than the original SHLAA site. It extends some 700 metres along the A65 road, representing a significant extension to the village of Burley along the valley floor, all within the Green Belt. This is a serious example of urban sprawl, made in the pretext of helping to meet Bradford Council's housing target, a target that is currently being reviewed by Bradford Council to ensure continued soundness of the Core Strategy.

50. Because of its overwhelming scale, CEG's site is a 'bolted-on' scheme that would see future occupants rely on cars as the main mode of travel. It is too distant from the railway station for people to walk or cycle as a normal mode of travel. Bus travel is unlikely to be the favoured choice of most working people. This is not a sustainable site. The NPPF's definition of sustainable transport modes is:

'Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra-low emission vehicles, car sharing and public transport'.

51. In an early public relations exercise in April 2016, CEG sought to convince the people of Burley of idyllic village life in its Masterplan (**Appendix 13**), comprising community

facilities, such as the delivery of a new primary school, allotments, extensive areas of open space, extensive landscaping, village green, play areas, pocket parks, biodiversity areas, linear and waterside parks, footpaths and cycleway, all within a seven year build period.

52. Burley people were not taken in by the contents of this glossy brochure. In the village's Neighbourhood Plan, approved through a referendum in 2018, the people of Burley stated that they did not want to see more large housing estates, having the experience of two such estates at Sandholme and Long Meadows.
53. CEG sought to delete the specific reference to large housing estates in the draft Neighbourhood Plan, and after 'pressure' upon the parish council, this was deleted. Interference of this kind in Burley's Neighbourhood Plan, shows the determination CEG displays in trying to soften local documents that suits their commercial interests.
54. CEG has chosen not to wait for Bradford Council's process for preparing the Local Plan, of which the Allocations DPD is a crucial document, yet to be published. It is of serious concern that Bradford Council's progress in publishing the Allocations DPD seems to have stalled since the Core Strategy was adopted in 2017. This provides the proper vehicle for reviewing the Green Belt, as expressed on Policy SC7 – Green Belt.
55. It is likely that, CEG will sell the site with outline planning permission to one or two major housebuilders. They, in turn, are likely to re-negotiate the planning conditions and legal obligations to develop a full scheme that ensures maximum profits. If this scheme is approved, it is doubtful if much of the community benefits will be seen. If approved, CEG and the future housebuilders, will move on from the area and leave their mark as a poor legacy for the village. In Cullingworth, a village in Bradford District, CEG obtained outline planning permission for a housing scheme for 233 dwellings. Before this scheme was developed by big housebuilders, a Deed of Variation was agreed with Bradford Council to reduce the level of affordable housing. This is one example where legal obligations can be reduced to secure financial viability or to maximise profits. (**Appendix 14a**).
56. In a report to Bradford Council's committee on 14 May 2018 (**Appendix 14b**) it shows that the Council is willing to reduce contributions:

'If the Council believe that it is important to promote development despite the developer contributions not being met in full'...
57. The case study, already referred to, (Elmbridge Borough Council and R Boot) (**Appendix 4**) was for a sports facility in the Green Belt. It showed that the council concerned had erred in its interpretation of NPPF by finding that development could preserve the openness of the Green Belt even if it causes harm to openness. The case demonstrates that the Local Planning Authority does not have any latitude to find otherwise, based on the extent of the impact. 'The High Court upheld the challenge and concluded that a development cannot "preserve" the openness of the Green Belt when it causes harm to openness'.
58. CEG's proposal for 500 houses in the Green Belt would make significant impact and contribute to urban sprawl. The proposal should be refused on Green Belt grounds

alone as it would destroy the openness of the Green Belt and would therefore be inappropriate, especially when existing settlements in Wharfedale are spaced closely apart.

Very Special Circumstances

59. If this CEG scheme is to be approved, it must pass the test on 'very special circumstances', according to NPPF in para143-147:

'143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

144. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

145. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- i. buildings for agriculture and forestry;*
- ii. the provision of appropriate facilities (in connection with the existing use of land*

or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

146. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

iii. mineral extraction;

iv. engineering operations;

v. local transport infrastructure which can demonstrate a requirement for a Green

Belt location;

d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

e) material changes in the use of land (such as changes of use for outdoor sport or

recreation, or for cemeteries and burial grounds); and
f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

147. When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associate with increased production of energy from renewable sources.

60. Ministerial Intervention took place through a call-in of Bradford Council's draft Core Strategy by Gavin Barwell MP, Minister of State for Housing and Planning. He wrote to Bradford Council in a letter dated 28 March 2017 (**Appendix 15**). In para.4 & 5:

*'The Secretary of State acknowledges that the Plan does not alter the existing boundaries of the Green Belt and that **any future changes to Green Belt boundaries will be through the preparation of Site Allocation Development Plan Documents ("Site Allocations")**. The National Planning Framework is clear that Green Belt boundaries should be amended only "in exceptional circumstances" when plans are being prepared. In removing the holding direction, **the Secretary of State is not accepting that the exceptional circumstances exist to justify the amendment of any specific Green Belt boundaries**. The powers of intervention available to the Secretary of State under sections 21 and 21A of the Planning and Compulsory Purchase Act 2004 can be exercised on any development plan document and the Secretary of State will consider their use on any Site Allocations brought forward.*

61. It is important to note that the Secretary of State *'is not accepting that the exceptional circumstances exist to justify the amendment of any specific Green Belt boundaries'*.

62. This letter reinforces the point that changes to the Green Belt can only be made through the Allocation DPD. Bradford Council has failed to deliver this document. The latest date for a draft publication is early 2020. We have seen this timetable slip several times!

63. This re-active approach by Bradford Council in determining the revised Green Belt is at odds with the plan-led process that should give the people of Burley an opportunity to offer public comment on green belt matters and proposed housing sites through the Allocations DPD. In the Core Strategy SC7 (Green Belt Policy) it states that:

'The selective review will be undertaken through the Allocations DPD in consultation with local communities and stakeholders'.

64. The NPPF makes very clear about the responsibility of local planning authorities to examine 'other reasonable options' before Green Belt changes are made. I am aware of sites with planning permission that are not developed in Bradford District because the private housebuilding sector/property developers can 'cherry pick' sites to minimise risks. It states in NPPG – para. 13:

'Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need

for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy: makes as much use as possible of suitable brownfield sites and underutilised land; optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground’.

65. Bradford Council seems to put forward the argument that, as the CEG site falls within a part of Burley that could deliver substantial benefits as part of a plan-led approach, then that is enough to overcome ‘very special circumstances’.
66. That argument is now at risk because the Core Strategy is the subject of a current review on the overall housing target that could lead to a substantial reduction in that figure, and the allocation of houses for Burley.
67. **It is therefore premature to state that 700 dwellings are required for Burley when that might not be the case, post-review.** Any decision on the CEG scheme should await the outcome of the review into the Core Strategy. That would also enable Bradford Council to catch up on its Allocation DPD to enable a further opportunity for the people of Burley to comment on this document as well.
68. School benefit - CEG’s offer to provide a site for a primary school has changed to offering a site; quite a difference! But this site would be only available for ten years. If it is not needed for a new primary school, this may well be developed for more housing. The CEG masterplan (**Appendix 13**), promoted in the early stages of the scheme, seems to be crumbling into something of little weight when testing ‘Very Special Circumstances’. No consideration seems to have been given to assessing whether or not new primary school places could be accommodated at the two existing primary schools without the need for a new school. Burley Oaks, in particular, could provide a substantial extension within its grounds without diminishing the requirement for play space. It should be well noted that CEG nor Bradford Council can guarantee that a new school will be delivered. Therefore, little weight should be attached to a fragile offer of a piece of land.
69. Affordable housing – Wharfedale has the highest house prices in the District. Providing affordable housing in Wharfedale does not mean that houses are affordable. The housing market is dynamic and the requirement by Bradford Council to provide affordable housing in this scheme may not be fully met. Any figure agreed at outline planning stage in a Section 106 Agreement can be altered downwards when a full planning application is submitted. For a housebuilder, the financial figures are crucial to ensure that at least their profit margin is protected or enhanced.
70. Bradford’s Council’s Core Strategy in para. 5.3.61 states that:

‘While greater quantum of affordable housing could theoretically be secured by a distribution weighted more towards the settlements of Wharfedale, such an approach

would not reflect the distribution of need for such affordable housing which according to the updated SHMA is **concentrated more in the urban areas of the District**'.

71. It seems that offering a level of up to 30% affordable homes on this site looks like more of a carrot on the part of CEG to secure a heavy weighting to bolster their case, when there is not the need in Burley for such a high level of provision. Already, there is provision for affordable housing in the Greenholme Mill site in Burley, already approved in outline.
72. Core Strategy Policy (HOS7) on Housing Site Allocation Principles referred to the need to minimise the use of Green Belt land within the Plan area. It seems that both Bradford Council and CEG want to ignore policy when it suits them.
73. Land in the Green Belt should only be released where brownfield sites and under-used sites have been developed first. Bradford Council needs to face up to the challenge of getting such sites ready for development by setting out a workable strategy to encourage the private sector to develop on such locations. A shortfall in the supply of land for housing can be simply an over ambitious housing target. That is no justification for releasing Green Belt land.
74. The 5-year land supply requirement - this need does not automatically ensure that land in the Green Belt should be developed if there is no 5-year supply. It is a question of balance where development in the Green Belt comes under question. It is not for Bradford Council to argue that because a shortfall exists, then the CEG site must be developed. Shortfalls exist in part because of economic factors and/or where social housing is not being created where it is most needed. Building on prime Green Belt land does nothing to solve Bradford's housing need nor reduce the need for commuting by car. Burley is not an area of housing need.
75. In an appeal decision (**Appendix 16**) involving Waverley Borough Council, a planning inspector refused permission for the development of land in the Green Belt despite the Council being unable to demonstrate a 5-year supply of land. The inspector in question referred to the Planning Practice Guidance which states that unmet housing need is unlikely to outweigh the harm to the Green Belt (reinforced by recent Secretary of State pronouncements).
76. In Planning Practice Guidance (**Appendix 17**) with regards to housing and economic land availability assessment, it states that:

*'the assessment is an important evidence source to inform plan making but does not in itself determine whether a site should be allocated for development. **This is because not all sites considered in the assessment will be suitable for development (eg because of policy constraints or if they are unviable).** It is the role of the assessment to provide information on the range of sites which are available to meet need, but it is for the development plan itself to determine which of those sites are the most suitable to meet those needs'.*

[Paragraph: 003 Reference ID: 3-003-20140306 Revision date: 06 03 2014]
77. Green Belt is a firm policy constraint, and the way this large site was supported by Bradford Council raises questions about the weight it placed on Green Belt land in Wharfedale.

78. There is an existing strong pattern of separate settlements. This is an essential characteristic of Wharfedale. Green Belt policy should ensure that that continues to be the case by acting more firmly and allowing as much separation as possible otherwise it will be promoting urban sprawl.
79. Bradford Council needs to complete the job by publishing the Allocations DPD and not support proposals put to them by property developers, like CEG. The Local Plan is the best platform for Bradford Council to be 'on the front foot'.
80. Bradford Council's failure to progress this Plan has led to Burley facing a substantial growth target of 700 dwellings, far more than what is needed in this sensitive landscape. Burley's baseline figure was 518 dwellings. (Table HO3), yet 700 dwellings became the new target. This figure had no regard for landscape characteristics nor to the major policy constraint of Green Belt. It is not good enough for Bradford Council to conclude when planning applications are considered by officers that the benefits outweigh the harm done to the Green Belt. This proposal is detrimental to the proper development of the village of Burley.
81. The original proposal of 200 dwellings was, I believe largely accepted by Burley Parish Council as a target that could be met without encroaching onto the Green Belt. To increase this target by 350% is wrong and unjustified, given the reasons expressed.
82. The Masterplan set out by CEG is merely an indicative plan that bears little weight in this outline planning application. Doubts must be raised about the 'promises' made by CEG. The content in the Masterplan is likely to be radically changed when the big housebuilders prepare a full planning application. Therefore, the balance of weight on any approved outline planning application may be very different to what follows. That is of great concern to local people. They don't want to see their village destroyed by an unwanted scheme, motivated primarily with profit in mind.

Green Belt – Land Release during the Plan Period

83. The **Core Strategy Policy (HO4)** on '*Managing Housing Delivery in a Sustainable Way*' supports a need for managing land release over the plan period up to 2030. Bradford Council uses the pretext for the release of the CEG site in part D of that policy'

'D. Consideration will be given to bringing forward large or complex sites within the first phase where this would aid delivery in full in the plan period or where it would help to secure required investment and infrastructure'.

84. To choose the CEG site in the Green Belt as one to be developed early in a phased release does not suggest good planning judgment on the part of Bradford Council. This Green Belt site should be released at the end of the plan period, if at all. This demonstrates again how little Bradford Council appreciates the importance of Green Belt land, and the high-quality landscape character of Wharfedale. For those who live in Wharfedale, there is a policy clash between SC4 (with its local growth centres), and that of SC7 (on Green Belt).
85. Bradford Council's **Core Strategy- SC5 on Location of Development** – states that it will allocate sites in the Allocations DPD in a sequential approach as follows:

First priority to the re-use of deliverable and developable previously developed land and buildings provided that it is not of high environmental value and the more efficient and effective use of existing developed areas within the City of Bradford, Principal Towns of Ilkley, Keighley and Bingley, the Local Growth Centres and the Local Service Centres.

Second priority to other Greenfield opportunities within the settlements.

Third priority to Local Green Belt releases to the built-up areas of settlements in sustainable locations.

Fourth priority to larger urban extensions in sustainable locations.

86. Because an area of land, including CEG's site, now lies outside the scope of the HRAs, that does not mean such Green Belt land is suitable for development.

87. In meeting housing need, Bradford Council identified an allocation of 200 houses as being acceptable for Burley. There is no logical basis for suddenly changing this allocation if Bradford Council realised the importance of the Green Belt in Wharfedale nor the impact on the existing settlement. An additional 500 dwelling is too significant an increase to accommodate in an integrated and sustainable way using this site. The proposal is a bolted-on extension to the village.

88. Bradford Council at the time of changing Burley's allocation, failed to show sufficient weight to the high landscape quality of Wharfedale that is reinforced by the adjoining Area of Outstanding Natural Beauty, nor to the importance of the Green Belt in this sector to stop urban sprawl, given the closeness of settlements in Wharfedale, and the tendency towards a semi-urban nature of the valley floor in this part. In landscape terms, Wharfedale needs to be viewed as a whole, including the Harrogate District side.

89. Bradford Council has not only paid insufficient regard to these matters, but also to the ability of the village of Burley to cope with this kind of growth. Building on Green Belt in the most attractive part of the District is at odds with the real housing need that lies in Bradford.

Conclusion

90. I have shown that:

- Bradford Council has not exercised good judgment when development proposals have come forward in the Green Belt.
- It has promoted an unrealistic overall housing target.
- It has supported a large scheme that it believes will help maintain a five-year housing supply but do little to solving Bradford District's housing need in Bradford. That is a high price for a substantial housing scheme in such a sensitive area as Wharfedale with its Green Belt protection.
- This scheme does not improve air quality because the occupants of 500 dwellings (max of 1,000 cars) will most likely commute by car. This is contrary to Bradford Council's policy to reduce levels of poor air pollution.
- **Core Strategy** - It has been forced to review parts of the adopted Core Strategy. The conclusion of such a review should lead to the overall housing

target being significantly reduced. That should have a knock-on effect on Burley's 700 dwellings allocation. **This review must form a material consideration at this inquiry.** Until that review has been formally examined and adopted, CEG's scheme should be treated as premature, and be recommended for refusal, as not meeting the high bar on 'very special circumstances'.

- **Green Belt/Landscape quality of Wharfedale** has been underplayed in decision-making by Bradford Council. Its treatment of the Green Belt in a corridor where settlements are relatively close together shows that Bradford Council cannot exercise good planning judgment when development pressures arise.
- **Local Plan (Allocations DPD)** - Bradford Council has put itself in an exposed position with developers like CEG because of its slowness in producing the emerging Local Plan. Bradford Council needs to speed up this process and urgently address the issue of loss of public confidence from the people of Burley.
- **SC4/HOS3 Core Policy** - Although not a subject for this Inquiry, Bradford Council's SC4 policy on hierarchy of settlements needs to be challenged, otherwise Wharfedale will suffer from cramming more development into this sensitive landscape of national importance. Also Policy HOS3 to distribute 700 houses to Burley also needs to be challenged.
- **Burley Neighbourhood Plan** - It is not acceptable to the people of Burley to see such a scale of development forced on the people of Burley when it participated in the making of its own Neighbourhood Plan. Burley residents didn't spend its own money on this plan to see a bolted-on piece of real estate in a very sensitive landscape, protected by Green Belt.
- **Green Belt and Very Special Circumstances** - It is my view that very special circumstances have not been demonstrated to clearly outweigh the harm done to the Green Belt. The offer of a site for a school and the affordable housing figure that could be reduced by housebuilders, do not clearly outweigh the harm that would be caused to the openness of the Green Belt.

This proposal should be recommended for refusal.