

## **Bradleys Both Neighbourhood Plan**

### **Response by the Qualifying Body to representations received during the Regulation 16 Consultation**

**February 2023**

The Bradleys Both Parish Council Neighbourhood Development Plan (up to 2032) was submitted by Bradleys Both Parish Council as the Qualifying Body to the Local Planning Authority at Craven District Council (CDC) on 28<sup>th</sup> October 2022. CDC subsequently undertook a 7 week consultation in accordance with Regulation 16 of The Neighbourhood Planning (General) Regulations 2012. A number of representations have been received by CDC and Table 1 below sets out the responses from the Neighbourhood Planning Group (NDP Group) of Bradleys Both Parish Council. It is hoped that this will assist the examiner to consider the NDP together with the views and comments expressed during the consultation.

**Table 1: Reg 16 responses and Qualifying Body Response**

Reg 16 Response	Subject of the Reg 16 response	Qualifying Body Response
ED002 Representations from residents	Land to the east of College Road - removal of the Local Green Space (LGS) and other spatial designations from the earlier 2016 consultation draft NDP.	<p>In response to this representation the NDP group wish to point out that the NDP has been prepared over a considerable length of time (commencing in 2013) and with the best endeavours of the Parish Council and support from local volunteers. Those currently working on the NDP were not involved at the initial stages and so it has unfortunately not been possible to provide definitive answers to some points made by this representation. The NDP group have tried to provide as full an explanation as possible in regard to the changes made from the 2016 consultation draft of the NDP and the current publication version.</p> <p><u>Changes to the proposed LGS designation</u></p> <p>Following the 2016 pre-publication consultation (Regulation 14 stage) the draft NDP underwent a review to take into account the various responses. Discussions were also held with planning policy officers from Craven District Council (CDC) to ensure that the NDP was in general conformity with the then emerging Local Plan as well as national planning policy. One of the issues identified by CDC related to the amount of land proposed as LGS (NDP policy ENV1) and the methodology used to assess the suitability of sites for LGS designation. CDC also considered that the proposed coverage of LGS land would compromise the future sustainable growth of the village and that a number of the sites would constitute 'extensive tracts of land', failing to meet the relevant criteria set out in the NPPF<sup>1</sup>. The NDP group then applied the CDC LGS methodology and it appears that at this time a number of proposed LGS sites were removed, one of these was the land adjacent to College Road. The NDP group have unfortunately been unable to locate specific records to show why these sites were removed as possible LGS designations and so are not able to conclusively determine if this was a deliberate decision to exclude the land as an LGS or whether it was a drafting/mapping error.</p> <p><u>Other designations no longer proposed for the land east of College Road</u></p> <p>The land was the subject of other designations in the 2016 version of the NDP. This included the 'Special Landscape Value' area which was a designation in the former CDC Local Plan. This has subsequently been removed in the now adopted Local Plan and was accordingly deleted from the draft NDP. Additionally the land was included as part of the 'Conserving the Landscape' designation (NDP policy ENV3) in the 2016 consultation draft but this designation is shown reduced in size in the current publication draft and now excludes the part of the land immediately</p>

<sup>1</sup> Para 102 - National Planning Policy Framework 2021, Ministry of Housing, Communities and Local Government

adjoining College Road. The rationale for the 'Conserving the Landscape' designation is expressed in the 'issues' paragraph of the Landscape Character section of the NDP (page 18) and refers to the value of land outside the built up parts of the village (farmed countryside, moor and woodlands with far reaching views and vistas, wildlife habitats and numerous opportunities for outdoor recreation) and so covers the land further to the east of College Road as it rises up the hill. The provisions of this policy do not seek to prevent development but place greater emphasis on the landscape character impacts. Finally the Bradley Village Conservation Area boundary remains unaltered in the current draft NDP and includes the land to the immediate east of College Road.



Concerns about the potential future development on the land to the east of College Road

The designation of land as LGS in Local or Neighbourhood Plans provides a strong level of protection against most forms of development. The concerns expressed by residents about the removal of the proposed LGS designation are acknowledged, particularly as the land was included in the earlier 2016 consultation version. The representation from residents (and Historic England) rightly point out the findings of the draft Conservation Area Appraisal<sup>2</sup> which concludes that all of the land around the village makes a strong contribution to the Conservation Area as it enables views into the historic core. Equally the comments of residents regarding the value they attach to the land as a green space close to the historic core of the village and associated heritage assets is understood. The NDP group therefore welcomes the examiner's independent assessment of this and will fully accept the conclusions of the examination.

Notwithstanding this the Conservation Area designation and the proximity to the Grade II Listed building at College House and College Cottage means that any proposals to develop the site would need to preserve or enhance the setting of these heritage assets and if harmful would be grounds for refusal. The provisions of Policy SP4 (I) of the adopted Local Plan <https://www.cravenc.gov.uk/planning/online-craven-local-plan/#SPATIALSTRATEGY> require that development of non allocated housing sites will only be allowed where it can be demonstrated that the planned growth will not be delivered in the plan period. The allocated housing site at land off Skipton Road (BB03) together with extant planning permissions within the village provide for sufficient deliverable land to meet the housing needs of the village within the local plan period (up to 2032).

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<sup>2</sup> Annexe 3 - Bradleys Both Neighbourhood Development Plan Up to 2032

<b>ED003</b> <b>CDC</b>	<ol style="list-style-type: none"> <li>1. Local Green Space Methodology and 'extensive tracts of land' test</li> <li>2. Consultation with landowners and statutory consultees</li> <li>3. SEA and future sustainable growth</li> </ol>	<p>The NDP group acknowledge the comments from CDC regarding the application of the methodology for assessing sites as possible LGS designation. CDC have maintained a consistent stance on this point and in the absence of a clear definition of what constitutes an 'extensive tract of land' in national planning policy and guidance it will be a matter for the examiner to determine whether the sites put forward for LGS designation in the draft NDP meet the tests set out in national planning policy.</p> <p>The NDP group have not been able to find definitive evidence to show that landowners of the proposed LGS sites were directly approached as part of the preparation of the NDP. However there was extensive local consultation and publicity during the 2016 consultation stage and this included a letter to all properties within the Parish which it was expected would enable landowners to be aware of the draft plan and therefore have the opportunity to comment. Equally specific advice from the Statutory Bodies regarding the heritage or ecological value of sites proposed for LGS designation was not obtained but the findings of the Conservation Area Appraisal and presence of physical habitat features such as trees and hedgerows have been considered for the sites that are proposed as LGS.</p> <p>The comments in regard to the potential LGS designations limiting the long term sustainable growth of the village and effects on the future SEA process have been answered during the earlier discussions between the NDP group and the LPA (see consultation statement). Significant areas of land to the west and north of the village and outside the Conservation Area are not proposed as LGS sites and could help to meet the future long term growth needs of the village.</p>
<b>ED004</b> <b>Coal Authority</b>	No specific comments to NDP	No response required
<b>ED005</b> 	Land off College Road - LGS designation	See response to comments of ED002
<b>ED006</b> <b>Historic England</b>	No further comments to make	No response required
<b>ED007 +</b> <b>ED007(a)</b> <b>Historic England</b> <b>(2)</b>	Objection to the removal of earlier LGS designation (BR011).	See earlier comments to ED002
<b>ED008</b> 	Comments/objections to the housing allocation site at land off Skipton Road and associated traffic impacts	The site is already allocated for housing development in the adopted CDC Local Plan. The NDP contains additional policy provisions to ensure that the future development responds to the local issues and that safe access/egress arrangements are included. It also seeks to secure localised pedestrian improvements.

<b>ED009</b> <b>National Grid</b>	No assets affected	No response required
<b>ED010</b> <b>Natural England</b>	No specific comments	No response required
<b>ED011</b> <b>Pendle Borough Council</b>	No objection	No response required
<b>ED012</b> [REDACTED]	Site BR16 (land west of Skipton Road). Flooding and traffic issues	<p>The site is allocated for housing as part of the CDC local plan (previously referenced as BR016 in the then emerging Local Plan and now referenced as BB03 in the NDP). The site brief contained at Appendix 4 of the NDP makes reference to the surface run off issues (Flood Risk section) and requires future planning applications to include a site specific flood risk assessment and appropriate mitigation measures including SUDS to ensure that surface run off rates are not increased during periods of peak rainfall.</p> <p>In response to the concerns expressed about the potential additional traffic impacts see the earlier response to ED008.</p>
<b>ED013</b> <b>Sport England</b>	Standing advice issued relating to planning for new development and ensuring sufficient sports and recreation facilities are provided	The NDP contains provisions as part of policy CFS2 to support the creation of new and extension of existing recreation facilities having due regard to the CDC Open Space Assessment & Playing Pitch Strategy 2016 and subsequent updated Playing Pitch Strategy Refresh 2021.