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Dear Mr Marshall,

Leeds City Council Response to the Bramham-cum-Oglethorpe Pre-Submission Consultation (Regulation 14).

Thank you for consulting the Council on the Pre-Submission Draft Bramham-cum-Oglethorpe (Bramham) Neighbourhood Plan. The parish council and the steering group have done an excellent job preparing a neighbourhood plan which is well considered and user-friendly. The distinctiveness of Bramham 'shines through' in the plan and this is reflected in the vision, the objectives and the policies.

I hope that these formal comments on the pre-submission plan will help the neighbourhood plan steering group and the parish council in making changes to the document prior to formal submission for examination. Although these are formal comments, you will be aware that there is no obligation to take them on board. We are happy to work with the Parish Council to consider all of the representations more generally and any changes prior to submission for examination.

1. Timing / Risks

- 1.1. As you will be aware, the Site Allocations Plan (SAP) was submitted to the Secretary of State for Examination in Public on 5th May 2017. That Examination started in October 2016 and will end in the July 2018. It is not anticipated that there will be any direct consequences for the Bramham Neighbourhood Plan but it would be wise to be aware that the SAP has yet to be adopted and elements may be subject to change

2. Basic Conditions

- 2.1. At examination, a neighbourhood plan will be judged on whether it complies with the Basic Conditions set out in paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act 1990. These are:
 - a) **Having regard to national policies and advice contained in guidance issued by the Secretary of State**



- b) The making of the order (or neighbourhood plan) contributes to the achievement of sustainable development
 - c) That making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority.
 - d) The making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
- 2.2 It is considered that the Bramham Neighbourhood Plan meets the Basic Conditions.
- ### 3. Comments on the Plan
- 3.1. Page 5, Map 1: remove “October 2016” from the title – LCC can provide.
 - 3.2. Much of the text on page 1 is repeated on page 7, suggest that this is streamlined in the Submission Draft Plan and the bulk of the content is reflected in the Consultation Statement.
 - 3.3. Chart on page 10 should be titled “Population Breakdown by Age”.
 - 3.4. The images throughout the Plan would benefit from being captioned.
 - 3.5. An audit of the formatting of the document is recommended, as there are many inconsistencies in paragraph numbering, and use of different types of font which interrupt the flow of the document.
 - 3.6. Page 12: the Vision statement starts off well “By 2033...” but then reads as a statement about Bramham in 2017 rather than what it will be like in the future. The statement should include phrases such as “will be” and “will have”. The Vision doesn’t mention housing or connectivity but these are stated objectives. The Vision and Objectives in a Plan should be joined up and complementary.
 - 3.7. Page 14, 4.1 bold writing at the top of the page (and subsequent: 4.2, 4.3, etc.): it is not necessary for the Submission Draft Plan to state what the “intention of setting out policies” of each section is, it would be beneficial for the introductory section / statement to set out how the policies in each section help to deliver the vision and objectives.
 - 3.8. 4.1.2 should read “The community of Bramham **enjoys...**” The rest of the sentence doesn’t make sense. Suggest “The community of Bramham enjoys the local offer of community facilities, including the village hall...”
 - 3.9. Page 16: 4.2.1 could say more about the benefits of improved access to the PROW network and how this would deliver on the stated objective of enabling all to enjoy a healthy lifestyle.
 - 3.10. Page 17: The PROW map is referred to as Map 2, whilst on page 15 there is a reference to a different Map 2. Mapping would benefit from being rationalised to improve the legibility of the Plan as a whole. This occurs throughout. Maps should be clearly labelled and numbers / titles shouldn’t be duplicated.



- 3.11. Page 18, 4.2.2: the formatting would be improved by being consistent, for example 4.2.1 which introduces Policy LR1 is plain text, whereas 4.2.2 which introduces LR2 is in bold as a heading at the top of page 18.
- 3.12. Page 20, 4.3.1.: should read: “Leeds City Council has proposed the allocation of 4 housing sites to be developed in the Plan period in the Submission Draft Site Allocations Plan. Each site is proposed to be allocated for the following:...”
- 3.13. Page 22, 4.4.1 should read “The community greatly **values**...”
- 3.14. Page 35, 4.5.2.: the third para has an incorrect reference, should refer to Policy H3.
- 3.15. Page 37, first paragraph: suggest that this is reworded as “strict adherence to the principles of conservation areas has not been adhered to, nor enforced” doesn’t make sense.
- 3.16. Page 42, 4.5.4.: should read “The community of Bramham greatly **values**...”
- 3.17. Page 61, it is unclear what these photographs are. Are they the non-designated heritage assets? If so, they should be correctly labelled and accurately referenced on the Policies Map 1 (i.e. non-designated heritage assets, rather than village assets). Reference should be provide in the heritage section.
- 3.18. Whilst it is understood that Appendix 3 and Appendix 4 provide context for local residents showing how Policies flow from the community engagement and consultation undertaken, for the Submission Draft Plan it is recommended that these two Appendices form part of the Consultation Statement rather than the Plan itself.

4. Specific Policy Comments

4.1. Policy CF1: Protect and enhance existing community facilities

An aspirational policy influenced by the results of community engagement, although the policy appears to simply list all of the facilities in Bramham. As written, if an application came in to change the village shop and post or one of the pubs to a dwelling, then the policy doesn't provide any teeth to prevent the loss of these facilities. It would not be possible for the LPA to protect a medical centre as the responsibility for providing health care falls with the NHS.

The title refers to “protect and enhance” but the policy refers to “improve” only, with no reference to protection.

The last sentence of the introductory/supporting text reads “If a development proposal would result in the loss of an existing facility, an alternative provision should be made elsewhere in the community, if a sufficient level of need is identified”. This sentence would afford some protection to existing facilities and could form part of Policy CF1, similar approaches have been successful at examination in Holbeck and Clifford:

“Where proposals for development would result in the loss of any of the following facilities or services, satisfactory alternative provision should be made elsewhere within Holbeck Neighbourhood Area if a sufficient level of need is identified” (Holbeck)



"Proposals that will result in the loss of any of these facilities will be resisted unless it can be clearly demonstrated that its use is no longer financially viable or necessary, or that a replacement facility can be provided in a suitable location accessible to the community." (Clifford)

4.2. **Policy LR1: Improving Public Rights of Way**

The use of "must" is discouraged. As written, it would seem that only the residents of new developments should benefit from increased PROW provision.

Suggest "New developments should take opportunities to improve and/or extend the existing byways, bridleways, footpaths and cycle paths, improving connectivity to the village or the open countryside. New provision should be appropriate and sensitive to local character. The loss of existing footpaths and cycleways will be resisted."

The footpath map is clear and shows an excellent network of public footpaths. Care needed with terminology - the use of the terms 'connectivity' and 'green infrastructure' would be beneficial throughout this section. Good practice to see suggestions of new paths and links to existing paths.

4.3. **Policy LR2: New sports and leisure facilities**

It is not recommended that one policy refers to other policies in the Plan (Clause B) as the Neighbourhood Plan should be read as a whole. Generally, the policy should be more positively worded.

The policy doesn't mention any specific locations for the new facilities for the running track, boules area and additional children's play facilities.

4.4. **Policy HOU1: Housing type and mix**

This policy appears to be a replication of Core Strategy policies H4, H5 and H8. It is suggested that the policy is not necessary it does not add anything to the existing strategic policies.

Examiner may question why a figure of 10 is identified.

The policy appears to be only based upon a limited survey of existing residents (is there other evidence for the policy?).

What is the definition of affordable starter homes and homes for the elderly/retired? If a developer wanted to propose say 15 dwellings, then only a proportion of those would need to be affordable under the Core Strategy policy.

The information relating to residents opinions on the number of new dwellings required is unnecessary and does not relate to the policy.

4.5. **Policy NE1: Local Green Space**



It is recommended that the opening sentence is changed to “The following sites are designated as Local Green Spaces, where development is ruled out other than in very special circumstances, equivalent to national policy on Green Belt.”

It is requested that the proposals to designate a number of adopted highway verges as local greenspace are removed.

The information in Appendix 1 supporting the policy is excellent. The site plans are particularly clear.

There is a comprehensive narrative of how potential LGS were identified, assessed and some discounted, telling the story of the Plan preparation. It is noted that some sites have been discounted due to other protections and their ownership and this approach is to be commended.

4.6. Policy NE2: Enhancement and protection of nature areas and biodiversity

It is assumed that the shaded text box on page 24 is a typo and not intended to be a policy.

The terms reduce and damage are imprecise, suggest “harm” is used.

It would be better to identify local extensions to the Leeds Habitat Network across all the NP area and justify why any additional parts have been added to it at the local level.

It is unclear what the justification is for including the “Wildlife Area behind the Senior Citizens Area”.

Reference to achieving enhancements adjacent to development sites – this may be difficult to achieve if expected as part of the development (i.e. S106 or CIL would be required).

4.7. Policy H1: Non designated local heritage assets

Suggest “non-designated heritage assets” is used to be consistent with national guidance.

The list of non-designated heritage assets does not contain any buildings – is there a reason for this? This list could be expanded to offer greater protection for at risk heritage assets.

How have these been selected? What evidenced will be presented to the examiner? They must also be clearly identified on a plan.

The supporting text refers to the steering group having assessed the local area, can details of this assessment, process and subsequent recommendations for inclusion in the Plan be provided? Recommend that a similar approach to the Local Green Spaces Policy is taken.

4.8. Policy H2: Bramham Moor Battlefield – Local Heritage Area

There is an opportunity for a specific policy but as it stands this policy is fairly imprecise and lacking in evidence. Suggest further work is done on this.

The policy could identify the area as locally important rather than designate.



4.9. Policy H3: Development within the Conservation Area

Some examiners are comfortable with a repetition of existing CA policy, others are not.

The introductory text to the policy needs to make reference to the statutory test and the need for a development proposal to preserve or enhance the character of the conservation area.

Three character areas are recognised, which is simple and effective. Character area 2, defined as 20th century developments, describes cul-de-sacs, red pantiles, buildings set back from roads, etc. Whilst there is a precedent for this design typology in the village, are these features that should be perpetuated, and do they constitute good urban design? Should development try to reflect the more historic components of the built environment?

The pre-amble to this policy makes valid reference to too much on street car-parking and the conversion of garages into house extensions. This is not then developed into a policy which is clearly a missed opportunity.

A little more detail on the design of buildings in the historic core could be useful. Whilst the plan addresses materials, the way buildings interact with the street (offset distances and boundary treatments) is very important to contextual design.

4.10. Policy H4: Development outside the Conservation Area

Identify the area on a plan.

Further evidence could be provided and the policy could be more locally distinctive.

Criterion b: development proposals don't always need to reflect local building design, form and style as this may stifle new innovative design that may in itself be acceptable. Also, not all development proposals need to provide green spaces, depending on the scale.

4.11. Policy H5: Key Views

This is similar to the Clifford policy and OK in principle. The use of photographs is helpful.

4.12. UoL1 University of Leeds Estate

This is an aspirational policy. It is not clear what involvement the University of Leeds has had in the policy but this information will be important to help the examiner to consider the merits of the policy. This should be included in the Consultation Statement to be submitted alongside the Plan.

“The continued use and expansion of research activities...” – This might need tightening up a bit given that the policy applies to such a vast area of land. At the moment the policy wording could have unintended consequences. The majority of the site is in the Green Belt.



I hope these comments are useful and help the neighbourhood planning group to review the pre-submission draft Bramham Neighbourhood Plan before it progresses to examination. If you would like to discuss any of these comments in more detail, other representations, or next steps, please contact Ian Mackay to arrange a convenient time.

Yours sincerely,

A handwritten signature in black ink that reads "Tim Hill".

Tim Hill

Chief Planning Officer