

Bradford Local Plan

Core Strategy Examination Session Day Two to Four

Matter 3: STRATEGIC CORE POLICIES

Date: 5th / 6th / 10th March

Venue: Victoria Hall, Saltaire

Key issue:

Is the Overall Approach and Key Spatial Priorities, the justification for the proposed Settlement Hierarchy, the principles of location of development, the general approach to the Green Belt, for Bradford, and the approach to development proposals in the South Pennine Moors Zone of Influence soundly based, effective, appropriate, deliverable, locally distinctive and justified by robust, proportionate and credible evidence, particularly in terms of delivering the proposed amount of housing, employment and other development, and is it positively prepared and consistent with the latest national policy?

Issue 3.1 Policy SC1 – Overall approach and key spatial priorities

- a. **How does the policy identify appropriate spatial priorities, and where is the justification and evidence?**
- b. **Does the policy properly consider infrastructure requirements, regeneration implications, and the need for a balanced distribution of development?**

Response

- 1.1 Policy SC1 sets out the headline approach to the development strategy for the District in order to deliver the spatial Vision and objectives. The spatial priorities reflect the key Council priorities as set out in the Community Strategy and informed by other supporting council strategies and masterplans. The Core Strategy Baseline report sets out further detail on these documents. Background Paper 1 (SD015) also sets out in appendix 1 a full review of the full suite of evidence documents and how they have informed the content and approach of the Core Strategy.
- 1.2 The priorities reflect the nature of the communities and settlements within the District and the challenges and opportunities. They recognise the different roles of settlements linked to the plan Settlement hierarchy which has been informed by the Settlement Study and other evidence including the Strategic Housing Land Availability Assessment (SHLAA) (EB049). The Policy in this way seeks to ensure a balanced approach to growth focusing new development where the need is greatest where this is possible. Further information on the approach to distribution of development can be found under policy SC4, HO3 and EC1- EC4.
- 1.3 The policy highlights the Councils key regeneration priorities. Further information on these can be found in the baseline report as well as the response to the relevant sub area.
- 1.4 The policy also recognises the important role the district plays within the Leeds City Region and the benefits they bring to both residents and business. The Duty to Cooperate Statement (SD006) sets out further information on the strategic relationships and links to the Leeds City Region Strategic Economic Plan (PS/B001b xv).

- 1.5 The policy also reflects the important environmental and heritage assets of the district which provide opportunities but also need careful consideration when delivering growth and change. The policy also reflects the need to ensure the significant new growth which needs to be delivered is of an appropriate quality and takes account of local circumstances.
- 1.6 It also reflects the key challenges including mitigating and managing the impacts of climate change.
- 1.7 While the priorities have been informed by local circumstance and evidence they also reflect and align with the Core Planning Principles in NPPF.
- 1.8 The policy identifies appropriate spatial priorities, and which are justified and supported by appropriate evidence.
- 1.9 The policy while not explicitly setting out detailed infrastructure requirements does recognise these in focusing development where there is already existing infrastructure and areas where it can be added to and developed linked to development and growth. The need for Transport investment is explicitly identified under criterion 10. More detailed policies elsewhere in the plan deal with infrastructure in more detail including the sub areas. The Core Strategy is supported by a Local Infrastructure Plan.

Issue 3.2: Policy SC4 – Settlement Hierarchy

- a. **Is the Settlement Hierarchy for each town and settlement appropriate, effective, locally distinctive, justified and soundly based, and is it positively prepared and consistent with the latest national policy?**
- b. **What is the basis of the proposed Settlement Hierarchy, and is it based on up-to-date and reliable evidence?**
- c. **Is the status of various settlements (eg, Ilkley, Burley-in-Wharfedale) in the settlement hierarchy fully justified and soundly based; and are the various criteria of each level of the hierarchy appropriate and fully justified?**

Response

- 2.1 Core Strategy is seeking to positively plan to meet its objectively assessed housing need. It is proposing to release land for over 42,100 new homes and planning to do so via the creation of new growth areas, the regeneration of the City Centre and the creation of a new urban extension at Holme Wood. Positively planning for need involves not only providing for the right number of new homes but as far as possible locating those homes in or close to the areas of greatest need. Those housing needs are most acutely focused in the areas which are likely to see the greatest levels of population change which are in the larger urban centres and not in the smaller villages. In meeting this need, the plan has sought to ensure a sustainable development strategy in line with NPPF Core Planning Principles. This strategy recognises the differing roles of

settlement and their abilities to develop in a sustainable way. Policy SC4 therefore sets out broad planning strategy as to how different categories of settlement can and should grow. This is supported by more detailed guidance in the sub area policies.

- 2.2 The background to Settlement Hierarchy is set out in paragraphs 3.56 – 3.60 of the plan.
- 2.3 The settlement Hierarchy was based upon the now revoked Regional Spatial Strategy (RSS) (PS/B001b (xii)). The RSS work was then tested further with reference to the existing settlement hierarchy in the Replacement Unitary Development Plan (RUDP) and through further local technical work. In particular the Council produced a Settlement Study (EB40/EB41/EB42) which provided an up to date review of the nature and characteristics of the settlements within the District. This study brings together information and data from a range of sources to develop a wider understanding of the Bradford District and its settlements. It contains settlement profiles which provide an enhanced understanding of each area, their individual characteristics, roles and functions along with specific any issues, challenges and opportunities which they may experience.
- 2.4 In particular this identified the size and extent of facilities within each settlement. Further profiling of each settlement was also undertaken as part of the Growth Study (EB037) which reviewed the environmental, social and economic characteristics of each settlement within the proposed hierarchy.
- 2.5 Policy YH4, YH5 and YH6 of RSS set out the following Hierarchy for the District:
 - Regional City of Bradford
 - Principal Towns of Ilkley and Keighley
 - Local Service Centres
- 2.6 Policy YH5 Criterion C allowed for additional Principal Towns be added if they met 5 specific criteria listed.
- 2.7 In light of the Findings of the Settlement Study the Core Strategy confirmed the named Principal Towns but also added an additional Principal Town of Bingley in light of the criteria under Policy YH5, its current standing in the RUDP and the further work undertaken locally through the settlement study.
- 2.8 The Core Strategy has also taken the decision to propose that the remaining smaller settlements are split into two tiers. This reflects the fact that there are significant differences in these settlements, their ability to accommodate growth and their suitability to accommodate growth (albeit growth of a much lower level than that in the tiers above). The decision to create two tiers also reflected the land supply constraints and challenges of accommodating 42,100 new homes over the plan period to 2030.
- 2.9 As the evidence of the plan was developed further in particular the information on housing land supply it became clear that in order to facilitate the levels of housing growth set out within the RSS and more recently determined locally would require contributions from settlements which could be grown sustainably and while not meeting the criteria for Principal Town would need to

accommodate high levels of growth beyond that allowed for in a Local Service Centre. The tier which has been entitled Local growth centres was therefore created. The choice of 'Local Growth Centres' was based on their size, role, function and accessibility as informed by evidence including the Settlement Study (EB40/EB41/EB42). It was also informed by the potential land supply as demonstrated in the Strategic Housing Land Availability Assessment (SHLAA) (EB049) and through the analysis in support of Policy HO3. The designation of a Local Growth Centre depended both on its function and sustainability and its capacity to accommodate some growth.

- 2.10 The Local Growth Centres were consulted upon and revised in light of up to date evidence as part of the plan preparation process. Two settlements were 'downgraded' as part of the process – Burley in Wharfedale and Menston - in response to reductions in proposed scales of growth which would be appropriate in the settlement. This reduction was in turn informed by the results of the HRA.
- 2.11 Ilkley is a sustainable location which provides a range of facilities, services and employment opportunities to the area. This is reflected by its classification as a Principal Town within the settlement hierarchy. However the quantum of housing proposed in the area also has to reflect the pattern of key environmental constraints and also the land supply. The placement of a settlement within a particular tier of the settlement hierarchy does not and should not lead to a specific minimum number of dwellings irrespective of other evidence.
- 2.12 The Council considers that the development of 800 new homes together with additional employment allocations and investment in local services will support Ilkley's role as a Principal Town.
- 2.13 The level of housing development proposed in Ilkley is significantly in excess of what has been planned for in previous plans, would require one or more expansion areas / green belt deletions. Together with proposed employment development and community facilities this would represent a level of growth which reflects the settlement's role and function.
- 2.14 Policy SC4 recognises that the Local Service centres should receive more controlled levels of development than the other settlements higher up in the hierarchy. This is appropriate in context of the development strategy and sustainability considerations.

Issue 3.3: Policy SC5 – Location of Development

- a. **What is the justification for setting the priorities and criteria for locating new development; is it supported by evidence, appropriate and soundly based?**
- b. **Does the policy make the appropriate balance between prioritisation of brownfield land, use of brownfield land and windfalls, and greenfield land, and safeguarded land?**
- c. **How will sites be assessed and are the accessibility standards inflexible?**

Response

- 3.1 The policy sets out a high level sequence for determining the land supply in support of the Spatial vision and objectives.
- 3.2 Policy SC5 seeks to give direction to the process of identifying sites and locations to meet the districts development needs by reference to two key criteria.
- 3.3 Firstly to a locations' position either within or on the edge of a settlement on the basis that in most cases locations within settlements are likely to have better access to existing services, infrastructure and employment opportunities.
- 3.4 Secondly to a locations' status as either green field or previously developed on the basis that the use of previously developed sites will both offer greater secondary benefits in regenerating and improving an area and will also help to reduce the need to utilise valued green spaces.
- 3.5 It is important that Policy SC5 is read not in isolation but in conjunction other key policies in particular Policies HO6 and HO7. Both Policy SC5 and the policies within the housing chapter recognise that sites and locations must offer deliverable or developable options for development.
- 3.6 The prioritisation of brown field sites will only take place once the range of site options have been narrowed down to ones which can be genuinely delivered. Policy HO6 also confirms that there will be a substantial release of green field sites to ensure not only that the required quantum of development are delivered but also that there are sufficient deliverable sites in the early parts of the plan period and that there are a range and choice of sites available at all times Policies HO4 and HO7 make the specific point that the land release strategy will be implemented in a way which ensures that there is a 5 year land supply at all times and that this will require the allocation of some green field sites in the early part of the plan period.
- 3.7 The Council therefore considers that Policy SC5, when read with these other policies offers a balanced and justified approach to meeting the district's housing needs and the criteria and safeguards contained within them will ensure that delivery can be both maintained and achieved in the most sustainable way possible.
- 3.8 The Plan seeks to promote the use of Previously Developed Land (PDL) as far as it is able. Sites will need to demonstrate that they can be delivered within the Plan period.
- 3.9 In terms of green belt, the prioritisation in policy SC5 reflects the NPPF in that any green belt change in the first instance should be based upon ensuring options within non green belt are fully examined before it is considered. Exceptional circumstances are required for green belt change. The nature of the change within each settlement will be informed by the sub area policies and related evidence. The plan, through A (1) and A (2), seeks to ensure that non green belt land is in first instance used as far as practicable to meet the future assessed development needs.

- 3.10 In terms of use of windfall, the Council monitors both planning permissions and completions (including windfall) on a regular basis and is aware of the number of homes delivered on windfall sites in recent years.
- 3.11 The last plan which was put in place was the RUDP which was prepared during 2001-2, some 13 years ago, and adopted in October 2005. It is therefore not surprising that windfall sites have become the main contributor to supply by number and proportion, as the actually allocated sites have been gradually built out and there has been no new Local Plan to formally identify and allocate recycled land and sites as they become available.
- 3.12 This is not the position going forward. The planning system now incorporates a requirement for a much more rigorous analysis of potential land supply in SHLAA's which was not in place when the last RUDP was prepared and the Council is now preparing a new allocations plan based on its SHLAA. The SHLAA and Allocations process will sweep up any current and emerging sites or buildings and if sustainable and deliverable will allocate them. They will not therefore be windfalls.
- 3.13 The Council does not therefore think it would be either appropriate or in line with the principle to plan positively to meet the housing needs of the district to include a windfall allowance within the plan period. It considers that bearing in mind past under delivery of housing, the current shortages of homes within the main urban areas and the projected rapid increases in households there is a strong argument that there should be certainty and confidence that an adequate land supply for the plan period is in place. Allocating less and relying on a windfall allowance would reduce that certainty.
- 3.14 In terms of the accessibility standards, Criterion B2 recognises capacity constraints but also opportunities to make improvements to infrastructure to support development.
- 3.15 The accessibility Criteria are a start point for assessing accessibility both current and also identifying where improvements can be made linked to development opportunities to mitigate and ensure new development can be delivered to the standards.
- 3.16 The infrastructure Delivery Plan identifies current position in terms of provision and any deficiencies as well as future provision.

Issue 3,4: Policy SC7 – Green Belt

- a. Is the proposed approach to the Green Belt appropriate, effective, positively prepared, justified, soundly based and consistent with the latest national policy (NPPF; 84), particularly in terms of:**
- i. identifying the exceptional circumstances necessary for using Green Belt land;**
 - ii. demonstrating the need to promote sustainable patterns of development, including the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary (NPPF; 84);**

- b. Whether there should be a full or selective review of the Green Belt, and would such a review be co-ordinated and agreed with neighbouring authorities?**
- c. What evidence is available to justify decisions to release particular areas of Green Belt for development?**
- d. Should the Green Belt review also include Safeguarded Land?**

Response

- 4.1 Policy HO2 together with the Council's Housing Background Paper 2 (SD016) clearly set out the evidence which indicates that there are exceptional circumstances which justify releasing green belt to meet the objectively assessed needs for new homes in the district.
- 4.2 The Housing Requirement for the plan period cannot be met in full without the use of land currently designated as Green Belt. Based upon the SHLAA Update of 2013 there may be a need for up to 11,000 dwellings to be delivered on land formerly Green Belt. The need for a substantial green belt contribution of broadly the scale indicated in the Core Strategy looks likely to be further verified by the latest update of the SHLAA which is nearing completion.
- 4.3 Having established that the land supply in non green belt locations is not available to meet the districts needs the Council have then commissioned a District wide Growth Assessment. This has confirmed both that there are sustainable locations within the green belt for growth and that there are areas where the green belt can be changed without leading to the undermining of the role of the green belt either locally or strategically. It should be noted that the green belt boundaries across the district have been drawn very tightly into the existing edges of those settlements leaving more scope for future releases than would otherwise have been the case.
- 4.4 NPPF paragraph 47 makes clear that Local Plans should meet their objectively assessed housing need in full as far as is consistent with the policies set out in the framework. The Council have reviewed both the policies within the NPPF and the evidence base, homing in particular on whether there is potential to release land from the green belt in a sustainable way and is of the view that there are no reasons why the objectively assessed need cannot and should not be met in full even given significant green belt change. Indeed the Council notes that Paragraph 82 allows for the review of Green Belt boundaries under exceptional circumstances through the preparation of the Local Plan.
- 4.5 By ensuring via Policy HO5 that land is used efficiently the Council is seeking to minimise the use of green belt land and this is also re-affirmed in Policy HO7 which indicates that the site appraisal and selection process should seek to minimise the use of green belt land.
- 4.5 Policy SC7 does not refer to specific settlements however it should be noted that based on the analysis of the SHLAA the Council considers that it is apparent that in most of the settlements green belt release will be required if the Districts needs are to be met in full. The sub area policies set out an indication of the implications of green belt for each settlement in context of evidence and the relevant housing requirement for the settlement as set in

HO3. this has had regard to a range of evidence including the Growth Study (EB037)

- 4.6 The extent of the green belt encompasses all settlements within the district and the areas of beyond the outer green belt edge are not considered in sustainable locations appropriate for development.
- 4.7 Policy SC7 proposes undertaking a review of the green belt in order to meet its objectively assessed housing need in full as well as identify new land for economic development in key locations.
- 4.8 The review will be 'selective' in the sense that it will only be undertaken in terms of the identified exceptional circumstances in order to identify land to meet the unmet needs with regards to the development strategy set out within the plan as whole. As noted above the land supply evidence indicates change required in most settlement but not all settlements.
- 4.9 Any review will be undertaken as part of the Allocations DPD. This will be informed by a methodology paper which will set out the proposed approach for the review. This will be aligned to approaches adopted by adjoining LPAs and consulted upon prior to its use. The Duty to Cooperate Statement (SD006) sets out the strategic issues in relation to Green Belt and the agreed approach.
- 4.10 Given the different stages that respective Local plans are at it is not currently proposed that a collaborative / joint review of the Green belt will be undertaken. A strategic review of the green belt in the city region is something that may be considered in future local plans.
- 4.11 The Growth Study (EB037) was commissioned to inform the high level development strategy. In particular it provided a detailed review of the land around all settlements and their relative merits. This considered environmental, social and economic considerations and understanding of possible constraints. It also provided a high level review of the green belt function around settlements.
- 4.12 NPPF paragraph 83 states that when defining or reviewing green belt boundaries Local Planning Authorities need to have regard to the intended permanence in the long term, so that they should be capable of enduring beyond the plan period.
- 4.13 Paragraph 85 sets out the detailed considerations when defining green belt boundaries. This states that where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
- 4.14 There is no absolute requirement to automatically allow for safeguarded land under paragraph 85. In this context each plan must tailor their approach to the circumstances at the time
- 4.15 Unlike the RUDP the Core Strategy has determined to release land for a full 15 year period rather than a more limited 10 year release with additional safeguarded land.

- 4.16 Land supply is sufficient to meet the plan requirement in full without the reliance on other sources such as windfalls. This will make contribution albeit at lower scale than previously within the plan period and is expected to allow the allocated supply to last beyond the plan period.
- 4.17 The plan is already proposing green belt change of a significant scale. Approximately land for 11,000 dwellings based on the current evidence. To go beyond this which would be required by the allocation of Safeguarded Land would not be appropriate at this stage in terms of scale of change in advance of wider strategic review of green belt across the Leeds City Region.
- 4.18 There is also a constrained land supply based on current evidence and also uncertainties as what any future need may be beyond 2030.

Issue 3.5: Policy SC8 – South Pennine Moors

- a. Is the approach towards new development with the South Pennine Moors and their Zone of Influence appropriate, effective, positively prepared, justified, soundly based and consistent with the latest national policy?**
- b. Is the HRA evidence soundly based and are there any outstanding issues from Natural England?**

Response

- 5.1 To be positively prepared a plan should be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.
- 5.2 Strategic Core Policy 8 (SC8) is positively prepared in that it allows objectively assessed need to be met in a manner that supports the objectives of European Sites and therefore achieves sustainable development. It provides a positive response in place of uncertainty about potential adverse impacts of policies and proposals in the core strategy. It sets out parameters and a strategic approach to avoiding adverse impacts, but which will allow an appropriate level of development to take place within less sensitive locations accompanied by the necessary mitigation measures.
- 5.3 As green infrastructure, and linked to this ecological networks and biodiversity protection and enhancement, are important elements in the NPPF, then it can be assumed that, particularly where a need for such provision relates to the findings of the Habitats Regulations Assessment (HRA) (SD022), these form part of a plans objectively assessed infrastructure requirements. As policy SC8 supports addressing green infrastructure requirements, it is considered to be positively prepared.
- 5.4 Policy SC8 sets parameters to allow effective delivery of avoidance and mitigation measures over the plan period, as more detailed work in relation to implementation takes place. It has links with a range of other policies within the core strategy and this will allow effective

implementation through the approach being integrated with work to deliver green infrastructure, open space, wider biodiversity aims and landscape enhancement.

5.5 The conclusions to the HRA Report indicate:

'To ensure that delivery and funding mechanisms for avoidance and mitigation measures are taken forward, the Council will produce a Supplementary Planning Document to guide implementation of the South Pennine Moors Zones of Influence Policy...'

5.6 This will provide the vehicle and focus for refining the approach to avoidance, management and mitigation. The preparation of the SPD was identified in the Local Development Scheme (SS054)

5.7 The policy set out in SC8 is considered to be the most appropriate strategy when considered against reasonable alternatives and is based on proportionate evidence set out in the HRA Report.

5.8 Appropriate assessment was part of the process of assessing reasonable alternatives, as it influenced the overall strategy at a stage when evidence was still being gathered and options were being assessed. In accordance with the HRA hierarchy of intervention, this enabled changes to be identified which sought to avoid effects and allow management and mitigation to take place.

5.9 Following review of the evidence presented in the HRA and some consideration of the measures in other comparable local plans, the zone of influence approach was considered to be the most appropriate policy. Relying solely on assessment of individual sites as they come forward, in view of the growth to be accommodated, was not considered to be an effective option when preparing a strategic plan. This approach would not allow the plan-making body to have the necessary degree of certainty that the adverse impacts identified in the HRA in relation to the core strategy could be avoided and mitigated.

5.10 The evidence presented in the HRA Report and work that has taken place to date is considered to be sufficiently robust in relation to the level of risk and the strategic decision making involved in a core strategy. An indication is given that more detailed work will take place to inform decision-making relating to the Allocations DPD. Natural England agree that the evidence supporting the assessment of the Core Strategy's likely impacts upon the moorland Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) is comprehensive and appropriate.

5.11 The overall content of the HRA Report justify the approach taken in policy SC8. The individual elements and zones of influence set out in policy SC8 are linked to particular impact pathways and the evidence presented in relation to these.

- 5.12 The policy for Zone A seeks to restrict residential development within 400m of the SAC/SPA boundary, in order to avoid the risk of urban edge effects such as fly-tipping, introduction of invasive species, cat/scavenger predation and increasing fire risk. This zone is also of importance for breeding bird populations, particularly for those species that have nest fleeing chicks.
- 5.13 The HRA Report recommends that within the 2.5km zone, sites identified for development need to avoid direct (e.g. land take) or indirect (e.g. increased disturbance) impacts on important supporting habitats. Reflecting the zones importance as being functionally linked to the SPA, the policy approach for Zone Bi, which applies between 400m and 2.5km of the designated site boundary seeks to ensure that the least sensitive areas of land are identified for future development. This is necessary to safeguard supporting habitats, as loss of feeding areas could have an important impact on populations for which the SPA has been classified.
- 5.14 Zone Bii, which applies between 2.5km and up to 7km of the designated site boundary, and the extent of this zone is justified in relation to the evidence presented in the HRA Report relating to recreational impacts and visitor activity. Data was gathered from visitor surveys of the South Pennine Moors SPA/SAC within Bradford District in summer 2013. The extent of the area relates to the analysis of visitor numbers and distribution of distance travelled to the South Pennine Moors.
- 5.15 The approach is considered to be fully consistent with the policies in the NPPF. It reflects and promotes EU obligations and statutory requirements. HRA is a requirement of the Habitats Regulations, the UKs transposition of the EU Habitats Directive.
- 5.16 Under the Habitats Regulations the planning authority has responsibility for making an assessment of the proposed plan in order to ensure that it will not adversely affect the ecological integrity of nearby European Sites. The overall objective of HRA is to ascertain whether any part of the plan will lead to adverse effects and, if so, make recommendations on how such effects can be avoided or mitigated. The formulation of policy SC8, in response to evidence presented in the HRA and the reports recommendations, and its inclusion within the plan ensures that the core strategy complies with the EU Habitats Directive.
- 5.17 Paragraph 118 of the NPPF indicates that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directive is being considered planned or determined. Identifying a strategic approach which responds to issues identified in the HRA is therefore an essential

element in producing a core strategy which needs to deliver sustainable development.

- 5.18 Policy SC8 takes a zones of influence approach to achieving sustainable development, based on evidence in the HRA, and sets out necessary avoidance and mitigation measures which will allow a level of development which is appropriately located to take place, but avoid adverse impacts on the ecological integrity of European Sites. To fulfil the criteria for being positively prepared, a policy needs to be consistent with achieving sustainable development.
- 5.19 It is clear that national policy and guidance gives a high priority to addressing issues raised by meeting the requirements of the Birds and Habitats Directive and it is identified in paragraph 044 of guidance as an example of a specific policy which might indicate that development should be restricted. Guidance can therefore be regarded as justifying restraint in areas within buffer zones based on evidence, where local need can be addressed.
- 5.20 Positive support in relation to biodiversity is a strong theme running through the NPPF and guidance. Local planning authorities should aim to conserve and enhance biodiversity, minimise impacts on biodiversity and contribute to the government's commitment to halt the overall decline in biodiversity. The South Pennine Moors also has SSSI status and the policy supports the approach to national sites identified in the NPPF.
- 5.21 The overall approach supports taking forward a number of principles noted in national guidance relating to the protection and enhancement of biodiversity. The principles are that work should be led by an understanding of ecological networks and should include habitat restoration, re-creation and expansion, support for the buffering of existing important sites and securing management for long term enhancement. The principle of firstly seeking to avoid adverse impacts underpins the approach to HRA and is also reflected in the overall approach to biodiversity in guidance which, as a first step seeks to pose the question of whether harm to wildlife species and habitats can be avoided by locating on an alternative site with less harmful impacts.
- 5.22 The policy is considered to contribute to the wider aims of national policy and guidance by contributing towards the aim of allocating land with the least environmental or amenity value and safeguarding and enhancing the provision of natural greenspace as part of a wider green infrastructure strategy.
- 5.23 Paragraph 011 of guidance dated 12.06.2014 seeks to provide guidance about legal obligations on local planning authorities and others in relation to European Sites. It states that updated guidance on this issue is being prepared by Defra and will replace the advice set out in Circular 06/05: Biodiversity and Geological Conservation. In

response to this situation, the HRA work and approach has been taken forward in accordance with the most appropriate information that was available at the time in relation to guidance and best practice, seeking advice from Natural England where appropriate.

5.24 A case has been made that the approach set out in policy SC8 to protecting the South Pennine Moors and their zone of influence is wholly consistent with the latest national policy and meets the key tests of soundness.

5.25 A range of issues were raised through consultation in relation to the HRA Report and its role as part of the evidence base. These have been addressed, where appropriate in relation to the requirements of HRA, and to ensure that evidence proportionate to the strategic level of decision making has been presented.

5.26 Natural England have indicated that the Council has addressed their concerns about technical issues raised in relation to the HRA Report of February 2014 relating to:

*'The incorrect use of typical South Pennine Moors Special Area of Conservation (SAC) bird species to determine adverse effects on the SAC's integrity,
The assessment of the Core Strategy's adverse effects upon the Special Protection Area's (SPA) breeding bird assemblage (as identified within the original citation signed in 1998),'*

5.27 A range of stakeholders and residents have raised issues about the influence the HRA has exercised on settlement housing targets. The revised HRA (December 2014) provides more clarity about key impact pathways in the HRA and related survey work. Baseline survey work relating to a range of key bird species and habitats was carried out in summer 2013 and sites identified in SHLAA 2 were used to risk assess settlement housing targets.

5.28 A number of issues were also raised about recreation and visitor survey data. Natural England have indicated that 'the HRA contains extensive evidence that the South Pennine Moors SPA and SAC is under considerable recreational pressure' and that there is significant potential for additional recreational disturbance and trampling of habitat as a result of the strategy's housing policies.

5.29 A critique of the HRA Report dated February 2014, and prepared by Baker consultants raised a number of issues including limited analysis of visitor survey data, extent of research being cited from studies of southern lowland heath and differences in scale between the lowland and upland European Sites.

5.30 It is considered that these matters have been addressed in the updated HRA Report of December 2014. Some further work has been carried

out in relation to analysing visitor numbers and impact pathways. The most appropriate sources of information available have been cited. The majority of research sources quoted in the revised HRA Report relate to an upland context and where relevant data is available relating to the South Pennines, this has been presented and assessed. Data that specifically relates to the district comprises a significant part of the evidence presented.

- 5.31 Natural England have advised that levels of recreational activity vary according to the site's proximity to neighbouring settlements and its accessibility (car access, parking and rights of way). Rombalds and Ilkley Moors, an isolated patch of SAC/SPA in the north of the district, is particularly vulnerable to a range of impacts given its size, sensitivity and relative proximity to urban areas on all sides. Information is presented in the HRA of December 2014 relating to the density of paths through Rombalds Moor, visitor penetration and the distribution of golden plover, which indicates significant areas and corridors likely to be subject to higher levels of disturbance.
- 5.32 Natural England have confirmed in their letter of 8th December 2014 that they agree with the conclusions of the HRA Report in relation to the issues which SC8 seeks to address namely recreational pressure, loss of functional land and urban edge pressures. The conclusions to the HRA indicated that the Council would produce a Supplementary Planning Document to guide implementation of the South Pennine Moor zones of influence policy. The only outstanding issue is therefore that Natural England have indicated that in order to increase confidence that avoidance, mitigation and management measures can be delivered, a start needs to be made on preparatory work in relation to scoping the SPD. Discussions on this project will start as soon as is feasible.
- 5.33 Information has been presented to indicate that the HRA evidence is considered to be soundly based and that the only outstanding issue from Natural England is the need to agree programming and scoping of the SPD, which can be addressed and resolved.