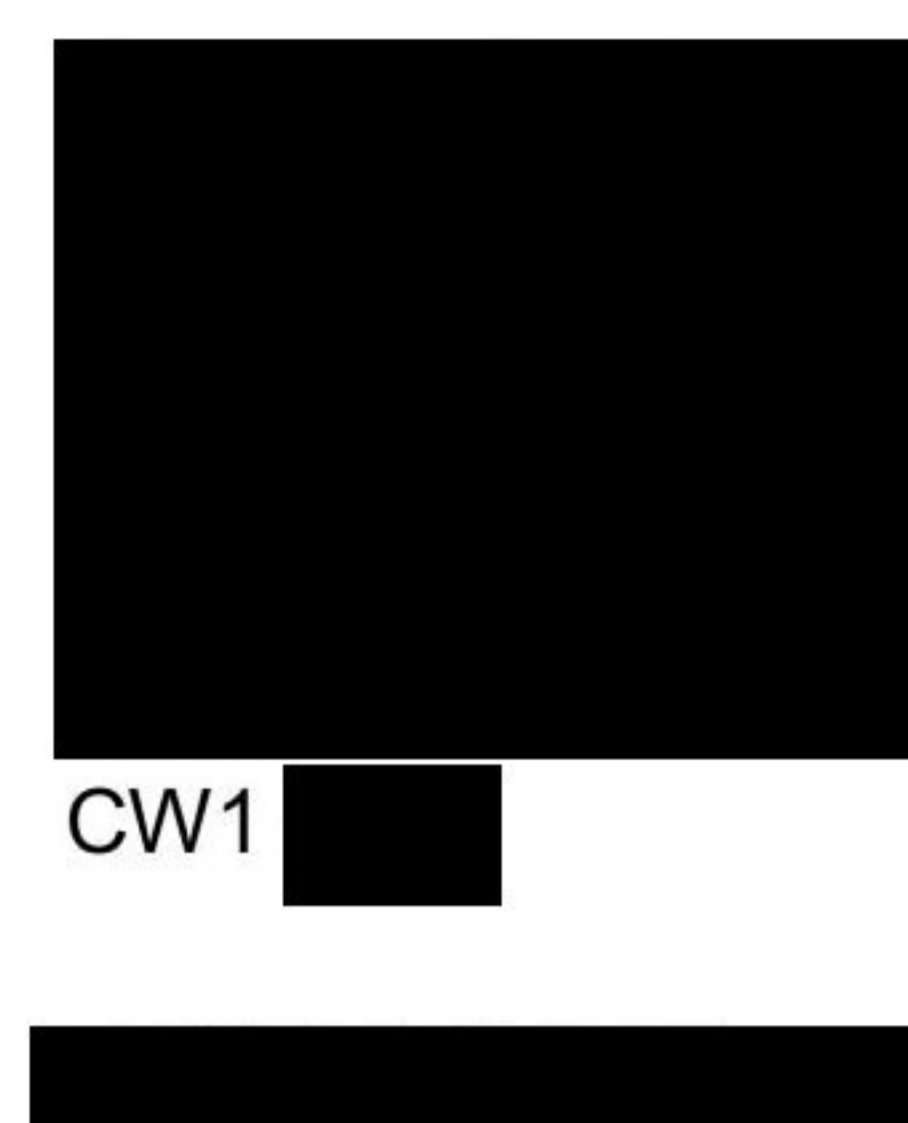


Date: 02 February 2016
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City of Bradford Metropolitan District Council
2nd Floor South
Jacobs Well
Bradford
BD1 5RW



BY EMAIL ONLY

Dear Sir/Madam

Planning consultation: City of Bradford Metropolitan District Council Waste Management Development Plan Document (DPD) PUBLICATION DRAFT (REGULATION 18 & 19); Bradford City Centre Area Action Plan PUBLICATION DRAFT (REGULATION 18 & 19); City of Bradford Metropolitan District Council Shipley and Canal Road Corridor Area Action Plan PUBLICATION DRAFT (REGULATION 18 & 19); City of Bradford Metropolitan District Council Community Infrastructure Levy Draft Charging Schedule (CIL Regulation 16 & 17)
Location: Bradford

Thank you for your consultation on the above dated 14 December 2015 which was received by Natural England on 14 December 2015.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England recognises that comments at this stage of the plan making process should be based on the Tests of Soundness as set out in paragraph 182 of the National Planning Policy Framework (NPPF). Having reviewed the policies and allocations within the documents Natural England considers them broadly compliant with national policies that seek to conserve and enhance the natural environment. We have set out below a number of amendments which will enable your authority to ensure that the plans meet the tests of soundness. These are set out below:

Waste management DPD

Natural England notes that the draft plan does not appear to be supported by a updated version of the Habitats Regulations Assessment (HRA) on the Council's website. The Sustainability Appraisal contains a references to it where it states [\[URL to be provided by Bradford Council\]](#). It is important that the HRA is available to support this DPD, without which the plan might be deemed not to be sound.

Section 1.2 of the Sustainability Appraisal addresses the findings of the HRA. It recognises that *'The HRA has concluded that an adverse effect could occur on the component site of the South Pennine Moors SPA/SAC (locally called Rombald's Moor) in connection with the inclusion of 'Site 78 – Aire Valley Road, Worth Village, Keighley' within Policy W6: Proposed Waste Site Allocations. This site is identified within Policy W6 as being suitable for waste management facilities and the supporting text identifies it as a potential location for a 'Pyrolysis and Gasification Facility'. The supporting text, which provides details about this*



site, does not refer to the HRA or AA and the potential for combustion processes on this site to lead to an adverse effect on nearby European designated sites, which was identified following an air quality assessment, the findings of which are presented within Bradford Metropolitan District Council Waste Management DPD Habitats Regulations Assessment (ENVIRON UK Ltd, November 2012).

It has therefore been concluded in the HRA that Site 78 may not be suitable for a waste management use which uses combustion processes and it has been recommended that the plan is amended to reflect that this use should not be identified as being suitable for Site 78. Alternative sites within the Plan Area should instead be identified for waste management use using combustion process, if it is necessary to provide such a facility within the District. As the Bradford Waste Management DPD Publication draft is currently worded, it cannot be concluded that an adverse effect on European designated sites will not occur as a result of the plan.'

This is a serious concern as the DPD still states that site 78 is suitable for a range of uses including 'Pyrolysis and Gasification Facility'. It goes on to state that the site has an extant planning permission for a plant to recover energy from Waste 13/04217/FUL. It is important for the plan to address this issue and clarify whether the planning permission granted in 2013 for the plant to recover energy from Waste 13/04217/FUL includes gasification or pyrolysis.

More generally the absence of the final HRA is a concern as it does not enable Natural England to review its conclusions and findings for the DPD as a whole.

HRA screening for City Centre AAP and the Shipley and Canal Road Corridor AAP

Natural England welcomes the conclusions and recommendations of the screening report.

Natural England advises that there is a need to reflect the proposed modifications to text of Policy SC8 as it has been modified. Also support the recommended strengthening of the policies as set out in section 5.2.

Shipley and Canal Road Corridor AAP

There is a need in paragraph 4.7.33 to reflect modified policy SC8 and the descriptions of the zones related to the SPA and we would expect this section of the plan to make more explicit reference to recommendations in HRA. We welcome the requirement in 4.7.39, however this too needs to reflect the latest version of Policy SC8 and reflect the revised definitions of the zones in that policy.

City Centre Area Action Plan (AAP)

Natural England support plan objective 8 for provision of biodiversity and green infrastructure.

Natural England support policies M5 and M6 re biodiversity and green infrastructure.

Natural England welcomes the integration and promotion of biodiversity enhancement as objectives within both AAPs.

CIL Draft Charging Schedule

In our response on the draft charging schedule dated 8 September 2015 we advised that there was a need to ensure that the avoidance/mitigation measures identified within Core Strategy policy SC8 (Protecting the South Pennine Moors and their Zone of Influence) are sufficiently funded either through the Community Infrastructure Levy (CIL), Section 106 Agreement or other mechanism. As Section 106 contributions for strategic mitigation are restricted to 5 developments, CIL offers a mechanism for funding new greenspace required to avoid adverse effects on Natura 2000 sites. Certainty in the delivery of policy SC8's mitigation is required in order to comply with requirements of the European Habitats Directives and Habitats and Species Regulations 2010 (as amended). The prioritisation of costed alternative greenspace mitigation in the 7km zone around the South Pennine

Moors Natura 2000 should be a priority. We recommend that the draft Reg 123 list is made more explicit and reference is made to the need to secure such measures in perpetuity. The same should be done in the draft Infrastructure plan section 6.4. and in section 9.2.7 which currently refers to green infrastructure.

It is important to provide sufficient certainty in CIL charging schedules that necessary mitigation measures will be secured through CIL.

Draft Reg 123 List - Natural England welcomes the inclusion of the following measures:

Green infrastructure and public greenspace (e.g. improvements to open space), except for on-site provision required by Core Strategy policies

Habitat mitigation including Suitable Alternative Natural Greenspace, except for on-site provision required by Core Strategy policies

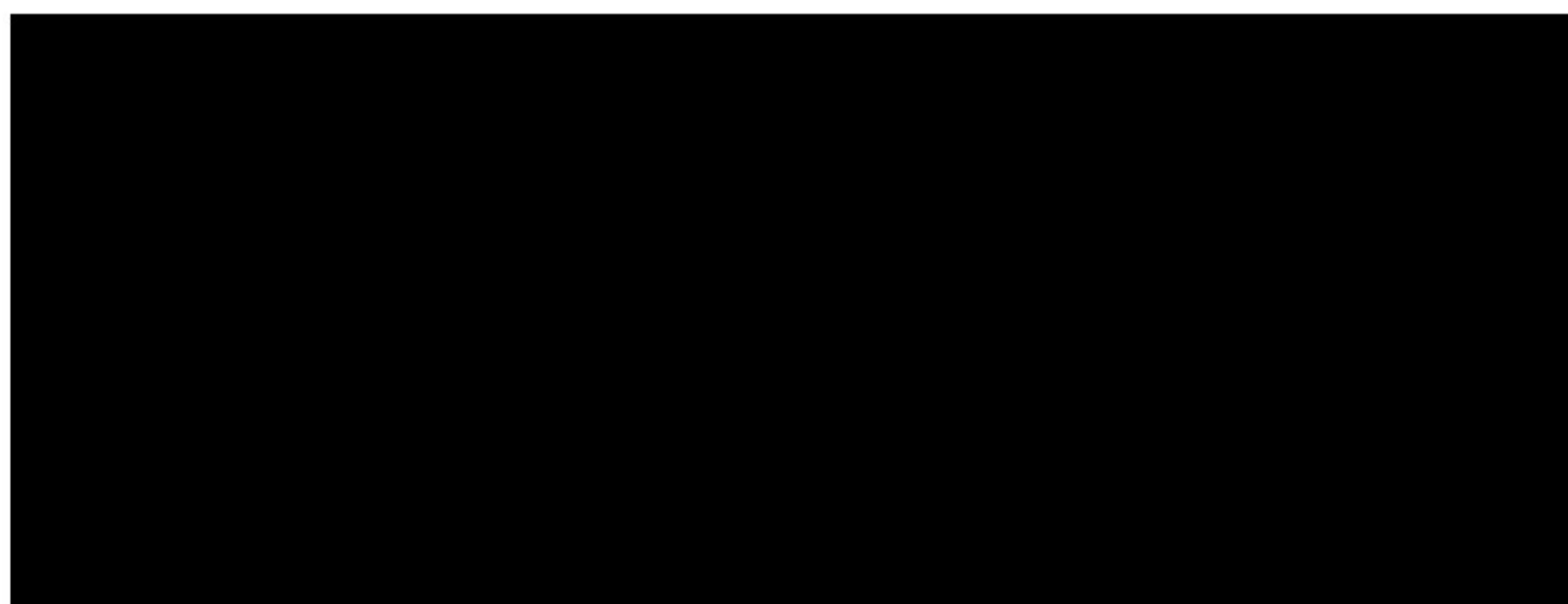
As noted above we recommend that these are made more explicit in their importance for delivery of mitigation measures related to the South Pennine Moors Natural 2000 site.

Local Infrastructure Plan - We welcome recognition in the plan of the need to green infrastructure and other measures to mitigate impacts from new development on the South Pennine Moors SPA/SAC.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Tom Keatley on 0300 060 4223 or Richard Hall on 0300 060 0827 (or via email tom.keatley@naturalengland.org.uk or richard.hall@naturalengland.org.uk). For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely



Team Leader
South & West Yorkshire team
Yorkshire and northern Lincolnshire