

ECOLOGY AND BIODIVERSITY DRAFT STATEMENT OF COMMON GROUND

APPEAL REFERENCE: - APP/W4705/W/23/3332884

DATE OF HEARING/INQUIRY:- 20-22nd February, 27th-29th February, 6-7th March 2024

SITE ADDRESS AND DESCRIPTION OF THE DEVELOPMENT

Horn Crag Quarry, Fishbeck Lane, Silsden

Re-opening of Horn Crag Quarry for the purposes of releasing a proven locally distinctive building stone resource

APPELLANT Mr. Andrew Calvert

LOCAL PLANNING AUTHORITY Bradford Metropolitan District Council

This statement addresses the following areas of common ground:

1. Relevant submitted documents and Council comments and documents
2. Areas of Agreement/Disagreement

1. Relevant submitted documents and Council comments and documents

1.1 DOCUMENTS SUBMITTED BY APPELLANT

00-04Extraction Phasing Plan (232/5-3)

00-05Site Layout Plan (232/5-3)

01-17Preliminary Ecological Assessment (REDACTED)

01-18Preliminary Ecological Assessment FULL (CONFIDENTIAL FILE)

01-19Breeding Bird Survey

01-20Breeding Bird Survey Update

01-21SPA Bird Foraging Surveys

01-22Protected Species Assessment and report (CONFIDENTIAL FILE)

01-23Protected Species Update (CONFIDENTIAL FILE)

01-24Bat Activity Survey

01-25Bat Emergence Survey Report

01-26Bat Survey Update – Hibernation Report
Biodiversity Metrics

01-29 Detailed Vegetation Survey

01-30Biodiversity Net Gain Assessment

01-33Ecological Impact Assessment (REDACTED)

01-34Ecological Impact Assessment FULL (CONFIDENTIAL FILE)

01-35Location Plan

1.2 COUNCIL DOCUMENTS

06-02Bradford Metropolitan District Council Core Strategy DPD 2017

07-02The South Pennine Moors SPA / SAC Planning Framework SPD (2022)

11-09Biodiversity Net Gain - Good practice principles for development 2016

11-10Environmental Improvement Plan 2023

11-11State of Nature 2023

11-12Natural England Joint Publication JP039 Biodiversity Metric 3.1 User Guide

11-15Bradford Wildlife Habitat Network (link only to map)

11-16Draft biodiversity net gain planning practice guidance (link only)

11-48Biodiversity Metric - 22/01170/MAF (application withdrawn)

11-49West Yorkshire Ecology - 22/01170/MAF (application withdrawn)

11-50Bradford Wildlife Habitat Network and site

11-51Bradford Wildlife Habitat Network Closeup

11-52Bradford Wildlife Habitat Network

11-53 Bradford Wildlife Habitat Network and Designated Wildlife Sites
11-54A Green Future: Our 25 Year Plan to Improve the Environment
11-55EN Protected Species and Development (CONFIDENTIAL FILE)
11-56 Transforming our world: the 2030 Agenda for Sustainable Development

2. Matters which are the subject of specific areas of agreement / disagreement

2.1 Agreement:

- a. The site is not regarded as supporting habitat to the South Pennine Moors SPA/SAC and therefore highly unlikely to have a significant effect on the interest features of the SPA/SAC. As such there is no further assessment against the habitat regulations required;
 - The Brooks Ecology Reports submitted as part of the application adequately capture the baseline habitats present on site and that the BNG snapshot report is suitable to illustrate indicative habitat losses and gains over the lifespan of the works;
 - Additional information provided within the Envance 'Horn Crag Quarry Badger Mitigation Strategy' (received 24th January 2024) demonstrates that the potential for impacts to badgers can be adequately mitigated on site and can be addressed via a pre-commencement planning condition requiring the production of a badger mitigation strategy and obtaining of appropriate licenses.
- Additional conditions to be agreed for mitigation and licensing
- There are no other protected species concerns relating to the site.

2.2 Disagreement:

- b. Whether the Brooks Ecology Reports submitted as part of the application demonstrate:
 - Whether there has been appropriate consideration of the mitigation hierarchy in regards to the potential for avoidance of impacts to existing heathland areas;
 - Whether the proposals will result in timely net gains to

- biodiversity; and,
- Whether there is an unacceptable impact on the functionality of the Wildlife Habitat Network.

A list of Core Documents are be agreed between the Appellant and BMDC.

2.3 Draft additional conditions in relation to protected species mitigation:

The following works to open and operate a quarry with associated infrastructure shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to relevant protected species legislation authorising the specified activity/development to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

No development shall take place until an ecological design strategy (EDS) addressing mitigation for protected species has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and

all features shall be retained in that manner thereafter.