

Bradford Core Strategy Examination

Natural England Statement

Matter 3: Strategic Core Policies

1. Introduction

- 1.1 This Statement provides further advice from Natural England to inform the Examination of the Bradford Core Strategy in relation to Matter 3 (Strategic Core Policies), particularly in relation to Policy CS8 (South Pennine Moors) and question b. outlined in para 3.5 (page 7) of the Schedule of Matters and Issues for Examination:

a. Is the approach towards new development with the South Pennine Moors and their zones 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?

- 1.2 This statement should be read alongside Natural England's response to Matter 1, question 1.2.

2. Policy SC8 - Habitats Regulations Assessment

- 2.1 Within our advice to City of Bradford Metropolitan Council (hereafter the Council) which is dated the 8 December 2014 (Appendix A), we withdrew concerns (expressed within representations on the Publication Draft) that the Habitats Regulations Assessment (HRA) had not correctly assessed the Core Strategy's adverse effects upon the South Pennine Moors Special Protection Area (SPA) Phase II. This advice was provided upon receipt of an updated HRA (dated November 2014).
- 2.2 Natural England was specifically concerned that the previous HRA examined effects upon typical bird species within the Special Area of Conservation (SAC). The typical bird species identified could not be considered an integral component of the SAC's habitat interest as they are not species which contribute to the maintenance or restoration of the habitat's structure and function (a conservation objective).
- 2.3 The updated HRA (screening of likely significant effects and subsequent appropriate assessment) correctly identifies loss of supporting habitat (functionally linked land), recreational impacts and urban edge effects as likely significant effects which require a more detailed appropriate assessment. The HRA was adequately updated to ensure typical SAC species were not used to assess ornithological impacts and the report was accurately amended to only reference SPA species (when assessing ornithological impacts) including those species which form part of the assemblage.
- 2.4 The assessment of loss of functionally linked land is based on habitat and bird surveys of SHLAA sites within 2.5km of the SPA and sites within both 1km of a settlement and 2.5km of the SPA. This level of surveying was required to ensure the housing targets would not result in significant loss of functionally land and adverse

effects upon the SPA. The surveys have recorded Curlew and Lapwing (assemblage species) and suitable habitat widely within the 2.km zone.

- 2.5 The assessment of recreational pressure is based on previous breeding bird and habitat surveys (2005), studies of the effects of recreational disturbance (including studies of golden plover undertaken within the South Pennine Moors SPA), and visitor surveys undertaken in 2013. This level of analysis was required to ensure the housing policies within the Core Strategy would not increase disturbance of SPA birds and trampling of habitat. These effects are currently threatening the site's favourable conservation status.
- 2.6 Given the strategic nature of the Core Strategy and the implications upon future plan making should the effects on the South Pennine Moors be deferred to the subsequent Allocations DPD, Natural England considers the quality and quantity of evidence underpinning the conclusions of adverse effects appropriate.
- 2.7 Natural England concur with the updated HRA's conclusion that due to increased recreational pressure, potential loss of functionally linked land, and urban edge effects adverse effects upon the South Pennine Moors SPA cannot be ruled out and that effective and deliverable avoidance/mitigation measures should be incorporated within the Core Strategy. Therefore, our only outstanding soundness concern relates to the availability and deliverability of avoidance/mitigation measures, as outlined in our statement relating to Matter 1.

3. SC8 Policy Wording

- 3.1 Within our representation on the publication draft Natural England raised concerns that the policy wording was over complicated and should be simplified.
- 3.2 Rather than set out policies for Bi, Bii and both Bi and Bii together. It should set out the separate requirements of development within Bi (land that may be functionally linked) and Bii (developments that will contribute to recreational disturbance) and explain in the supporting text that within 2.5km of the SPA boundary residential developments must consider both issues.
- 3.3 In addition, given that in exceptional circumstances residential development is permitted within 400m of the SPA boundary, zones B and Bii (or C as suggested) should include this 400m zone.
- 3.3 Policy SC8 should read:

Development will not be permitted where it would be likely to lead to an adverse effect upon the integrity, directly or indirectly, of the South Pennine Moors Special Protection Area and Special Area of Conservation. To ensure these sites are not harmed, a number of zones have been identified:

Zone A

No development involving a net increase in dwellings would be permitted within a suitable buffer area around the upland heath/ South Pennine Moors (normally 400m) unless, as an exception, the form of residential development would not have an adverse effect upon the sites' integrity.

Zone Bi

Zone Bi would apply ~~between 400m and~~ within 2.5km of the designated Site boundary. Within Zone Bi the Council will take a precautionary approach to the review and identification of potential Greenfield sites for development based on an assessment of carrying capacity using the available evidence from bird and habitat surveys and appropriate additional monitoring. The underlying principles will be to avoid loss or degradation of areas outside European Sites that are important to the integrity of sites and that sufficient foraging resources continue to be available, in order to ensure the survival of bird populations.

Zone Bii C

Zone Bii C would apply ~~between 2.5km and~~ up to 7km of the designated Site Boundary. ~~Within Zone Bii appropriate assessment is still likely to identify significant adverse effects in combination with other proposals, however appropriate avoidance or mitigation measures should allow development to take place.~~

Zones Bi and Bii

*Within Zones Bi C (taking into account the need to avoid loss or degradation of areas outside European Sites that are important to the integrity of the sites) and Zone Bii residential developments that result in a net increase of one or more dwellings **and therefore contribute to increased recreational disturbance within the European Site** will be required to contribute to:*

- 1. The provision of additional natural greenspace and appropriate facilities to deflect pressure from moorland habitats and the long-term maintenance and management of that greenspace.*
- 2. The implementation of access management measures, which may include further provision of wardens, in order to reduce the impact of visitors*
- 3. A programme of habitat management and manipulation and subsequent monitoring and review of measures*

To mitigate impacts on European Sites due to the increase in population, an approach will be adopted that sets out a mechanism for the calculation of the planning contribution.

Appendix A: Post Publication Correspondence