

Date: 01 August 2014
Our ref: 127125
Your ref:



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BY EMAIL ONLY

Dear Sir/Madam,

Planning consultation: Publication Core Strategy – Further Advice

Location: City of Bradford Metropolitan District

This letter should be read alongside previous advice to City of Bradford Metropolitan District Council (CBMDC) regarding the soundness of the Publication Core Strategy (letter dated 31 March 2014).

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.

Having reviewed our previous advice on policy HO3 (Spatial Distribution) and the supporting HRA, Natural England would like to take this opportunity to clarify our position regarding the soundness of this policy.

Previous Advice

Natural England advised that the Core Strategy's Habitats Regulations Assessment (HRA) of policy HO3 had not justified the redistribution of housing for settlements within 2.5km of the South Pennine Moors Special Area of Conservation (SAC) and Special Protection Area (SPA).

Typical SAC bird species

Our concerns were based primarily on the HRA's use of 'typical SAC bird species' to determine whether the settlement housing targets would require functionally linked land, the loss of which, would adversely affect the SAC's interest features and conservation objectives.

Whilst the recording of 'typical SAC species', including bird species where appropriate, forms part of the monitoring of a site's favourable condition status (Article 17, Appendix 5) and Natural England encourage their consideration within HRAs, in this case their inclusion is not seen as having foundation. 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).

South Pennine Moors (Phase 2) – Breeding Bird Assemblage

The HRA's assessment of effects upon the Special Protection Area (SPA) Phase 2 did not recognise the inclusion of the site's assemblage of breeding birds as an interest feature. This was

not made clear by Natural England within our previous letter. In light of this oversight, Natural England would like the following advice taken into consideration.

The breeding bird assemblage was included within the SPA data form, its citation and conservation objectives. The conservation objectives have been reviewed and were updated on the 30 July 2014. Both the citation and updated objectives are available to view at:

<http://publications.naturalengland.org.uk/publication/4885083764817920?category=5758332488908800>

In addition to named qualifying features (dunlin, European golden plover and merlin), the breeding bird assemblage is also an interest feature. The citation lists the assemblage as lapwing, snipe, curlew, redshank, common sandpiper, short-eared owl, whinchat, wheatear, ring ouzel and twite. The HRA should therefore consider whether the distribution of housing and subsequent settlement targets can be delivered without adversely affecting the assemblage of these birds.

This should not require further surveying as this was undertaken to determine the likely presence of the typical SAC bird species.

When determining whether there is an adverse effect upon the assemblage, the HRA should consider: the numbers of assemblage birds present within functionally linked areas; identify those locations frequently visited by these birds; and the numbers present compared against their populations. Unless there is an in-combination effect, Natural England would caution against the removal of potential allocations on the basis that a single assemblage bird was recorded.

Justifying Adverse Effects

As the core strategy does not allocate sites, the HRA should provide sufficient confidence that the housing targets for those settlements within the functionally linked zone can be delivered within the allocations DPD. This will require a clear explanation, within the HRA, of the methodology used to determine whether the targets can be delivered without adverse effects on site integrity. This should include the parameters used to screen potential development sites.

Natural England appreciate CBMDC's have sought to avoid, rather than mitigate any adverse effects and that the precautionary principle has been applied. However when appraising potential development locations the Council should consider whether it is possible to identify sites/locations that are a) unlikely to be deliverable (where significant numbers are recorded on-site or likely to be disturbed off-site) and therefore should be avoided, b) deliverable with mitigation (either site specific or strategic mitigation), or deliverable without mitigation (unconstrained).

In summary, Natural England advises that the HRA should be amended to include a robust methodology (including effects on the SPA breeding bird assemblage) as this would provide justification that the housing distribution proposed within policy PO3 can be delivered without adverse effects upon the South Pennine Moors SPA.

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 John King on 03000 604129. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely



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