

From: [REDACTED]
To: [REDACTED]
Subject: RE: Oxenhope Neighbourhood Development Plan - Notice of Consultation
Date: 20 July 2021 09:31:29

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Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice.

The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

Generic advice is provided in the Annex attached.

Annex - Generic advice on natural environment impacts and opportunities

Sites of Special Scientific Interest (SSSIs)

Local authorities have responsibilities for the conservation of SSSIs under [s28G of the Wildlife & Countryside Act 1981 \(as amended\)](#). The National Planning Policy Framework (paragraph 175c) states that development likely to have an adverse effect on SSSIs should not normally be permitted. Natural England's SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#). Our initial screening indicates that one or more Impact Risk Zones have been triggered by the proposed development, indicating that impacts to SSSIs are possible and further assessment is required. You should request sufficient information from the developer to assess the impacts likely to arise and consider any mitigation measures that may be necessary.

Air quality impacts on SSSIs

The interest features of affected designated sites may be sensitive to impacts from aerial pollutants, To determine any likely air quality impacts arising from this proposal, an initial screening for air quality impacts should be completed. Simple screening tools are available via the internet, such as the Simple Calculation of Atmospheric Impact Limits (SCAIL) model: <http://www.scail.ceh.ac.uk/>. The results of this screening should inform the need for any further, more detailed assessment which may be required to fully assess the impacts of the proposal.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

Protected Species

Natural England has produced [standing advice](#)¹¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. The list of priority habitats and species can be found [here](#)¹². Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

Protected landscapes

For developments within or within the setting of a National Park or Area of Outstanding Natural Beauty (AONB), we advise you to apply national and local policies, together with local landscape expertise and information to determine the proposal. The National Planning Policy Framework (NPPF) (paragraph 172) provides the highest status of protection for the landscape and scenic beauty of National Parks and AONBs. It also sets out a 'major developments test' to determine whether major developments should be exceptionally be permitted within the designated landscape. We advise you to consult the relevant AONB Partnership or Conservation Board or relevant National Park landscape or other advisor who will have local knowledge and information to assist in the determination of the proposal. The statutory management plan and any local landscape character assessments may also provide valuable information.

Public bodies have a duty to have regard to the statutory purposes of designation in carrying out their functions (under (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended) for National Parks and S85 of the Countryside and Rights of Way Act, 2000 for AONBs). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Heritage Coasts are protected under paragraph 173 of the NPPF. Development should be consistent the special character of Heritage Coasts and the

importance of its conservation.

Landscape

Paragraph 170 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer.

Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal.

Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Subject: Oxenhope Neighbourhood Development Plan - Notice of Consultation

Dear Sir or Madam;

Oxenhope Village Council have prepared a neighbourhood development plan for their area under the provisions of the Localism Act 2011 and Neighbourhood Planning (General) Regulations 2012 (as amended). This plan has been the subject of community and engagement, including a formal period of consultation led by the Town Council (under Regulation 14 of the 2012 Regulations). The Plan was formally submitted to City of Bradford Metropolitan District Council to allow formal consultation to be undertaken under Regulation 16 of the 2012 Regulations.

Accordingly, City of Bradford Metropolitan District Council has published the Oxenhope Neighbourhood Development Plan and supporting documentation to allow formal representations to be made on their contents.

The Neighbourhood Plan

The Oxenhope Neighbourhood Development Plan sets out a vision for the how the community wish the area to be, together with a set of aims framed in order to achieve the vision. The plan also includes 22 planning policies, based around twelve objectives, that will assist in delivering on its overall vision. These twelve objectives relate to:

- Natural environment;

- Historic, cultural and heritage assets;
- Local green spaces
- Community services and facilities;
- Traffic, congestion and parking;
- New housing;
- Small scale commercial developments;
- Recreation and leisure activities and opportunities;
- Housing types;
- Movement and wayfinding;
- Tourism and agriculture;
- Wellbeing.

Document Availability

The Oxenhope Neighbourhood Development Plan and supporting documentation are available to view on the Council's website at: <https://www.bradford.gov.uk/planning-and-building-control/planning-policy/neighbourhood-areas/?Folder=Oxenhope\OxenhopeReg16> . It can also be viewed via the Council's on-line Opus Consult consultation portal at: <https://bradford.oc2.uk/>.

Hard copies of the neighbourhood development plan documentation can also be viewed at the following locations:

<ul style="list-style-type: none"> • CBMDC Customer Service Centre, Britannia House, Broadway, Bradford, BD1 1HX 	<p>By appointment only. Please telephone 01274 432772 to arrange an appointment.</p> <p>Monday to Thursday: 8.30am to 5pm Friday: 8.30am to 4.30pm</p>
<ul style="list-style-type: none"> • City Library, Centenary Square, Bradford, BD1 1SD 	<p>Monday to Thursday: 8.30am to 7pm Friday & Saturday: 9am to 5pm</p>
<ul style="list-style-type: none"> • Keighley Library (Local Studies), North Street, Keighley, BD21 3SX 	<p>By appointment only. Please telephone 01535 618215 to arrange an appointment.</p>
<ul style="list-style-type: none"> • Keighley Town Hall, Bow Street, Keighley, BD21 3PA 	<p>By appointment only. Please telephone 01274 432772 to arrange an appointment.</p> <p>Monday to Thursday: 8.30am to 5pm Friday: 8.30am to 4.30pm</p>

Making Representations

The consultation period runs for eight weeks between **Friday 16th July** and **Friday 10th September 2021**. Representations should be received by **5pm** on **10th September 2021**. They can be made in the following ways:

- **On-line:** The Council is encouraging representations to be made, where possible, through its online consultation portal – Opus Consultation at: <https://bradford.oc2.uk/>. Users will be required to register prior to submitting any comments.
- **By e-mail to:** planning.policy@bradford.gov.uk. Please include "Oxenhope Neighbourhood Development Plan" in the subject box.
- **In writing to:** Local Plan Team, City of Bradford Metropolitan District Council, 4th Floor, Britannia House, Hall Ings, Bradford, BD1 1HX

If submitting representations in writing, respondents are encouraged to use the representation form, which is available on [Council's website](#).

Next Steps

Once the consultation closes, the Oxenhope Neighbourhood Development Plan, together with the supporting documentation and representations received, will be subject to an independent examination by a suitably qualified and experienced Examiner to determine whether the Plan meets the Basic Conditions and other legislative requirements. The Examiner will prepare a report and recommend whether or not the plan should proceed to a local referendum.

Further Information

If you require further information, please contact a member of the Local Plan Team by phone on (01274) 433679 or by e-mail to: planning.policy@bradford.gov.uk

Kind regards

Iain Cunningham BSc (Hons) MRTPI
Senior Planning Officer – Local Plan Team
Planning, Transportation and Highways

To get email updates about the Local Plan for the Bradford District - [click to subscribe to Planning Policy](#)

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[1] <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

[2] <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

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