

LIST OF MODIFICATIONS

UDP – Policy Framework: Chapter 14 Natural Environment and Countryside

| Mod Ref UDP Ref Site Ref IR Page No. | Existing UDP Wording – 1st Deposit (June 2001) or Revised Deposit (July 2002) (<i>whichever is the latest approved by Council</i>) | Proposed Modification | Reason for Modification |
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| <p>Mod - Mod/PF/NE/1</p> <p>UDP - Policy NE 1, Paragraphs 14.10 - 14.18, 14.18a, 14.18b Public Rights of Way</p> <p>IR – Policy Framework Paragraphs 14.1 - 14.5, pp 180 - 181</p> | <p>“Policy NE1</p> <p>DEVELOPMENT AFFECTING PUBLIC RIGHTS OF WAY MUST SEEK TO RETAIN THE ROUTE WITHIN ITS EXISTING RECORDED LINE, LEVEL AND CHARACTER (HISTORIC FEATURES, ASPECT AND BOUNDARIES, FOR EXAMPLE). IF A DIVERSION OR EXTINGUISHMENT OF A PATH IS ESSENTIAL TO ALLOW DEVELOPMENT TO TAKE PLACE, AN ALTERNATIVE ROUTE MUST BE PROVIDED THAT IS NO MORE ARDUOUS THAN THE ORIGINAL ROUTE.</p> <p>14.10 As a major landowner in the countryside, Bradford Council has a specific responsibility to ensure its own land is accessible to the public wherever possible and that such areas are managed sympathetically, particularly in a manner compatible with the preservation of wildlife. Much of this land is Urban Common and woodland and the Council is active in managing such sites for public enjoyment. Significant areas of open land which have public access are Ilkley Moor, Baildon Moor, Harden Moor, Penistone Hill, plus woodlands such as Hirst Wood, Judy Woods, Middleton Woods, Shipley Glen and Northcliffe Woods.</p> <p>14.11 The Council will continue to make its open land and woodland available for appropriate outdoor recreation and will provide opportunities for a range of acceptable activities to take place wherever possible. Management Plans will be drawn up for sites to assist this</p> | <p>“Policy NE1</p> <p>DEVELOPMENT AFFECTING PUBLIC RIGHTS OF WAY MUST SEEK TO RETAIN THE ROUTE WITHIN ITS EXISTING RECORDED LINE, LEVEL AND CHARACTER (HISTORIC FEATURES, ASPECT AND BOUNDARIES, FOR EXAMPLE). IF A DIVERSION OR EXTINGUISHMENT OF A PATH IS ESSENTIAL TO ALLOW DEVELOPMENT TO TAKE PLACE, AN ALTERNATIVE ROUTE MUST BE PROVIDED THAT IS NO MORE ARDUOUS THAN THE ORIGINAL ROUTE.</p> <p>14.10 As a major landowner in the countryside, Bradford Council has a specific responsibility to ensure its own land is accessible to the public wherever possible and that such areas are managed sympathetically, particularly in a manner compatible with the preservation of wildlife. Much of this land is Urban Common and woodland and the Council is active in managing such sites for public enjoyment. Significant areas of open land which have public access are Ilkley Moor, Baildon Moor, Harden Moor, Penistone Hill, plus woodlands such as Hirst Wood, Judy Woods, Middleton Woods, Shipley Glen and Northcliffe Woods.</p> <p>14.11 The Council will continue to make its open land and woodland available for appropriate outdoor recreation and will provide opportunities for a range of acceptable activities to take place wherever possible. Management Plans will be drawn up for sites to assist this</p> | <p>Policy is adequately covered by Policy TM9 in Chapter 8: Transport and Movement of the RDDP (with some modifications to supporting text)</p> |

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| Cont/ | <p>14.12 Where private open country within the District is made accessible under the Countryside and Rights of Way Act 2000, the Council will play its part in supporting the Local Countryside Access Forum which will ensure access to open country is delivered and managed.</p> <p>14.13 One of the most important resources in countryside recreation and management is the public rights of way network. The Bradford Metropolitan District has around 550 miles of public footpaths and bridleways which include the first national trail (the Pennine Way); regional trails (the Dalesway, the Bronte Way) and a complex network of popular local routes.</p> <p>14.14 The Council recognises that public rights of way are the means by which people gain access to the countryside and it is committed to improving and managing this network, both within the Bradford District and in joint projects across local authority boundaries. The network includes public footpaths, which are available for pedestrian use; bridleways, which are available for horse riders, cyclists and pedestrians; and byways, open to all traffic. Byways are available for all the above traffic and motorised vehicles; they usually have unsealed surfaces, are generally maintained in this character and may include green lanes, for example. The promotion of the network and raising awareness about the local countryside is an important feature of the Council's work. The Guided Walks programme run by Countryside and Rights of Way Service Volunteers is one example of such promotion.</p> | <p>14.12 Where private open country within the District is made accessible under the Countryside and Rights of Way Act 2000, the Council will play its part in supporting the Local Countryside Access Forum which will ensure access to open country is delivered and managed.</p> <p>14.13 One of the most important resources in countryside recreation and management is the public rights of way network. The Bradford Metropolitan District has around 550 miles of public footpaths and bridleways which include the first national trail (the Pennine Way); regional trails (the Dalesway, the Bronte Way) and a complex network of popular local routes.</p> <p>14.4 The Council recognises that public rights of way are the means by which people gain access to the countryside and it is committed to improving and managing this network, both within the Bradford District and in joint projects across local authority boundaries. The network includes public footpaths, which are available for pedestrian use; bridleways, which are available for horse riders, cyclists and pedestrians; and byways, open to all traffic. Byways are available for all the above traffic and motorised vehicles; they usually have unsealed surfaces, are generally maintained in this character and may include green lanes, for example. The promotion of the network and raising awareness about the local countryside is an important feature of the Council's work. The Guided Walks programme run by Countryside and Rights of Way Service Volunteers is one example of such promotion.</p> | cont |

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| | <p>14.15 The Council recognises the special problems experienced by people with disabilities in gaining access to the countryside and will therefore continue its efforts to overcome obstacles which impede their greater use of the public rights of way network. The Council will also help to identify and promote particular routes which are most suitable for use by disabled people. Where development affects a right of way, the Council will ensure, as far as possible, that disabled people are not disadvantaged by diversions of the route or other physical works.</p> <p>14.16 A constraint to the management of the public rights of way network is the lack of a Definitive Map for the 120 miles of public paths in the former City of Bradford County Borough. In view of the importance of the links between the urban area and the surrounding countryside the completion of the Definitive Map for the area is essential.</p> <p>14.17 In support of the Countryside Agency's "Milestones" programme, the Council will work towards ensuring that all rights of way are legally defined, properly maintained and well publicised as soon as practicable. Further details are outlined in the Council's access strategy "Managing Bradford's Rights of Way"</p> | <p>14.15 The Council recognises the special problems experienced by people with disabilities in gaining access to the countryside and will therefore continue its efforts to overcome obstacles which impede their greater use of the public rights of way network. The Council will also help to identify and promote particular routes which are most suitable for use by disabled people. Where development affects a right of way, the Council will ensure, as far as possible, that disabled people are not disadvantaged by diversions of the route or other physical works.</p> <p>14.16 A constraint to the management of the public rights of way network is the lack of a Definitive Map for the 120 miles of public paths in the former City of Bradford County Borough. In view of the importance of the links between the urban area and the surrounding countryside the completion of the Definitive Map for the area is essential.</p> <p>14.17 In support of the Countryside Agency's "Milestones" programme, the Council will work towards ensuring that all rights of way are legally defined, properly maintained and well publicised as soon as practicable. Further details are outlined in the Council's access strategy "Managing Bradford's Rights of Way"</p> | <p style="text-align: center;">/cont</p> |

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| | <p>14.18 The Council believes that rights of way must be maintained and preferably enhanced when development proposals are considered. Diversions using estate roads will be discouraged, as will narrow paths between high fences which pay insufficient regard to public amenity and safety preference being given to the formation of corridors providing through routes within developments.</p> <p>14.18a Each development proposal will be assessed on its own merit in respect of public rights of way. Any changes to public rights of way to accommodate development will require a legal order, which must be financed by the developer.</p> <p>14.18b The principal test for development affecting public rights of way is outlined in Policies TM9 and D6 and must be read in conjunction with the above policy which contains the detailed considerations.”</p> | <p>14.18 The Council believes that rights of way must be maintained and preferably enhanced when development proposals are considered. Diversions using estate roads will be discouraged, as will narrow paths between high fences which pay insufficient regard to public amenity and safety preference being given to the formation of corridors providing through routes within developments.</p> <p>14.18a Each development proposal will be assessed on its own merit in respect of public rights of way. Any changes to public rights of way to accommodate development will require a legal order, which must be financed by the developer.</p> <p>14.18b The principal test for development affecting public rights of way is outlined in Policies TM9 and D6 and must be read in conjunction with the above policy which contains the detailed considerations.”</p> | /cont |
| <p>Mod - Mod/PF/NE/2</p> <p>UDP - Paragraph 14.21b; Pre Inquiry Changes Jan 2003, p 31</p> <p>IR – Policy Framework paragraphs 14.6 - 14.8</p> | <p>14.21b Water bodies are a major resource that could be better developed for public use and enjoyment. However, these can also be of considerable ecological value and there is a need to balance recreational and ecological needs. The Council generally supports the recreational use of the District’s rivers, canals, lakes, reservoirs and other water courses, where the water quality permits and where such uses will not be detrimental to the ecological value of the area.</p> | <p>14.21b Water bodies are a major resource that could be better developed for public use and enjoyment. However, these can also be of considerable ecological value and there is a need to balance recreational and ecological needs. The Council generally supports the recreational use of the District’s rivers, canals, lakes, reservoirs and other water courses, where the water quality permits and where such uses will not be detrimental to water quality or the ecological value of the area. Development proposals which impact upon watercourses or water bodies will also be assessed against Policy NR17A</p> <p style="text-align: right;">Chapter 14 Natural Environment & Countryside List of Mods-4</p> | <p>Cross reference to other relevant policy and add consideration of water quality.</p> |

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| <p>Mod - Mod/PF/NE/3</p> <p>UDP - Policy NE3; Paragraphs 14.32, 14.33 Landscape Character Areas</p> <p>IR – Policy Framework paragraphs 14.9- 14.13, pp 181- 182</p> | <p>“14.32 A detailed landscape appraisal of Bradford District has recently been carried out, based upon the approach to distinct landscape character developed by the Countryside Agency. The appraisal identifies the 10 specific, distinct, and unique landscape character areas, listed above, which are all very different from each other. The built-up areas including Bradford, Keighley, Bingley, Shipley, Ilkley, Silsden, Menston, and Burley-in-Wharfedale, as well as smaller villages, are not included within these areas, because while they are often set within countryside, they are not themselves open countryside.</p> <p>14.33 For the purposes of appraising proposed developments, reference should be made to the ‘Bradford Landscape Character Study’ (CBMDC 2001). This identifies the landscape character areas setting out for each a description, important features, analysis of the areas sensitivity to change, and detractors within the area. It then sets out landscape strategies for the fabric of the landscape and for development taking place within it. An additional level of detail is provided with each character area being broken down further into a number of local landscape types, areas of land very similar to each other which occur throughout the District, such as moorland, wooded valleys or enclosed pasture. These are each described with an analysis of their strength of character and condition, together with policy guidelines for the conservation or improvement of the local landscape type. Development should be informed by and be sympathetic to landscape character and quality and should contribute, as appropriate, to the regeneration, restoration, enhancement, maintenance or active conservation of the landscape likely to be affected. The guidelines contained in the ‘Landscape Character Study’ will guide planning decisions across the whole of the countryside within Bradford District. Each proposal report contains a general description and list of the key landscape elements of reach landscape character area which fall within the particular Parliamentary constituency. “</p> | <p>14.32 A detailed landscape appraisal of Bradford District has recently been carried out, based upon the approach to distinct landscape character developed by the Countryside Agency. The appraisal identifies the 10 specific, distinct, and unique landscape character areas, listed above, which are all very different from each other. <i>In line with national advice on undertaking such assessments, the appraisal is comprehensive, covering the whole of the open countryside in the Bradford District.</i> The built-up areas including Bradford, Keighley, Bingley, Shipley, Ilkley, Silsden, Menston, and Burley-in-Wharfedale, as well as smaller villages, are not included within these areas, because while they are often set within countryside, they are not themselves open countryside.</p> <p>14.33 For the purposes of appraising proposed developments, reference should be made to the ‘Bradford Landscape Character Study’ (CBMDC 2001). This identifies the landscape character areas setting out for each a description, important features, analysis of the areas sensitivity to change, and detractors within the area. It then sets out landscape strategies for the fabric of the landscape and for development taking place within it. An additional level of detail is provided with each character area being broken down further into a number of local landscape types, areas of land very similar to each other which occur throughout the District, such as moorland, wooded valleys or enclosed pasture. These are each described with an analysis of their strength of character and condition, together with policy guidelines for the conservation or improvement of the local landscape type. Development should be informed by and be sympathetic to landscape character and quality and should contribute, as appropriate, to the regeneration, restoration, enhancement, maintenance or active conservation of the landscape likely to be affected. The guidelines contained in the ‘Landscape Character Study’ will guide planning decisions across the whole of the countryside within Bradford District. <i>The Landscape Character Assessment will be adopted as Supplementary Planning Guidance in support of Policy NE3 and NE3A.</i> Each proposal report contains a general description and list of the key landscape elements of reach landscape character area which fall within the particular Parliamentary constituency.</p> | <p>Clarification that the landscape appraisal covers the whole of the open countryside.</p> <p>Clarification of the status of the Landscape Character Assessment</p> |

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| <p>Mod - Mod/PF/NE/4</p> <p>UDP - NE 4; Paragraph 14.39 Trees & Woodlands</p> <p>IR – Policy Framework paragraphs 14.14 - 14.18, pp 183-184</p> | <p>Policy NE4</p> <p>THE COUNCIL WILL SEEK TO PRESERVE AND ENHANCE THE CONTRIBUTION THAT TREES AND AREAS OF WOODLAND COVER MAKE TO THE LANDSCAPE CHARACTER OF THE DISTRICT, (INCLUDING THE AMENITY VALUE OF TREES IN BUILT UP AREAS). IN PARTICULAR THE COUNCIL WILL:</p> <p>(1) REFUSE DEVELOPMENT PROPOSALS WHICH WOULD RESULT IN THE LOSS OF TREES OR AREAS OF WOODLAND COVER WHICH CONTRIBUTE TO:</p> <p>(a) THE CHARACTER OF THE LANDSCAPE; (b) THE CHARACTER OF A SETTLEMENT OR ITS SETTING; (c) THE AMENITY OF THE BUILT UP AREA, (d) VALUABLE WILDLIFE HABITATS OR (e) THE SEMI-NATURAL ANCIENT WOODLANDS OF THE DISTRICT.</p> <p>(2) THE COUNCIL WILL CONTINUE TO MAKE TREE PRESERVATION ORDERS WHERE NECESSARY, ESPECIALLY WITHIN AND ADJACENT TO DEVELOPMENT, IN ORDER TO PROTECT TREES AND WOODLAND AREAS WHICH CONTRIBUTE TO LOCAL AMENITY OR LOCAL LANDSCAPE CHARACTER. THE COUNCIL WILL RIGOROUSLY ENFORCE SUCH ORDERS.</p> <p>(3) THE COUNCIL WILL REQUIRE DEVELOPERS TO CONTRIBUTE TO WOODLAND COVER IN APPROPRIATE LOCATIONS AS PART OF THEIR DEVELOPMENT PROPOSALS;</p> | <p>Policy NE4</p> <p>THE COUNCIL WILL SEEK TO PRESERVE AND ENHANCE THE CONTRIBUTION THAT TREES AND AREAS OF WOODLAND COVER MAKE TO THE LANDSCAPE CHARACTER OF THE DISTRICT, (INCLUDING THE AMENITY VALUE OF TREES IN BUILT UP AREAS). IN PARTICULAR THE COUNCIL WILL:</p> <p>(1) REFUSE DEVELOPMENT PROPOSALS WHICH WOULD RESULT IN THE LOSS OF TREES OR AREAS OF WOODLAND COVER WHICH CONTRIBUTE TO:</p> <p>(a) THE CHARACTER OF THE LANDSCAPE; (b) THE CHARACTER OF A SETTLEMENT OR ITS SETTING; (c) THE AMENITY OF THE BUILT UP AREA, (d) VALUABLE WILDLIFE HABITATS OR (e) THE SEMI-NATURAL ANCIENT WOODLANDS OF THE DISTRICT.</p> <p style="text-align: right;">Cont/</p> <p>(2) THE COUNCIL WILL CONTINUE TO MAKE TREE PRESERVATION ORDERS WHERE NECESSARY, ESPECIALLY WITHIN AND ADJACENT TO DEVELOPMENT, IN ORDER TO PROTECT TREES AND WOODLAND AREAS WHICH CONTRIBUTE TO LOCAL AMENITY OR LOCAL LANDSCAPE CHARACTER. THE COUNCIL WILL RIGOROUSLY ENFORCE SUCH ORDERS.</p> <p>(3) THE COUNCIL WILL REQUIRE DEVELOPERS TO CONTRIBUTE TO WOODLAND COVER IN APPROPRIATE LOCATIONS AS PART OF THEIR DEVELOPMENT PROPOSALS;</p> | <p>To clarify the intention of the Policy as it related to Ancient Woodlands</p> |

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| | 14.39 Developers will be encouraged, where appropriate, to include tree and hedgerow planting as part of their landscape proposals, within all development sites and include provision for the effective future management of all planting. Furthermore, within those key areas identified by the Council's Woodland Strategy developers will be expected, where possible, to make a more positive contribution to the objectives of the Strategy, by making appropriate provision for more significant new areas of tree planting both within and outside development sites. Policy NE 4 reinforces Policy NE 3: landscape character; NE12: landscape and wildlife enhancement schemes and Policy D5: landscaping and design and should be read in conjunction with these policies." | 14.39 Developers will be encouraged, where appropriate , to include tree and hedgerow planting as part of their landscape proposals, within all development sites and include provision for the effective future management of all planting. Furthermore, within those key areas identified by the Council's Woodland Strategy developers will be expected, where possible, to make a more positive contribution to the objectives of the Strategy, by making appropriate provision for more significant new areas of tree planting both within and outside development sites. Policy NE 4 reinforces Policy NE 3: landscape character; NE12: landscape and wildlife enhancement schemes and Policy D5: landscaping and design and should be read in conjunction with these policies." | The inclusion of the words 'where appropriate' is not deemed to be necessary as encouragement to include tree planting within development proposals should be the norm. |
| Mod - Mod/PF/NE/5 UDP - Paragraph 14.42a Pre-Inquiry Changes Jan 2003 P 32 IR - n/a | "14.42a Ancient (semi-natural) woodlands are those woodlands which have had a continuous woodland cover since at least 1600AD and are valuable for their extensive flora and fauna and historic interest which has developed, through lack of cultivation, clearance or other disturbance,. The Ancient Woodland Inventory for West Yorkshire was revised in 1994 and this information is held by English Nature." | "14.42a Ancient (semi-natural) woodlands are those woodlands which have had a continuous woodland cover since at least 1600AD and are valuable for their extensive flora and fauna and historic interest which has developed, through lack of cultivation, clearance or other disturbance,. The Ancient Woodland Inventory for West Yorkshire was revised in 1994 and this information is held by English Nature." | For consistency to reflect the change to Policy NE4 & Paragraph 14.42a of the RDDP |

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| <p>Mod - Mod/PF/NE/6</p> <p>UDP - Paragraph 14.50</p> <p>IR – Policy Framework paragraphs 14.21 - 14.23</p> | <p>“14.50 In addition, there are a number of other sites of nature conservation value designated at a regional or local level, which the Council recognises as contributing to the biodiversity of the Bradford District and the wider area. 21 Sites of Ecological or Geological Importance (SEGIs) and 16 Regionally Important Geological/Geomorphological Sites (RIGS) have been designated by the Council, following county-wide surveys by West Yorkshire Ecology and the West Yorkshire RIGS Group, as sites of regional significance. All designated sites within the Nature Conservation Strategy are shown on the UDP Proposals map. In addition, over 100 sites of local nature conservation value, Bradford Wildlife Areas (BWAs), have also been designated, not only for their biodiversity interest, but also for their community benefits in respect of their accessibility for the quiet enjoyment of nature, their educational value or their heritage associations (such as mill ponds). “</p> | <p>“14.50 In addition, there are a number of other sites of nature conservation value designated at a regional or local level, which the Council recognises as contributing to the biodiversity of the Bradford District and the wider area. 21 Sites of Ecological or Geological Importance (SEGIs) and 16 Regionally Important Geological/Geomorphological Sites (RIGS) have been designated by the Council, following county-wide surveys by West Yorkshire Ecology and the West Yorkshire RIGS Group, as sites of regional significance. All designated sites within the Nature Conservation Strategy are shown on the UDP Proposals map. In addition, over 100 sites of local nature conservation value, Bradford Wildlife Areas (BWAs), have also been designated, not only for their biodiversity interest, but also for their community benefits in respect of their accessibility for the quiet enjoyment of nature, their educational value or their heritage associations (such as mill ponds). All designated sites within the Nature Conservation Strategy which are over 0.4 hectares are shown on the UDP Proposals map.”</p> | <p>To clarify, by their inclusion on the Proposals Map, which sites are considered to be designated and therefore protected.</p> |

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| <p>Mod - Mod/PF/NE/7</p> <p>UDP - Policy NE 7; Paragraphs 14.52-14.53 Sites of International & National Interest Pre-Inquiry Changes Jan 2003 P 32-33</p> <p>IR – Policy Framework paragraphs 14.24-14.25, pp 185-186</p> | <p>“European Sites – Special Protection Areas/ Special Areas of Conservation (SPA, SAC)</p> <p>Policy NE7</p> <p>DEVELOPMENT WHICH MAY AFFECT A EUROPEAN SITE OR A PROPOSED EUROPEAN SITE WILL BE SUBJECT TO THE MOST RIGOROUS EXAMINATION. DEVELOPMENT THAT IS NOT DIRECTLY CONNECTED WITH OR NECESSARY FOR THE MANAGEMENT OF THE SITE FOR NATURE CONSERVATION AND WHICH IS LIKELY TO HAVE SIGNIFICANT EFFECTS ON THE SITE (EITHER INDIVIDUALLY OR IN COMBINATION WITH OTHER PLANS OR PROJECTS) AND WHERE IT CANNOT BE ASCERTAINED THAT THE PROPOSAL WOULD NOT ADVERSELY AFFECT THE INTEGRITY OF THE SITE, WILL NOT BE PERMITTED UNLESS:-</p> <ul style="list-style-type: none"> • THERE IS NO ALTERNATIVE SOLUTION; AND • THERE ARE IMPERATIVE REASONS OF OVER-RIDING PUBLIC INTEREST WHICH JUSTIFY THE GRANT OF PLANNING PERMISSION FOR THE DEVELOPMENT. <p>WHERE THE SITE CONCERNED HOSTS A PRIORITY NATURAL HABITAT TYPE AND/OR PRIORITY SPECIES, DEVELOPMENT WILL NOT BE PERMITTED UNLESS THE COUNCIL IS SATISFIED THAT IT IS NECESSARY FOR REASONS OF HEALTH OR PUBLIC SAFETY OR FOR BENEFICIAL CONSEQUENCES OF PRIMARY IMPORTANCE FOR NATURE CONSERVATION. “</p> | <p>“European Sites Sites of International Importance – Special Protection Areas/ Special Areas of Conservation (SPA, SAC)</p> <p>Policy NE7</p> <p>DEVELOPMENT WHICH MAY AFFECT A EUROPEAN SITE OR A PROPOSED EUROPEAN SITE WILL BE SUBJECT TO THE MOST RIGOROUS EXAMINATION. DEVELOPMENT THAT IS NOT DIRECTLY CONNECTED WITH OR NECESSARY FOR THE MANAGEMENT OF THE SITE FOR NATURE CONSERVATION AND WHICH IS LIKELY TO HAVE SIGNIFICANT EFFECTS ON THE SITE (EITHER INDIVIDUALLY OR IN COMBINATION WITH OTHER PLANS OR PROJECTS) AND WHERE IT CANNOT BE ASCERTAINED THAT THE PROPOSAL WOULD NOT ADVERSELY AFFECT THE INTEGRITY OF THE SITE, WILL NOT BE PERMITTED UNLESS:-</p> <ul style="list-style-type: none"> • THERE IS NO ALTERNATIVE SOLUTION; AND • THERE ARE IMPERATIVE REASONS OF OVER-RIDING PUBLIC INTEREST WHICH JUSTIFY THE GRANT OF PLANNING PERMISSION FOR THE DEVELOPMENT. <p>WHERE THE SITE CONCERNED HOSTS A PRIORITY NATURAL HABITAT TYPE AND/OR PRIORITY SPECIES, DEVELOPMENT WILL NOT BE PERMITTED UNLESS THE COUNCIL IS SATISFIED THAT IT IS NECESSARY FOR REASONS OF HEALTH OR PUBLIC SAFETY OR FOR BENEFICIAL CONSEQUENCES OF PRIMARY IMPORTANCE FOR NATURE CONSERVATION. “</p> | <p>In accordance with the wording used in national guidance (PPG9)</p> |

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| <p>Mod - Mod/PF/NE/8</p> <p>UDP - Policy NE 7; Paragraphs 14.52- 14.53 Pre-Inquiry Changes Jan 2003 P 32-33</p> <p>IR –Policy Framework paragraphs 14.24- 14.25, pp 185-186</p> | <p>“14.52 English Nature will be consulted on all applications affecting a European Site and will advise on the likely significant effects of the proposed development, in accordance with the Conservation (Natural Habitats and c.) Regulations 1994 (or any amended regulations in force from time to time). Where a development is likely to have a significant effect on the site, an appropriate assessment will be required to show the impact of the development. English Nature will advise on the scope and content of assessment. Following this assessment, if it is found that the proposal will adversely affect the integrity of the site, a series of further stages, as set out in Annex C of PPG 9, must be systematically worked through. If no alternative solutions or locations can be found and the site does not host a priority natural habitat type or species defined in the Habitats Directive (European Directive 92/43/EEC) planning permission will only be granted if the development has to be carried out for imperative reasons of overriding public interest. If the site hosts a priority habitat or species, and there is no alternative solution, the only considerations which can justify the grant of planning permission are those which relate to human health or public safety. PPG 9 also states that “if planning permission is granted for a development which would adversely affect the integrity of an SPA or SAC, regulation 53 requires the Secretary of State to secure that any necessary compensatory measures are taken to ensure that the overall coherence of the Community-wide network of SPA’s and SAC’s, known as Natura 2000, is protected.”</p> | <p>“14.52 English Nature will be consulted on all applications affecting a European Site Site of International Importance and will advise on the likely significant effects of the proposed development, in accordance with the Conservation (Natural Habitats and c.) Regulations 1994 (or any amended regulations in force from time to time). Where a development is likely to have a significant effect on the site, an appropriate assessment will be required to show the impact of the development. English Nature will advise on the scope and content of assessment. Following this assessment, if it is found that the proposal will adversely affect the integrity of the site, a series of further stages, as set out in Annex C of PPG 9, must be systematically worked through. If no alternative solutions or locations can be found and the site does not host a priority natural habitat type or species defined in the Habitats Directive (European Directive 92/43/EEC) planning permission will only be granted if the development has to be carried out for imperative reasons of overriding public interest. If the site hosts a priority habitat or species, and there is no alternative solution, the only considerations which can justify the grant of planning permission are those which relate to human health or public safety. PPG 9 also states that “if planning permission is granted for a development which would adversely affect the integrity of an SPA or SAC, regulation 53 requires the Secretary of State to secure that any necessary compensatory measures are taken to ensure that the overall coherence of the Community-wide network of SPA’s and SAC’s, known as Natura 2000, is protected.”</p> | <p>In accordance with the wording used in national guidance (PPG9)</p> |

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| <p>Mod - Mod/PF/NE/9</p> <p>UDP - Policy NE 7; Paragraphs 14.52- 14.53 Pre-Inquiry Changes Jan 2003 P 32-33</p> <p>IR – Policy Framework paragraphs 14.24- 14.25, pp 185-186</p> | <p>“14.53 In relation to permitted development rights, developers should also note that Regulations 60-63 of the Habitats Directive ensure that any permission granted under the GDPO is not in breach of the terms of the Habitats Directive and prevent any development which is likely to significantly affect an SPA or SAC. Developers should therefore seek the opinion of English Nature before proceeding with any development within an SPA or SAC.”</p> | <p>“14.53 In relation to permitted development rights, developers should also note that Regulations 60-63 of the Habitats Directive ensure that any permission granted under the GDPO is not in breach of the terms of the Habitats Directive and prevent any development which is likely to significantly affect an [SPA or SAC] Site of International Importance. Developers should therefore seek the opinion of English Nature before proceeding with any development within a [SPA or SAC] Site of International Importance.”</p> | |

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|---|--|--|---|
| <p>Mod - Mod/PF/NE/10</p> <p>UDP – Policy NE10, Protection of Features & Species</p> <p>IR – Policy Framework paragraphs 14.26 - 14.31, pp 186 - 187</p> | <p>“Policy NE10</p> <p>DEVELOPMENT PROPOSALS SHOULD ENSURE THAT IMPORTANT:-</p> <ul style="list-style-type: none"> • LANDSCAPE • ECOLOGICAL • GEOLOGICAL FEATURES, or • WILDLIFE HABITATS AFFECTING PROTECTED SPECIES ARE PROTECTED. <p>THE COUNCIL WILL ENSURE THAT THE REQUIREMENTS OF THIS POLICY ARE SATISFIED THROUGH THE USE OF CONDITIONS AND/OR PLANNING OBLIGATIONS.</p> <p>PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD HAVE AN ADVERSE IMPACT ON BADGERS OR SPECIES PROTECTED BY SCHEDULES 1, 5 OR 8 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981, AS AMENDED OR EUROPEAN BIRDS AND HABITAT DIRECTIVES</p> | <p>“Policy NE10</p> <p>DEVELOPMENT PROPOSALS SHOULD ENSURE THAT IMPORTANT:-</p> <ul style="list-style-type: none"> • LANDSCAPE • ECOLOGICAL • GEOLOGICAL FEATURES, or • WILDLIFE HABITATS [AFFECTING] ACCOMMODATING PROTECTED SPECIES ARE PROTECTED. <p>THE COUNCIL WILL ENSURE THAT THE REQUIREMENTS OF THIS POLICY ARE SATISFIED THROUGH THE USE OF CONDITIONS AND/OR PLANNING OBLIGATIONS.</p> <p>PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD HAVE AN ADVERSE IMPACT ON BADGERS OR SPECIES PROTECTED BY SCHEDULES 1, 5 OR 8 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981, AS AMENDED OR EUROPEAN BIRDS AND HABITAT DIRECTIVES</p> | <p>To clarify the meaning of the policy</p> |

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|---|---|---|--|---------------------------|-------------|-----------|-------|-----------------|-----------|------------|---------------------------------------|----------------------------|-------|----------------|-------------|--|--|-------------------------------------|----------------------------|---------------------------|-------------|-----------|-------|-----------------|-----------|------------|--|---------------------------------------|-------|----------------|---|--|--|------------------|--|--|
| <p>Mod - Mod/PF/NE/11</p> <p>UDP - Paragraph 14.59a</p> <p>IR – Policy Framework paragraphs 14.32 - 14.33, p 187</p> | <p>“14.59a Regulation 37 of the Conservation (Natural Habitats & c.) Regulations 1994 states that plans shall include policies encouraging the management of features of the landscape which are of importance for wild flora and fauna. Such features include:-</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Linear tree belts/ shelter belts</td> <td style="width: 33%;">Semi-natural grasslands</td> <td style="width: 33%;">River corridors Canals</td> </tr> <tr> <td>Plantations</td> <td>Moorlands</td> <td>Lakes</td> </tr> <tr> <td>Small woodlands</td> <td>Peatlands</td> <td>Reservoirs</td> </tr> <tr> <td>Semi-natural- ancient woodlands</td> <td>Green Lanes/Drove roads</td> <td>Ponds</td> </tr> <tr> <td>Parkland trees</td> <td>Stone Walls</td> <td></td> </tr> </table> | Linear tree belts/ shelter belts | Semi-natural grasslands | River corridors Canals | Plantations | Moorlands | Lakes | Small woodlands | Peatlands | Reservoirs | Semi-natural- ancient woodlands | Green Lanes/Drove roads | Ponds | Parkland trees | Stone Walls | | <p>“14.59a Regulation 37 of the Conservation (Natural Habitats & c.) Regulations 1994 states that plans shall include policies encouraging the management of features of the landscape which are of importance for wild flora and fauna. Such features include:-</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Linear tree belts/ shelter belts</td> <td style="width: 33%;">Semi-natural grasslands</td> <td style="width: 33%;">River corridors Canals</td> </tr> <tr> <td>Plantations</td> <td>Moorlands</td> <td>Lakes</td> </tr> <tr> <td>Small woodlands</td> <td>Peatlands</td> <td>Reservoirs</td> </tr> <tr> <td>Semi-natural- ancient woodlands</td> <td>Green Lanes/Drove roads</td> <td>Ponds</td> </tr> <tr> <td>Parkland trees</td> <td>Heathlands Green Lanes/Drove roads</td> <td></td> </tr> <tr> <td></td> <td>Hedgerows</td> <td></td> </tr> </table> | Linear tree belts/ shelter belts | Semi-natural grasslands | River corridors Canals | Plantations | Moorlands | Lakes | Small woodlands | Peatlands | Reservoirs | Semi-natural- ancient woodlands | Green Lanes/Drove roads | Ponds | Parkland trees | Heathlands Green Lanes/Drove roads | | | Hedgerows | | <p>As a consequence of modifications to Policy NE4 and to address clerical omissions from the list of features</p> |
| Linear tree belts/ shelter belts | Semi-natural grasslands | River corridors Canals | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Plantations | Moorlands | Lakes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Small woodlands | Peatlands | Reservoirs | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Semi-natural- ancient woodlands | Green Lanes/Drove roads | Ponds | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Parkland trees | Stone Walls | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Linear tree belts/ shelter belts | Semi-natural grasslands | River corridors Canals | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Plantations | Moorlands | Lakes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Small woodlands | Peatlands | Reservoirs | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Semi-natural- ancient woodlands | Green Lanes/Drove roads | Ponds | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Parkland trees | Heathlands Green Lanes/Drove roads | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Hedgerows | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Mod - Mod/PF/NE/12</p> <p>UDP - Paragraph 14.60</p> <p>IR – Policy Framework paragraphs 14.35 - 14.35, p 188</p> | <p>“14.60 The presence of a protected species is a material consideration in determining an application for planning permission. In such cases, where proposed development may have an impact on a protected species English Nature will be consulted. Where permission is granted, the Council will impose conditions and/or enter into planning obligations to minimise adverse effects on protected species and will draw the applicant’s attention to the need to obtain any necessary licence to disturb protected species. Potential harm can often be overcome by modifications to the proposals (such as restricting works to specific seasons to protect nesting birds, breeding badgers or bat roosts). Species protected by British or European law relevant to the Bradford District are:-</p> | <p>“14.60 The presence of a protected species is a material consideration in determining an application for planning permission. In such cases, where proposed development may have an impact on a protected species English Nature will be consulted and the developer will normally be required to submit an appropriate ecological survey, undertaken by a qualified and licensed ecologist, to assess the potential impact of the proposed development prior to the consideration of granting planning permission. Where permission is granted, the Council will impose conditions and/or enter into planning obligations to minimise adverse effects on protected species and will draw the applicant’s attention to the need to obtain any necessary licence to disturb protected species.</p> | <p>To emphasise the requirement for an ecological survey to be submitted before the determination of the application</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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|---|--|---|----------------------------|
| <p>Mod - Mod/PF/NE/13</p> <p>UDP - Paragraph 14.60</p> <p>IR - paragraphs 14.35 - 14.35, p 188</p> | <p>District are:-</p> <ul style="list-style-type: none"> • Badgers (Protection of Badgers Act 1992) • All wild birds with particular reference to Schedule 1 of Wildlife and Countryside Act 1981 • Wild animals listed in Schedule 5 (W&C Ac19 81), especially bats, water voles & otters • Wild plants listed in Schedule 8 (W&C Act 1981) • Species listed in Annex 1 of the Birds Directive 79/409/EEC Cont/ • Species listed in Annex IV of the Habitats Directive 92/43/EEC” | <p>Potential harm can often be overcome by modifications to the proposals (such as restricting works to specific seasons to protect nesting birds, breeding badgers or bat roosts). Species protected by British or European law relevant to the Bradford District are:-</p> <ul style="list-style-type: none"> • Badgers (Protection of Badgers Act 1992) • All wild birds with particular reference to Schedule 1 of Wildlife and Countryside Act 1981 • Wild animals listed in Schedule 5 (W&C Ac19 81), especially bats, water voles & otters Cont/ • Wild plants listed in Schedule 8 (W&C Act 1981) • Species listed in Annex 1 of the Birds Directive 79/409/EEC • Species listed in Annex IV of the Habitats Directive 92/43/EEC” | <p>/cont</p> |

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|--|---|---|--|
| <p>Mod - Mod/PF/NE/14</p> <p>UDP - Paragraph 14.63</p> <p>IR - n/a</p> | <p>“14.63 Plus other considerations, where development would have an adverse effect upon:-</p> <ul style="list-style-type: none"> • Bradford Local Biodiversity Action Plan species and habitats. • Aquatic habitats – including ponds, and mill ponds, in part particular for their heritage as well as their ecological value; water courses and other wetlands such as reservoirs.” | <p>“14.63 Plus other considerations, where development would have an adverse effect upon:-</p> <ul style="list-style-type: none"> • <i>A Biodiversity Audit of Yorkshire and the Humber</i> • Bradford Local Biodiversity Action Plan species and habitats. <p>Aquatic habitats – including ponds, and mill ponds, in part particular for their heritage as well as their ecological value; water courses and other wetlands such as reservoirs.”</p> | <p>The Council proposes this modification to correct an omission which takes account of regional biodiversity importance in accordance with RPG12</p> |
| <p>Mod - Mod/PF/NE/15</p> <p>UDP - Paragraph 14.66</p> <p>IR – Policy framework paragraphs 14.36 - 14.37, p 188</p> | <p>“14.66 The developer will be required to demonstrate due consideration of the environmental impact of the proposed development, by way of an ecological appraisal, where the development is likely to have an adverse effect on the biodiversity of the Bradford District. The developer may also be expected to carry out regular review and monitoring programmes of post development impacts where appropriate, and implement measures to mitigate any subsequent adverse effects on the development. The Council will need to be satisfied that the level and detail of information contained within the ecological appraisal is appropriate for the particular nature conservation value of the site. Environmental Impact Assessments will be required in accordance with the Environmental Assessment Regulations.”</p> | <p>“14.66 The developer will be required to demonstrate due consideration of the environmental impact of the proposed development, by way of an ecological appraisal, where the development is likely to have an adverse effect on the biodiversity of the Bradford District. The developer [may] will also be expected to carry out regular review and monitoring programmes of post development impacts where appropriate, and implement measures to mitigate any subsequent adverse effects [on] of the development. The Council will need to be satisfied that the level and detail of information contained within the ecological appraisal is appropriate for the particular nature conservation value of the site. Environmental Impact Assessments [will] may be required in accordance with the Environmental Assessment Regulations.”</p> | <p>To accurately reflect the wording of the Environmental Assessment Regulations and correct a typographical error that resulted from previous modifications to the RDDP</p> |

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