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Core Strategy Development Plan Document

Regulation 20 of the Town & Country (Local Development) (England) Regulations 2012.

Publication Draft - Representation Form

PART A: PERSONAL DETAILS

* If an agent is appointed, please complete only the Title, Name and Organisation in box 1 below but complete the full contact details of the agent in box 2.

	1. YOUR DETAILS*	2. AGENT DETAILS (if applicable)
Title	Ms	
First Name	[REDACTED]	
Last Name	Bryden	
Job Title (where relevant)		
Organisation (where relevant)		
Address Line 1	[REDACTED]	
Line 2	Bingley	
Line 3		
Line 4		
Post Code	BD16 [REDACTED]	
Telephone Number	[REDACTED]	
Email Address	[REDACTED]	
Signature:	<input type="text"/>	Date: <input type="text"/>

Personal Details & Data Protection Act 1998

Regulation 22 of the Town & Country Planning (Local Development) (England) Regulations 2012 requires all representations received to be submitted to the Secretary of State. By completing this form you are giving your consent to the processing of personal data by the City of Bradford Metropolitan District Council and that any information received by the Council, including personal data may be put into the public domain, including on the Council's website. From the details above for you and your agent (if applicable) the Council will only publish your title, last name, organisation (if relevant) and town name or post code district. Please note that the Council cannot accept any anonymous comments.

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PART B – YOUR REPRESENTATION - Please use a separate sheet for each representation.

3. To which part of the Plan does this representation relate?

Section	5	Paragraph		Policy	EN2
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4. Do you consider the Plan is:

4 (1). Legally compliant	Yes	Y	No	
4 (2). Sound	Yes		No	N
4 (3). Complies with the Duty to co-operate	Yes	Y	No	

5. Please give details of why you consider the Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please refer to the guidance note and be as precise as possible. If you wish to support the legal compliance, soundness of the Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Core Strategy includes a range of environmental policies of value and I SUPPORT those of EN1, EN2, EN3, EN4, EN5 and EN7 in particular, but I consider that EN2 is not Sound because it is not certain that the mechanism and resources required to deliver it are available.

EN2 does not go far enough to ensure that the policies can deliver the goal of no net loss of biodiversity set out in NPPF. It is aspirational and I support all of its aims. It is in accord with the approach set out in NPPF so it is legally compliant. There is a lack of clarity regarding the delivery and for this reason I consider it fails the test of Soundness.

EN2 does not explicitly require development to follow the mitigation hierarchy set out in NPPF paragraph 118 and it does not give much guidance on how compensation could be achieved to obtain no net loss of biodiversity. There is no mention of biodiversity offsetting, which should become mandatory in future. Although Policy ID1 indicates that planning obligations and developer contributions will be sought for environmental improvements and open space provision, it is not clear whether any mechanism is available to ensure appropriate long-term management of any biodiversity provision within a development site, nor whether any suitable off-site provision can be ensured. The ecological network plans need to form part of the spatial strategy with areas identified where new or enhanced habitats will be sought. Appendix 12 is a useful start, but it does not extend for the term of the plan and it seems unlikely to be sufficient to address all the impacts arising from the Core Strategy.

EN2 correctly recognises a hierarchy of importance of sites at scales from international to local and the importance of ecological connectivity. One difficulty is that the development of land outside designated sites is rarely assessed as being significant in environmental assessments, the role of habitats and sites in ecological networks is often under-estimated, with the possible exception of European designated

sites. As most of the housing developments are relatively small scale, they will either not require formal environmental assessment individually, or their impacts will be assessed as non-significant, even though collectively the impacts of the Development Plans for sub-areas of the Direct may be substantial. This means that the contribution to cumulative impacts may not be adequately compensated in individual applications.

The urban edge effects were identified well in the Bradford Habitat Regulations Assessment. Those direct and indirect effects of urban development apply to locally designated sites (EN2 B) and areas outside designated sites (EN2 C) as well as to the upland SPA/SAC sites. Protection of moorland edge that is functionally important to the SPA/SAC required in SC8 is important. It means however that there is greater pressure on the rest of the natural environment, including locally designated sites, to provide the multiple benefits of biodiversity, landscape and scenic heritage, informal recreation, flood protection, carbon sequestration and food production.

Whilst some of these can be provided from the same area of land, in most cases they will have to be provided outside land allocated for development. With high density housing required (and appropriate) there is limited room for open space and in only a proportion of it is there any provision for biodiversity, i.e. within natural greenspace. In consequence, although most housing development and other built development attempts to minimise impact in the design, there is usually net loss for biodiversity. This, combined with the intensification of agriculture is responsible for the national and regional decline in species referred to in paragraph 5.4.37 and 5.4.38. The maintenance of biodiversity is therefore dependent on spatial allocation of additional land for habitat creation or enhancement, from formerly developed land (brownfield), removal of land from agriculture or reduction in the intensity of agriculture. As the Core Strategy says in 5.4.43 'protecting identified sites is not sufficient to ensure that our biodiversity remains viable into the future.'

6. Please set out what modification(s) you consider necessary to make the Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to the soundness. (N.B Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this modification will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The provision in EN2 B3 should not be limited to local designated sites but should also apply to non-designated sites with habitat that contribute to biodiversity locally.

EN2 B3. The development would be expected to result in no overall loss of habitat and mitigation could be expected to include compensatory habitats adjacent to or within the vicinity of any losses proposed. Existing habitats and proposed mitigation should be quantified.

Alternative wording:

The development would be expected to result in no overall loss of habitat and mitigation could be expected to include compensatory habitats adjacent to or within the vicinity of any losses proposed. Existing habitats and proposed mitigation should be quantified. In addition to provision of mitigation for direct loss of habitats developer contribution may be expected to contribute towards mitigation for indirect impacts of development in the District.

The Indicators shown for EN2 should record losses of habitats by type as well as creation and enhancement by type, extent and location in the District. Contribution to provisions to cumulative impacts need to be recorded and care taken to avoid double-counting. A good audit trail is needed.

If mitigation is not adequately delivered, CMBDC needs to be able to take action to ensure it and have the resources for it.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. Please be as precise as possible.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification to the Plan, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt when considering to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:

Date:

31/03/2014