

Basic Conditions Statement

Bingley Neighbourhood Development Plan 2023-2038

(February 2025)

Introduction

1. This Statement has been prepared by Bingley Town Council (the Town Council) to accompany its submission to the local planning authority, Bradford Metropolitan District Council, of Bingley Neighbourhood Development Plan 2023-2038 (the Neighbourhood Plan) under Regulation 15 of The Neighbourhood Planning (General) Regulations 2012.
2. The Neighbourhood Plan must meet the following requirements:

Legal matters

(1) The examiner must consider the following: -

- (a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2)),
- (b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E(2), 61J and 61L,
- (c) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates, and
- (d) such other matters as may be prescribed.

The Basic Conditions

(2) A draft neighbourhood development plan meets the basic conditions if: -

- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan,
- (b) the making of the neighbourhood development plan contributes to the achievement of sustainable development,
- (c) the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- (d) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and
- (e) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

(f) The examiner is not to consider any matter that does not fall within sub-paragraph (1) (apart from considering whether the draft neighbourhood development plan is compatible with the Convention rights).

Legal Requirements

3. The Plan is submitted by Bingley Town Council, which, as a qualifying body, is entitled to submit a Neighbourhood Plan for its own parish. The Plan has been prepared by Bingley Neighbourhood Development Plan Steering Group, which is overseen by the Town Council.
4. The parish of Bingley has been formally designated as a Neighbourhood Area under the Neighbourhood Planning Regulations 2012 and was formally approved by Bradford Metropolitan District Council by the Assistant Director of Planning under delegate powers on 30 August 2017. The Neighbourhood Area application by Bingley Town Council and the Neighbourhood Area Designation Map issued by Bradford Metropolitan District Council are attached as **Appendix 1**.
5. The Plan contains policies relating to the development and use of land within the neighbourhood area. Proposals relating to planning matters (the use and development of land) have been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.
6. The Plan identifies the period to which it relates as 2023 to 2038. This relates to the emerging Bradford Local Plan which has a plan period ending 2038.
7. The Plan does not deal with County Matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.
8. The Plan relates only to the Neighbourhood Area within Bingley Parish though it makes reference to land outside the parish boundary. It does not relate to more than one neighbourhood area. There are no other neighbourhood development plans in place within the neighbourhood area.

The Basic Conditions

Having regard to national policies and advice contained in guidance issued by the Secretary of State

9. The Neighbourhood Plan has been prepared having regard to national policies, in particular those set out in the National Planning Policy Framework (NPPF December 2024 with minor amendment on 7th February 2025) and the National Planning Practice Guidance (NPPG) suite. It is contended that the neighbourhood plan accords with the core Planning Principles at the heart of the NPPF.
10. **Table 1** provides a summary of how policies in the neighbourhood plan conform to the NPPF. The NPPF paragraphs set out are those considered most relevant. The table is not intended to be an exhaustive list of all NPPF policies.

Table 1 – Meeting Basic Conditions

Neighbourhood Plan Policy	NPPF December 2024/7 Feb 2025 References	Bradford Adopted Core Strategy Support	Emerging Local Plan 2020-2038 - Preferred Options Feb 2021
BING1 – Community Assets and Facilities	<p>NPPF Para 98, 100, 101 109, 110, 111, 128</p> <p>Paragraph 98 of the NPPF says that planning policies and decisions should plan positively for the provision of community facilities to enhance the sustainability of communities and residential environments. BING1 identifies important community facilities and seeks to establish their use and importance, to provide appropriate policy support in accordance with Paragraph 98 (c).</p> <p>Paragraph 98 (d) of the NPPF says that planning policies and decisions should ensure that established shops, facilities and services are retained for the benefit of the community. BING1 seeks to fulfil this purpose in accordance with this and with Paragraph 98 (c) whilst recognising the limitations on this imposed by permitted development rights.</p>	<p>SC1 – Support and Enhance Community and Social Infrastructure in Principal Towns.</p> <p>SC4 – Support Bingley as a Principal Town in the Hierarchy of settlements as a main local focus for shopping and cultural activities and facilities.</p> <p>EN1 (C) – Protect and Improvement in provision of open spaces and recreational facilities in order to protect against increasing pressures from visits to South Pennine Moors SPA/SAC.</p> <p>T1 in Appendix 3: Employment and Social infrastructure should be within 400m of a bus stop and 800m of a rail station with a service of at least four times per hour.</p> <p>T2: Additionally, new residential and mixed use should be within 10 minutes’ walk time to local services and 20 minutes’ walk time to primary health and education facilities.</p> <p>Appendix 9: Open Space Standards: residential development should be located within 400m of a local park and 1200m of a district park. Or less than 120m from 0.66ha of local park or 1200m from park between 0.67 and 1ha in size.</p>	<p>SP3 Hierarchy of Settlements reaffirms Core Strategy hierarchy.</p> <p>TR3 and Appendix 6: Accessibility Standards similar.</p> <p>HO3: access from housing to local services</p> <p>CO1 Open Spaces, Sport and Recreation – policies map identifies land as open space and protects land from development. Requires provision of open space in new development. Role of provision in reducing pressures on SPA/SAC.</p> <p>CO2 – Seeks to protect, enhance and support new community and health facilities.</p>

<p>BING2 – Design of New Development in Bingley</p>	<p>NPPF Para 29, 115(c) 125(e), 129-130, 133-135.</p> <p>BING2 is supported with evidence provided through a Design Guidelines and Design Codes for Bingley Town Centre and Masterplan report. The reports identify character types, principles and actions to improve Bingley Town Centre and local centres within Bingley Parish</p>	<p>SC9 – supports development which responds to place and distinctiveness and encourages Neighbourhood Plans to provide additional details on design policies.</p> <p>PH09 (G): Says that specific guidance on housing quality and design for an area or site can be set out in Neighbourhood Plans where viable and feasible.</p> <p>DS1 (A) to (E) supports policy based on clear principles evidence through design codes and masterplan exercises.</p> <p>DS3: Supports proposals which respond to urban character with strong design principles.</p> <p>DS5: encourages safe and inclusive places through design approaches.</p>	<p>SP14 and Supplementary Planning Document on Design.</p> <p>SP15 refers to Creating Healthy Places.</p> <p>DS1, DS2, DS3, DS4 and DS5 – Similar to Core Strategy DS1 to DS5</p>
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BING3 – Bingley Town Centre	NPPF Paras 90, 130, 135, 141 provide support for BING3 in setting out a proactive masterplan for Bingley Town Centre.	<p>AD1: Airedale – indicates outcomes for ‘reborn’ Bingley in 2030 as a distinctive market town, based on significant investment and improvements to the town centre and other parts of the town.</p> <p>EC5 (B) – Bingley town centre viewed as the focus for economic, social, and cultural development.</p> <p>DS1 (A) to (E) supports policy based on clear principles evidence through design codes and masterplan exercises.</p> <p>DS3: Supports proposals which respond to urban character with strong design principles.</p> <p>DS4: Encourages pedestrian and cycle improvement through an integrated network of routes with a design led approach to car parking.</p>	<p>Infrastructure Plan Update 2021</p> <p>SP16 Working Together</p> <p>EC4 City, Town and Local Centres</p>
BING4 – Current and Future Employment Sites and Buildings	NPPF Paras 85-86 provide support for planning policies and decisions to create the conditions in which businesses can invest, expand and adapt. BING4 is supportive of proposals for employment uses in the parish.	EC3 – Sets objectives to establish an employment land requirement based on an estimated global requirement of 30 hectares within the Airedale Corridor.	<p>District Strategic Land Assessment 2020</p> <p>EC1</p> <p>Proposes allocation of:</p> <p>BI9/E Castlefields Road 1.18Ha</p> <p>BI10/E John Escritt Road 0.5Ha</p> <p>S/E6.2 Crossflatts</p> <p>And to remove S/E6.1 as already developed for road infrastructure.</p>

BING5 – Small Businesses and Start-ups	NPPF Paras 85-86 provide support for planning policies and decisions to create the conditions in which businesses can invest, expand and adapt. BING5 is supportive of proposals for the expansion of existing businesses in the parish.	<p>EC1 - Supports the provision of business start-up and incubator units in the Airedale Corridor.</p> <p>EC2 – Supports a target annual job creation of 1600 to 2030 and sets objectives to implement regeneration initiatives.</p> <p>EC4 – sets framework for monitoring supply of employment land to be allocated future development plan documents.</p>	<p>EC2 – supports small changes of use</p> <p>EC3 – local employment requirement</p>
BING6 – New Housing in Bingley	NPPF Para 64-66 and 71 – BING6 is supported with evidence provided through the Bingley Housing Needs Assessment, prepared by AECOM. The policy seeks consideration of local housing affordability thresholds in the formulation and determination of proposals in accordance adopted policies and the NPPF. The policy seeks consideration of local housing type needs in a broad-based policy which recognises the need for a broad-range of housing provision.	H08 (C) and (D): Identifies strategic priorities and refers to the role of Neighbourhood Plans in providing specific guidance on housing mix on an area or site basis	<p>SP8</p> <p>HO4</p> <p>HO5 Affordable housing (tenure starting point – 65% affordable rent and 35% affordable home ownership)</p> <p>HO6 refers to self-build and custom housing</p>

<p>BING7 – Walking and Cycling Routes</p>	<p>NPPF Para 109, 111(d) - NPPF Paragraph 109 says that in considering transport issues from the earliest stages of plan-making, a vision-led approach should be used to identify transport solutions that deliver well-designed, sustainable and popular places. Part (c) says that this should involve opportunities to promote walking, cycling and public transport.</p> <p>Paragraph 111 (d) says that planning policies should provide for attractive and well-designed walking and cycling networks. BING7 is supported by work undertaken by the Neighbourhood Plan Steering Group to identify key walking and cycling network and to assess the current efficacy and performance of these routes.</p> <p>BING7 encourages developers to consider the opportunities to deliver the priorities identified for improvements to walking and cycling networks. Identifying community priorities within an assessed framework utilising national guidance principles is helpful contribution for the Neighbourhood Plan to make and it should enable positive engagement to take place over the potential to deliver on priorities to improve the scope for</p>	<p>TR3 – Seeks to safeguard and improve walking and cycling infrastructure to be identified for consideration for inclusion in transport investment programmes (LTP and LCR Transport Strategy).</p> <p>TR4 – Supports improvement of sustainable transport mode access to key cultural venues.</p> <p>DS4: Encourages pedestrian and cycle improvement through an integrated network of routes with a design led approach to car parking.</p>	<p>EN6 (new) – Countryside and Development – restriction of development to defined uses, and protects from loss Public Right of Ways which form part of the core walking and cycling network</p>
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	walking and cycling within Blingley Parish.		
BING8 – Local Green Space	NPPF Para 106-108 - Local Green Spaces have been proposed for designation in the Neighbourhood Plan. A number of sites are put forward. For each site, how they meet the criteria set by the NPPF is explained. Policy is in accordance with the NPPF which applies green belt policy principles to proposed development on Local Green Space sites.	EN1 (D) – identify local green space in Neighbourhood Plans.	
BING9 – Green Infrastructure Principles	NPPF Para 96 (c), 103, 188 – BING9 sets out principles for improvements to green infrastructure to meet health, social and environmental priorities in accordance with NPPF policies.	<p>SC6 – (A), (B) and (C) supports and encourages multi-functional spaces, routes and green infrastructure to be identified in Neighbourhood Plans.</p> <p>AD1: Airedale – Seeks to protect SPA/SAC, improve Green infrastructure.</p> <p>DS2 (A) to (D): supports approaches based on retention and enhancement of key landscape and ecological features into integrated into networks.</p>	<p>SP10: refers to multi-functional green and blue assets and scope to secure net gains in biodiversity from new development</p> <p>SP11 and SPD – South Pennine Moors SPA/SAC</p> <p>EN2 – introduce Biodiversity Net Gain requirement.</p> <p>CO1 Open Spaces, Sport and Recreation – policies map identifies land as open space and protects land from development. Requires provision of open space in new development. Role of provision in reducing pressures on SPA/SAC.</p>

<p>BING10 – Bingley Town Character Buildings and Structures of Local Heritage Interest</p>	<p>NPPF Para 202-203, 216 and footnote 75 - Paragraph 216 of the NPPF states that non-designated heritage assets can merit consideration in planning matters, stating that ‘In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.</p> <p>Section 12 of the NPPF covers all aspects of the historic environment. Paragraph 203 states that “Plans should set out a positive strategy for the conservation and enjoyment of the historic environment”.</p> <p>Appendix B of the plan sets out criteria through which Non-Designated Heritage Assets in Bingley Parish have been identified.</p>	<p>AD1: Airedale – Seeks to Conserve heritage assets in the Airedale Corridor.</p> <p>EN3 (F): Requires proposals to protect or enhance the heritage significance and setting of locally-identified non-designated heritage assets.</p>	<p>Heritage Impact Assessment Technical Note and Appraisals 2020.</p> <p>EN4 – similar to Core Strategy policy.</p> <p>CO1 Open Spaces, Sport and Recreation – policies map identifies land as open space and protects land from development. Requires provision of open space in new development. Role of provision in reducing pressures on SPA/SAC.</p>
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<p>BING11 – Milner Fields Estate SCA</p>	<p>NPPF Para 202-203, 216 and footnote 75 – Paragraph 202-203 of the NPPF state that heritage assets can range from individual structures, buildings, larger sites and wider areas. Plans can set positive strategies for these sites.</p> <p>Paragraph 216 of the NPPF states that non-designated heritage assets can merit consideration in planning matters, stating that ‘In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.</p> <p>Section 12 of the NPPF covers all aspects of the historic environment. Paragraph 203 states that “Plans should set out a positive strategy for the conservation and enjoyment of the historic environment”.</p> <p>BING11 identifies an area within which a number of assets are identified which contribute to the significance of the area as a whole. A strategy is outlined for this area.</p>	<p>AD1: Airedale – Seeks to Conserve heritage assets in the Airedale Corridor.</p> <p>EN3 (A), (B) – Addresses the Outstanding Universal Values of the Saltaire World Heritage Site and Buffer Zone which about the proposed Special Character Area</p> <p>EN3 (H) – Encourages heritage-led regeneration initiatives</p>	
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<p>BING12 – Distinctive Local Views and Vistas</p>	<p>NPPF Para 135c, 165a, 187a – The NPPF says that planning policies should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). BING12 provides guidance to applicants on the key views and vistas which have value to the local community and which should be considered when designing new development proposals.</p>	<p>Policy EN3 – Maintain and Enhance the character of historic environment areas and assets.</p> <p>EN4 – Set within the context of the Landscape Character Assessment for the Airedale LCA and Rombalds Ridge to the North.</p>	<p>EN5</p>
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Contributes to the achievement of sustainable development

11. The following sustainability assessment has been carried out to assess how the policies in the Bingley Neighbourhood Plan contribute positively to delivering sustainable development. The NDP will serve an economic, social and environmental objective and seeks to balance them. **Table 2** summarises the various sustainability outcomes of each policy in the Bingley Neighbourhood Plan.

Table 2 – Contribution to Sustainable Development

Neighbourhood Plan Policy	Economic objective	Social Objective	Environmental Objective
BING1 – Community Assets and Facilities	Ensuring a good network of community facilities and assets supports a well-balanced community which is an economic advantage. Would support the retention of active leisure services in Bingley	It is an important aspect of sustainable development that community facilities are present and available locally. Would meet an important community objective to retain existing local swimming pool facilities used by schools and residents	Local community facilities allow people to use their cars less in accessing key local services. Would support local availability of facilities reducing the need to travel to other towns for swimming facilities used by the local community.
BING2 – Design of New Development in Bingley	Supports a better-quality built environment to attract businesses and visitors to key destinations	Encourages a safer and more accessible town and would provide more social outdoor spaces. Supports improved relationship between new development and existing settlement character	Supports provision of green infrastructure to support biodiversity. Would support more sustainable building design with low carbon and renewable features.
BING3 – Bingley Town Centre	Would improve attractiveness of key shopping destinations. Provides clear focus for future priorities to regenerate the town centre. Provides a menu of future potential investment and projects in the town centre. Seeks to promote round the clock activity in the town centre	Would provide a better environment for local cultural activities to foster community development. Would support provision of additional housing above shops that could meet local needs. Would foster a sense of shared community responsibility to deliver and maintain an attractive town centre	Would address traffic issues in the town centre. Would reduce potential for dereliction, vandalism, fly-tipping and littering associated with vacant buildings and plots.
BING4 – Current and Future Employment Sites and Buildings	Seeks to promote retention of employment sites	Would support retention of broad range of jobs to meet local employment needs	Would ensure that the need to travel outside the area for work does not grow
BING5 – Small Businesses and Start-ups	Supports small businesses	Encourages growing working community to remain within Bingley area and benefit from local, internally generated, economic growth and socialising	Contributes to reduced travelling requirements going out of and in to the Bingley area.
BING6 – New Housing in Bingley	Ensuring that housing market continues to function to meet everyone's needs	To meet identified local needs of people who find it hard to access housing	
BING7 – Walking and Cycling Routes	A key part of providing a high quality local environment which is attractive	Promotes better quality, safer and more accessible routes	Encourages more walking and cycling

BING8 – Local Green Space	A key part of providing a high quality local environment which is attractive	Supports health and well-being for local residents	Supports linked-up and improved green spaces and habitats and supports local alternatives in the town to reduce pressure on sensitive habitats
BING9 – Green Infrastructure Principles	A key part of providing a high quality local environment which is attractive	Supports health and well-being for local residents	Supports linked-up and improved green spaces and habitats and supports local alternatives in the town to reduce pressure on sensitive habitats
BING10 – Bingley Town Character Buildings and Structures of Local Heritage Interest	Supports retention of interesting features which add to the attractiveness of the town	Provides support for local features of heritage value to local residents	
BING11 – Milner Fields Estate SCA	Potential tourism benefit arising from links to Salt family	Provides a connection to local heritage for local residents	Provides support for coherent approach to safeguard a potentially important local heritage asset
BING12 – Local Views and Vistas	Will support the continued attractiveness of the setting of the town as new development occurs	Supports health and well-being for local residents	Supports more sympathetic approach to development

General conformity with the strategic policies in the development plan

12. The development plan for the Bingley Neighbourhood Area comprises the following development plan documents:

- a) The Core Strategy which was adopted by Bradford Council on 18 July 2017. The Core Strategy forms part of the statutory Development Plan for the Bradford District. The Core Strategy covers a period of 15 to 20 years, ending in 2030.
- b) The Bradford District Replacement Unitary Development Plan (RUDP) which was formally adopted in October 2005. The policies were saved by the Secretary of State in 2008. The Council continues to have regard to the remaining Replacement Unitary Development Plan 'saved' policies.
- c) The Waste Management DPD which was adopted by Bradford Council on 17 October 2017. It forecasts requirements and sets objectives for achievement by 2030.
- d) Bradford Council is preparing a new local plan to meet planned requirements for the period 2020 to 2038. A Regulation 18 'Preferred Options' Consultation was undertaken in February and March 2021.

13. The Bingley Neighbourhood Plan does not contain any policies relating to minerals and waste planning. Where development plan policies are relevant to the policies in the Bingley Neighbourhood Plan, these are specifically referenced within the supporting text of the document. The Bingley Neighbourhood Plan adds local detail in support of the higher tier policies and does not conflict with or undermine them.

Strategic Environmental Assessment (SEA Directive 2001/42/EC)

Habitats Regulations Assessment (Habitats Directive 92/43/EEC)

14. The Bingley Neighbourhood Plan Steering Group requested a screening opinion for SEA and HRA from Bradford Metropolitan District Council. Responses from statutory consultees at the Environment Agency, Historic England and Natural England are recorded where given, and records of requests for additional confirmation from Natural England with regard to HRA is also recorded. The Screening Opinion and associated correspondence is attached as **Appendix 2**.

Human Rights Legislation

15. The Bingley Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. The main issues for planning in the context of human rights are: protection of property, right to respect for private and family life and prohibition of discrimination. The NDP complies with the requirements of the Human Rights Act 1998. All reasonable attempts were made to ensure that all Bingley Parish residents, including those living outside the Neighbourhood Area but within the Parish, and all relevant stakeholders, were given the opportunity to contribute to and comment upon the NDP.

Appendix 1 – Designation Decision and Map showing Neighbourhood Area

This Appendix contains Bingley Town Council's application of 10 July 2017 to support determination of a request for designation of the Neighbourhood Area based on the boundary of Bingley Parish.

BINGLEY TOWN COUNCIL

Cottingley Cornerstone, Littlelands, Bingley BD16 1AL



Mr A Marshall,
Planning and Transport Strategy Manager
Bradford Metropolitan District Council
Floor 2 Jacobs Well
Bradford
BD1 5RW

10th July 2017

Dear Mr Marshall

DESIGNATION OF A NEIGHBOURHOOD PLAN AREA

Please find attached an application for designated status by Bingley Town Council for the purposes of preparing a Neighbourhood Plan.

Enclosed are:

1. Statement to confirm status as a qualifying body
2. Map showing the area for a proposed Neighbourhood Plan
3. Statement explaining why the area is appropriate and what the plan will address

Please contact me if you need any further information.

Yours sincerely

[Redacted signature]

Ruth Batterley
Town Clerk

[Redacted contact information]

2 Statement explaining why the area confined within Bingley Town (Parish) Boundaries is considered appropriate to be designated as a neighbourhood area

Bingley Town Council operates within the confines of the Bingley Town (Parish) Boundaries shown on the preceding page.

The area illustrated on the preceding page, is considered as being appropriate to be designated as The Bingley Neighbourhood Area, since Bingley Town Council already administers it.

A priority of Bingley Town Council is to create a Neighbourhood Development Plan, based on consultation with key local interest groups and residents. Secondly to generate research and evidence, which will ensure, through Planning Guidance that Bingley Town Council will develop in such a manner as to protect the area's heritage, maintain its attractiveness, provide housing needs and build for a viable economic future.

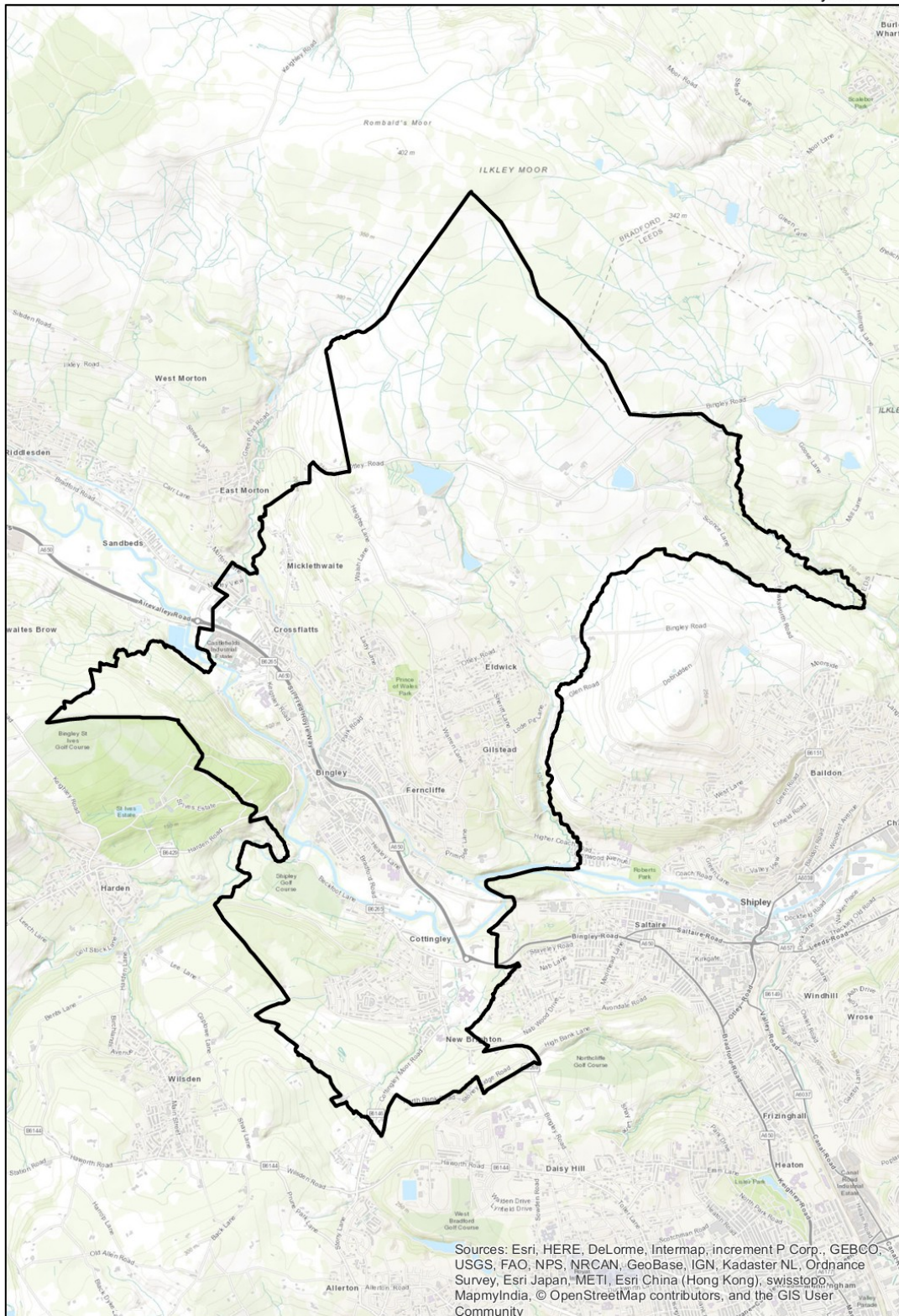
Bingley Town Council recognises the need for some development but improvements in the infrastructure need to be commensurate with the planned additional housing within the Parish

In applying for designated area status, the essential aims of any resultant neighbourhood plan will be to

- 1) Preserve the character of Bingley and its Parish as an attractive semi-rural area retaining a distinctive community and cherishing the natural and built environment
- 2) Meet the defined housing needs commensurate with the Local Development Plan and character of the designated area, whilst maintaining good shopping, recreation and cultural facilities integrating well with neighbouring communities
- 3) Enhance employment opportunities for its residents – now and in the future
- 4) Ensure a flourishing commercial, retail business and economic environment
- 5) Meet the needs of all residents in the areas of education , health, leisure, recreation, sport and transport including cycleway and footpaths
- 6) Maintain and protect the natural environment and availability of green spaces within the designated Bingley Town Boundaries
- 7) Maintain ongoing dialogue with local organisations, developers, individuals, neighbouring communities and the LPA to ensure the local development Plan criteria are met.
- 8) Ensure that Bingley and its Parish are a good place to live with facilities for young and old alike
- 9) Maintain a successful marketing and tourism profile for the designated area in line with the policy aspirations of the LDF.
- 10) Include policies which recognise the particular status parts of Bingley Town Council's area

Bingley Town Council Proposed Neighbourhood Area Boundary

10th July 2017



3 Statement – demonstrating that the organisation making the area application is a relevant and/or qualifying body for the purposes of section 61G of the 1990 Act.

NEIGHBOURHOOD PLAN “QUALIFYING BODY” STATEMENT

Bingley Town Council, the organisation applying for designated area status for the purpose of developing a Neighbourhood Plan for the parish of Bingley, is adjudged to be the “Relevant/Qualifying Body” (specified in the 2004 Act part 2, section 5 (1) c) in making application for the area delineated by the parish boundaries of Bingley (map attached) under the following criteria:-

VIZ: “A parish council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development order to act in relation to a neighbourhood area as a result of the 2004 Act section 61E and F”

The relevance of the sitting Parish Council is also attested by the following:

<http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/paragraph/7> section 38A (12) para 4

<http://www.legislation.gov.uk/ukpga/2011/20/schedule/9> section 61G (2)

Bingley Town Council
Cottingley Cornerstone Centre
Littlelands
Bingley BD16 1AL
www.bingleytowncouncil.gov.uk

Clerk to the Council
Ruth Batterley



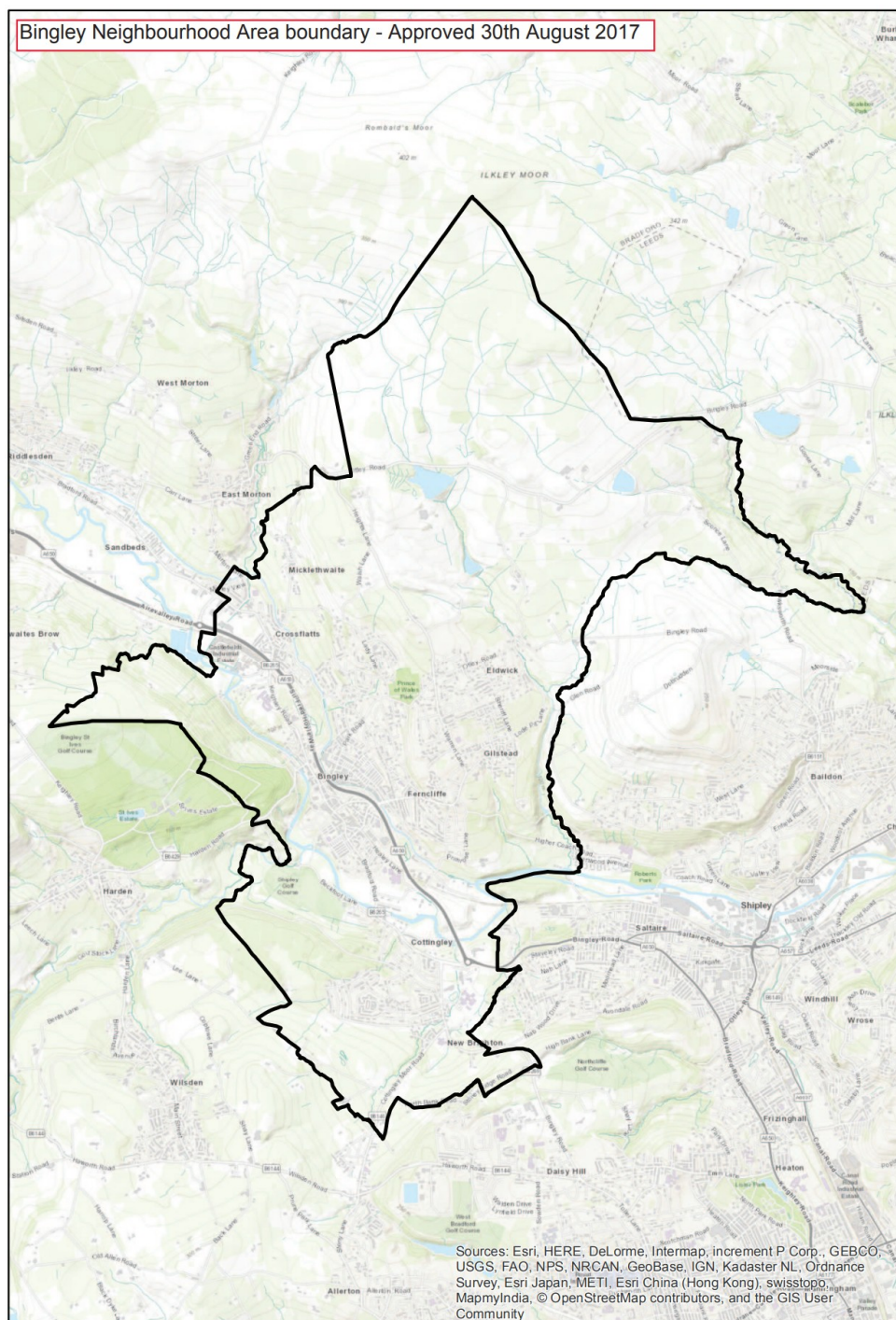
townclerk@bingleytowncouncil.gov.uk

Designation Process and Decision

Bradford Metropolitan District Council undertook public consultation on the submitted application for a period of 4 weeks from 13 July until 10 August 2017. A summary of the comments submitted to the Council can be found the Council's website.

The Assistant Director of Planning, under delegated powers, approved the application on Wednesday, 30 August 2017.

The approved Neighbourhood Area boundary map is provided below.



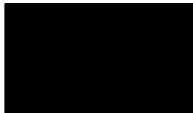
Appendix 2: SEA and HRA Screening Opinion

AECOM were commissioned to provide SEA and HRA Screening support for the Neighbourhood Draft Plan. A report was produced in May 2022 and this concluded that there was no requirement for SEA. This is included in **Appendix 2A**.

The Environment Agency, Natural England and Historic England were consulted on the report and responses were received from Natural England and Historic England, which are set out below. No response was received from the Environment Agency.



Mr. Ryan Putt,
AECOM Limited,



Our ref: PL00776402
Your ref:



21st June 2022

Dear Mr. Putt,

Bingley Neighbourhood Development Plan for Bingley Town Council
Strategic Environmental Assessment Screening Opinion Consultation

We write in response to your consultation, seeking a Screening Opinion for the Bingley Neighbourhood Plan.

For the purposes of this consultation, Historic England will confine its advice to the question, "Is it likely to have a significant effect on the environment?" in respect to our area of concern, cultural heritage. Our comments are based on the information supplied within the Bingley Neighbourhood Plan.

The Draft Neighbourhood Plan area there is a good range and number of designated cultural heritage assets. There are also likely to be other features of local historic, architectural or archaeological value, and consideration should also be given to the wider historic landscape.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with your conclusion that the preparation of a Strategic Environmental Assessment is not required for the Bingley Neighbourhood Plan.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made. We should like to stress that this opinion is based on the information available in the Bingley Neighbourhood Plan.

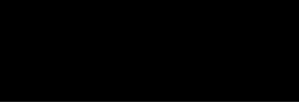
To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

We would be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Historic England strongly advises that the conservation and archaeological staff of the Bradford Council and the West Yorkshire Archaeological Advisory Service are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the HER (formerly SMR); how the policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of historic assets.

We look forward to receiving a consultation on the Pre-submission Draft of the Bingley Neighbourhood Plan in due course.

Yours sincerely

A black rectangular box redacting the signature of the sender.

Craig Broadwith
Historic Places Adviser

A black rectangular box redacting the contact information of the sender.

Date: 12 July 2022
Our ref: 395752
Your ref: Bingley Neighbourhood Plan



Mr R Putt
AECOM

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Putt

Bingley Neighbourhood Plan – SEA Screening Opinion

Thank you for your consultation on the above dated and received by Natural England on 08 June 2022.

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.

Screening Request: Strategic Environmental Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues

that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

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

Yours sincerely

Sally Wintle
Consultations Team

During the process of consultation on the May 2022 Screening Report, a query was raised by Bingley Town Council as to whether the Screening Opinion produced by AECOM also explicitly or implicitly addressed HRA considerations. In order to avoid any doubt on this, AECOM produced a second report in June 2022 to incorporate HRA Considerations, included in **Appendix 2B**. Environment Agency, Natural England and Historic England were consulted on this document also.

The emails set out below record AECOM's efforts to secure responses to this second report from the Environment Agency, Natural England and Historic England. No further response was received from Natural England or Historic England to that already set out above.

Well after the end of both consultations, AECOM recommended proceeding with the Neighbourhood Plan on 16 September 2022. At that point, no response has been received from the Environment Agency to either the May or June 2022 report.

RE: Bingley SEA Screening



Putt, Ryan

To: Philippa Gibbons

Cc: Town Clerk

Reply

Reply All

Forward



Fri 16/09/2022 13:04

Afternoon Philippa,

Hope this message finds you well.

I wanted to provide an update to say that we have received no further correspondence from Natural England or the Environment Agency with respect to the SEA and HRA screening opinion.

With this in mind, I would recommend that you could proceed with the next steps.

Our correspondence to date can contribute to the evidence to show that we have indeed provided a sufficient length of time for the consultees to respond to the consultation, and both Historic England and Natural England confirmed that they agreed with our conclusions. Natural England in particular confirmed that they did not anticipate any effects on protected sites – which is key.

Hope this helps – and any further questions please don't hesitate to get in touch.

Best regards,

Ryan

From: Putt, Ryan

Sent: 15 August 2022 11:42

To: Philippa Gibbons

Cc: Town Clerk

Subject: RE: Bingley SEA Screening

Hi Philippa,

Hope all is well.

I wanted to provide an update to say that we have reached out to Natural England and the Environment Agency (as per the attached correspondence) to confirm whether they are content with our findings in the screening document. Our latest emails were circulated two weeks ago, and we have yet to receive a reply. The Environment Agency has mentioned that they are very busy at the moment – which might explain the delay.

I will of course let you know if we receive any further correspondence from the consultees. However, if we haven't received anything by early next month, I would suggest that you could proceed to submission. In this respect, you could 1) ensure that the original responses from Natural England and Historic England are included as part of the evidence base documents which you submit, and 2) ensure that the follow up emails (attached) are also included as part of the evidence base. This will demonstrate that we have provided a sufficient amount of time for the consultees to comment.

Best regards,

Ryan

From: Putt, Ryan
Sent: 15 July 2022 09:39
To: Philippa Gibbons [REDACTED]
Cc: Town Clerk [REDACTED]
Subject: RE: Bingley SEA Screening

Morning Philippa,

Just a quick message regarding the SEA Screening consultation. We have received responses from Natural England and Historic England (both attached to this email) which agree with the conclusions of the report (i.e., an SEA is not required). I have today sent a follow up email to the Environment Agency to ask when we can expect to receive their response (given that the original five week timescale has now passed). I shall let you know when this arrives.

I have also gone back to Natural England to confirm whether in their view, they also agree that a HRA is not required. We did circulate an updated version of the report with them (which focused on HRA considerations), so I shall double check.

Best regards,

Ryan

Ryan Putt BSc (Hons), MSc, PIEMA
He/Him

Senior Environmental Planner, Environment and Sustainability, UK&I
[REDACTED]

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From: Putt, Ryan
Sent: 08 June 2022 07:51
To: Philippa Gibbons [REDACTED]
Cc: Town Clerk [REDACTED]
Subject: RE: Bingley SEA Screening

At the end of 2023, Bradford MDC Officers commented on a pre-Regulation 14 Draft set of documents on which they were consulted informally by Bingley Town Council. Bradford Officers recommended a further consultation to attempt to obtain a response from Natural England specifically on the Screening Recommendations for HRA. An updated Screening Report was prepared by Bingley Town Council in December 2023 and is included in **Appendix 2C**.

Bingley Town Council consulted Natural England who provided a response, set out below.

Date: 24 January 2024
Our ref: 461482
Your ref: Bingley Neighbourhood Plan



Ms Philippa Gibbons
Bingley Town Council

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Ms Gibbons

Bingley Neighbourhood Plan - HRA Screening Consultation

Thank you for your consultation on the above dated and received by Natural England on 22 December 2023.

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.

Screening Request: Habitats Regulations Assessment (HRA)

It is Natural England's advice, on the basis of the material supplied with the consultation, that significant effects on Habitats Sites are unlikely,

The proposed neighbourhood plan is unlikely to significantly affect any Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland.

Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004 (as amended). The Neighbourhood Plan proposals should also be screened to ascertain whether Strategic Environmental Assessment is necessary. Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the [planning practice guidance](#).

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the [Planning Practice Guidance](#). This identifies three triggers that may require the production of an SEA:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England's [standing advice](#) on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to consultations@naturalengland.org.uk.

Yours sincerely

Sally Wintle
Consultations Team

16. Following the consultation undertaken after December 2023 and receipt of Natural England's response, Bradford MDC also responded to request the inclusion within the HRA of an additional appendix to set out the reasons for designation and conservation objectives of European Sites. **Appendix 2D** sets out the updated and final version of the HRA with this appendix included.