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Our Ref: RH/AJ/Bradford, Extension to Bank Top Quarry, Jul 07

24 July 2007

Michael Eaglestone
Minerals and Waste Planning Officer
City of Bradford Metropolitan District Council
Department of Regeneration
Development Services
3rd Floor Jacobs Well
Bradford
BD1 5RW

Dear Michael

Planning Application Number: 07/05473/FUL

Extension to existing quarry at Bank Top Quarry, Lee Lane, Wilsden, Bingley, West Yorkshire.

Thank you for consulting the Assembly on the above. I am pleased to forward the following officer comments to you, based on the current and draft RSS.

The Assembly, as the Regional Planning Body, has been asked to comment on this development as its nature and location mean that it could have an effect on the implementation of the Regional Spatial Strategy (RSS). The current RSS for Yorkshire and Humber (based on the Selective Review of RPG12) was issued by the Secretary of State in December 2004. The RSS has the status of a Development Plan Document and forms part of the framework for decisions taken under section 38 of the Planning and Compulsory Purchase Act (2004), which means that decisions on all applications have to be taken in accordance with the Development Plan unless other material considerations indicate otherwise.

The Planning and Compulsory Purchase Act (2004) and Circular 08/2005 make it clear that a draft RSS submitted to the Secretary of State is a relevant regional policy against which strategic applications can be considered. This Assembly response therefore also highlights relevant issues that arise from the Yorkshire and Humber Plan (draft RSS) December 2005 – the RSS submitted to the Secretary of State.

The Panel Report of the Examination in Public of the Yorkshire and Humber Plan has now been published (May 2007). This contains recommendations to Government that may or may not be reflected in the Proposed Changes to the Plan that are due to be published for consultation in the summer. The Panel Report backs the Plan's overall approach and strategy. It also includes recommendations for changes or additions to policies. Any points from the Panel Report that are particularly relevant to the Assembly's comments on this application are noted in this response. The Yorkshire and Humber Plan should be published in early 2008.

Regional Policy Context

Both the existing and draft regional spatial strategies have policies on mineral extraction that are quite limited in scope. Current RSS does not provide a regional policy framework that goes beyond national advice on the restoration of workings, aftercare of sites and promoting movement of minerals by rail and water (Policy R4 of current RSS).

Given the evidence base that was available at the time of preparing current and draft RSS policies, there are no policies that relate specifically to the extraction of construction stone. At the Examination in Public of the draft RSS, the Assembly made a commitment to consider whether the regional policy on minerals needed to be further developed and if so what studies are needed to underpin this. Current understanding of the issues in West Yorkshire suggests, for example, that there could be low output from sites on a sporadic basis and that these issues need to be investigated further.

Policy R4 of current RSS and Policy ENV4 of draft RSS support the production of secondary/recycled aggregate in principle.

Draft RSS reinforces and strengthens current RSS regarding the need to move production of aggregates away from National Parks in Areas of Outstanding Natural Beauty (AONBs) in the region. This site does not fall within either of these designated areas.

It should be noted that the Panel Report (May 2007) recommends changes to Policy ENV4 (see pages 113-115 and recommendations 6.10) but these do not suggest change to the policy direction.

The Assembly received a previous application for an extension to Bank Top Quarry (06/04595/FUL) in September 2006 to which the Assembly made comments in letters dated 9 January 2007 and 19 December 2006. These previous comments made it clear that the application would be viewed differently if the extraction were defined as 'secondary' or 'primary' aggregates. In relation to this application, the Assembly comments are very similar, as follows:

- If the extraction were defined as primary aggregate, the proposed rate of working is such that it would not alter the strategic RAWP supply issues in West Yorkshire – no objections to the proposal would be raised by the Assembly
- If the extraction were defined as secondary aggregate, there would be more support for the proposal in RSS but further clarity over the definition of the material would be needed before RSS policies could be used to support the application
- The site is not in a designated National Park or AONB so there are no locational principles in RSS that are being challenged

If you have any queries about this response, please do not hesitate to contact me on 01924 331601.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'J Poxon', written in a cursive style.

Jenny Poxon
Head of Service
Planning Delivery and Conformity