



Appeal Decision

Inquiry held between 20 - 29 February 2024

Accompanied site visits made on 28 & 29 February 2024

by Dr Rachael A Bust BSc(Hons) MA MSc LLM PhD MIOl MCMI MIEEnvSci MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th May 2024

Appeal Ref: APP/W4705/W/23/3332884

Land to the North of Fishbeck Lane, Silsden, West Yorkshire (Grid

Reference: SE05303 479940)

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Andrew Calvert against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 23/00829/MCF, dated 7 March 2023, was refused by notice dated 24 May 2023.
 - The development proposed is the re-opening of Horn Crag Quarry for the purposes of releasing a proven, locally distinctive building stone resource.
-

Decision

1. The appeal is dismissed.

Preliminary and Procedural Matters

2. Some of the application and appeal documentation and plans refer to the name of A D Calvert Architectural Stone Supplies Limited. However, the name given on both the application and appeal forms is Andrew Calvert and therefore that is the name used in the banner heading above.
3. The Addingham Civic Society opposing the proposal was granted Rule 6(6) status and participated in the Inquiry proceedings.
4. The Case Management Conference Call was held on 3 January 2024. During the Inquiry, formal presentation of evidence with cross examination was heard on landscape and planning matters. Round table sessions (RTS) were held to examine the topics of habitats and protected species, hydrogeology and private water supplies, together with the suggested planning conditions without prejudice.
5. A revised National Planning Policy Framework (the Framework) was published on 19 December 2023 which replaces the version published in September 2023. The parties were asked to address any changes considered to be relevant to this appeal proposal within their evidence.
6. A revised Hydrogeology Assessment Report¹ (HA) in response to the first reason for refusal was submitted on 6 December 2023. Having regard to tests

¹ CD 12-29

in *Holborn Studios*² following on from *Wheatcroft*³, the report was not substantially different from the version submitted with the planning application as it aimed to respond to concerns raised by the Environment Agency (EA) during the determination of the application. Secondly, as the revised report was made available on the Council's website during the appeal consultation period, interested parties were able to view and make representations on it. Consequently, I find that the report presents no substantive or procedural concerns which could lead to prejudice by the consideration of the report in the determination of this appeal.

7. As a consequence of the submission of the revised HA and prior to the opening of the Inquiry, having taken advice from the EA, the Council was satisfied that the issue could be adequately dealt with by the imposition of appropriately worded planning conditions. Notwithstanding the Council's revised position, having regard to the views expressed by interested parties in written representations and by the participants at the Inquiry RTS, it remains a concern for a number of interested persons, not just those connected to the private water supply (PWS) whom could be directly affected by the proposal. Consequently, it should remain a main issue and that is how I address it in my decision.
8. A number of documents, including two petitions, one late written representation in objection to the proposal and other documents as set out at the end of this decision were presented during the Inquiry. The main parties were provided with a sufficient opportunity to offer any comments in response during the Inquiry. As no objections were raised to their admission, I am satisfied that no party was prejudiced by their inclusion within the evidence base for the Inquiry.
9. The accompanied site visit was undertaken in two parts due to the number of viewpoints I visited at the request of the parties. I also carried out two unaccompanied site visits to view the site from public land including a range of footpaths and bridleways within the area. The first on 11 February 2024 prior to the opening of the Inquiry and the second on 29 February 2024 which followed on from the second part of the accompanied site visit.

Main Issues

10. The appeal site lies within the Green Belt (GB) as defined by Policy SC7 of the Bradford Core Strategy⁴ (CS). Saved Policy GB1 of the Replacement Unitary Development Plan for the Bradford District, adopted October 2005 is clear that inappropriate development should only be permitted in very special circumstances. The Framework in paragraph 155 a) indicates that some development, including mineral extraction, will not be inappropriate, providing it preserves the openness of the GB and does not conflict with the purposes of including land within it. No argument has been presented to me that the appeal proposal would lead to an adverse effect on openness of the GB or conflict with the purposes of including land within the GB. I have no reason to disagree. As such, the proposal would not represent inappropriate development in the GB.

² *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823 (Admin)

³ *Bernard Wheatcroft Ltd v SSE JPL* 1982 P37

⁴ CD 06-02 Local Plan for the Bradford District Core Strategy Development Plan Document, Adopted July 2017

11. From all that I have read, heard and seen, the main issues in this appeal are the effect of the proposal on:
 - a) the landscape character and visual effects including the implications for tourism and recreation;
 - b) biodiversity including protected species; and
 - c) the groundwater and private water supply.

Reasons

12. The appeal proposal seeks to re-open a disused minerals site to extract some 520,000 tonnes of dimension stone in 6 phases over a 20-year period with progressive phased restoration.

Landscape character and visual effects

13. The reason for refusal on landscape cited a total of 6 policies from the adopted CS and 2 policies from the made Steeton with Eastburn and Silsden Neighbourhood Development Plan (NDP). From everything I have read and heard at the Inquiry, the main relevant policies for landscape are Policies EN4 and EN9(B) of the CS and Policy SWES5 of the NDP. I also consider that Policies DS2 and EC4(F) of the CS cited in the decision notice are also of relevance to this topic and remain part of my determination. For reasons which I will explain in the first main issue, Policies EN1 and DS5 of the CS, and SWES6 of the NDP are not directly relevant in this case. The main parties agreed that the Framework was also a material consideration.

Landscape character

14. At a national level the appeal site and surrounding area are located within Natural England's National Character Area 36 'South Pennines'⁵. Whilst geographically extensive, the broad characteristics of large-scale, open sweeping landscape, steep slopes with mosaics of moorland vegetation, upland pastures enclosed by drystone walls, are generally present and identifiable within the area containing the appeal site.
15. The CS does not have local landscape designations, but instead contains criteria-based policies which are supported by a series of 10 Landscape Character Areas (LCA) outside of the urban area. Policy EN4 of the CS directs decision makers to use the approach set out in the relevant volume of the Landscape Character Supplementary Planning Document (SPD) to assist with the assessment as to whether there would be "unacceptable adverse impacts" on the character of the landscape. This approach is consistent with established good practice in GLVIA3⁶. Each LCA is a written and visual assessment which describes, analyses and evaluates the landscape in terms of the character area and character type. It also sets out some policy guidelines.
16. The appeal site lies within the Rombalds Ridge LCA as defined in the SPD⁷ which is then sub-divided into Landscape Character Types (LCT). Overall, it is primarily high-level plateau with an upland character dominated by moorland which gives a strong and distinct identity. Strong cultural association,

⁵ CD 11-07

⁶ CD 11-01 Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA3), para 5.27

⁷ CD 07-01 Landscape Character SPD Volume 4: Rombalds Ridge, adopted October 2008

archaeological interest, ecological importance and recreation value add depth and meaning to the character area.

17. The appeal site lies within the Upland Pasture LCT which occurs exclusively in the northwest of the character area on the 'saddle' of high land separating Airedale and Wharfedale below the gritstone moorland. To the east of Cringles, the upland pasture has steeper slopes below Addingham Moorside with fields predominantly well managed and with substantially improved grassland. The general lack of tree cover and elevated views from within the area give a strong sense of remoteness. The Council drew my attention to the point that Rombalds Ridge LCA is unusual amongst the series of LCAs in that it concludes that the area and type is very sensitive to change.
18. One of the key aspects in assessing the landscape impact is the sensitivity of the appeal site to change. The Council relies upon the characteristics for the LCT in the LCA and its overall sensitivity to change. The Appellant's argument is that the LCA is "blind" to different types of development and that GLVIA3 refers to the need to assess change arising from a specific proposal. The Appellant contends that the Council's methodology of assessment does not accord with GLVIA3 and that reliance on the SPD's intrinsic or inherent analysis of sensitivity over inflates the Council's conclusions on the magnitude of harm caused. I have had full regard to the views expressed on the methodologies used in reaching my own professional conclusions on this matter.
19. The Appellant drew my attention to the fact that the SPD does not include Horn Crag as an important feature. However, the SPD does not take the approach of using a closed list of features since the words "such as" are used, thereby indicating the features listed are examples and that is how I have treated them.
20. During my unaccompanied site visits I walked a number of public rights of way and viewed the site from numerous public locations in addition to the specific viewpoints requested by the parties. I observed that the exposed crag nature results in a topography of a 'whaleback' as described by the Council⁸. The established mosaic of vegetation on the upper elevations provides visual contrast to the nearby green pasture. Whilst in some views the appeal site is more prominent than others, I do not agree with the Appellant's assessment that it is subsumed into the wider landscape when viewing from a distance. Particularly during my unaccompanied visits to the area, I was able to easily see the appeal site from a range of publicly accessible locations as a distinct feature. As such I find the appeal site to be a visually prominent feature within the landscape. Accordingly, I find that Horn Crag is an important feature in the context of the SPD in the Upland Pasture LCT and the Rombalds Ridge LCA.
21. The appeal proposal would re-introduce quarrying activity for a period of 20-years. Whilst quarrying activity has occurred in the past within Rombalds Ridge, such as on the northern Wharfe Valley side and indeed on part of the appeal site, it is not identified as a feature of the landscape character type within this part of Rombalds Ridge. Active operational quarries are not part of the landscape character. Consequently, it would be seen as a new form of activity in an otherwise settled landscape. It would also result in activity with associated comings and goings which would conflict with the characteristic of remoteness that I experienced during my visits.

⁸ Mr Mindham, oral evidence

22. During the operational phase, it is common ground between the Appellant and the Council that the appeal proposal will have adverse effects on the landscape, although the dispute relates to the magnitude of the change and therefore whether or not it is acceptable in line with Policy EN9(3) of the CS. The existing vegetation, except for the western side which would remain, would be removed in phases and as material is extracted the landform would alter in a rolling programme of changes over the lifetime of the quarry. I find that both the existing landform and vegetation cover form significant elements that contribute to the distinctive nature of Horn Crag and consequently to the landscape character. The changes to the landscape character would be experienced by people who live, work or recreate in this area.
23. Even though restoration would be phased, using material from within the site itself, the ultimate restored landform would be both lower and a different profile. Horn Crag would cease to be a crag and therefore in my view, it would no longer be a distinctive feature of the landscape. The schematic restoration plan illustrates that some exposed rock face would remain. However, that would not appear as a natural crag but as a reprofiled landform with a deliberate linear and human-induced feature. In my view, the distinctive characteristic of Horn Crag would be lost, and this would harm the landscape character.
24. The submitted schematic restoration plan before me does not fully replicate the present mosaic form of vegetation which contributes to the landscape character. My decision must be based upon what is before me and whether or not it is acceptable in principle. In any event, even if the detailed restoration could be agreed, provided sufficient replication of the existing mosaic of vegetation which is important to the landscape character to be retained; the length of time required for it to reach maturity would still be significant and that is common with mineral schemes. Whilst I heard that it may be possible to accelerate the re-vegetation process through the selection of some species, I have no specific details before me at this stage.

Visual effects

25. The application was supported by a Landscape and Visual Appraisal (LVA). It is a mechanism to identify and set out the likely significance of the effects of change from development both on the landscape, as an environmental resource in its own right, and on people's views and visual amenity. It was prepared with reference to GLIVIA3 (CD 11-01).
26. The LVA contains a range of viewpoints which were selected and agreed between the then Applicant and the Council. Whilst the majority of the viewpoints are from public vantage points, 3 more private views from the Cringles Park Home Estate were included to help assess the potential effect on the residents and those to the west of the appeal site.
27. The LVA considered that the sensitivity of the users of the footpaths as receptors as being low-medium. However, at the Inquiry, both the Appellant and Council were in agreement that all users of the footpaths should be regarded as highly sensitive. Consequently, I have taken this adjustment into account in my own considerations.
28. In the evidence to the Inquiry, in all but 2 of the 22 viewpoints, there is common ground that adverse effects would arise. There is some disagreement

between the Appellant and the Council as to the scale (magnitude) of the effect from some viewpoints. From some viewpoints, the Council considered that a different scale (magnitude) of the effect arose during the phases of operation to that which would arise post-restoration, albeit the Council was consistently of the opinion that the effect would in any event be adverse.

29. I find the Appellant's methodology and the conclusions reached in terms of the effects in a number of viewpoints to be reflective of the position that I was able to see for myself during my site visits. However, there are a number of viewpoints where I have found a greater level of adverse effect. For viewpoints 1 and 2 the adverse effect would be greater than those suggested by the Appellant as the change of the topography would in my judgement be a moderate to major adverse visual effect. I reach the same conclusion in relation to viewpoint 13. Viewpoints 3 and 4 are from some distance, however, due to the elevated viewing position, the visual effects would be minor to moderate adverse. Similarly, from viewpoints 5 and 6 the change in topography would mean that the impact would be in the order of a moderate adverse effect. In relation to viewpoints 9 and 12 I find that there would be a minor adverse effect because of the introduction of a noticeable change to the landscape.
30. In relation to the above-mentioned viewpoints as part of the assessment of the visual effects, on balance, the Appellant's conclusions on adverse effects are lower than my own conclusions. However, I do not wholly agree with the level of harm that the Council has reached in relation to these same viewpoints.

Tourism and recreation including PRoW

31. The LVA clearly establishes that this is a landscape which is enjoyed for recreation and used extensively for walking, cycling and horse riding. The LCA, page 7, specifically notes that the area contains a number of very well used public rights of way, which is probably one of the best served network of footpaths within the Bradford district. As such there is no doubt that this high level of access to the countryside landscape and into the open access land to the southeast of the appeal site indicates that the appeal site and the surrounding area makes a significant contribution to tourism and recreation and the general enjoyment of the landscape.
32. The appeal proposal would require the diversion of Silsden 18 Public Right of Way (PRoW). Temporary and permanent diversions of PRoWs are not unusual for mineral workings. It is not currently possible to walk the exact line of the recorded route of Silsden 18 due to cliff faces and the quarry bottom of previous mineral workings. The Council confirmed that no application has ever been made to formally divert Silsden 18 but there is no dispute that it remains part of the PRoW network within the area. It was common ground between the Appellant and Council that users of Silsden 18 still appear to walk as close to the recorded line as possible.
33. I am mindful that there is a separate process to divert a footpath/bridleway either temporarily or permanently. A plan⁹ has been submitted to illustrate the proposed diversions of Silsden 18 and 19 PRoWs. The users of Silsden 18 during quarrying and afterwards would have to closely follow the appeal site

⁹ CD 01-39

- boundary before re-joining the existing route of Silsden 18 at the northern side of the appeal site.
34. The diversion would introduce a change to the current experience of climbing up and over the high point of the escarpment of Horn Crag which gives a sense of openness, allowing for broad panoramic views as described by the Appellant¹⁰ but also as I experienced on my site visit, a unique feeling of wildness arising from the topography and existing mix of vegetation on the site. It is my view that the experience of users of the diverted Silsden 18 would be less attractive as they would have to follow a defined feature of a potential drystone wall as illustrated on the schematic restoration features plan (CD 00-06/CD 01-42). This sense of enclosure and formalised structure would diminish the sense of openness as presently experienced on the broadly north-south route of Silsden 18. I acknowledge that the present experience of users arises from the "on the ground route" used which is not the formal alignment. However, no party has suggested to me that it would be inappropriate to take the current route walked as the starting point for the assessment of change to this PRow.
 35. Furthermore, the restoration proposals for re-vegetating the site would take time to establish and mature and provide visual interest which contributes to the kinetic experience of users of Silsden 18. The likely sense of enclosure and more formal structured route when combined with the reprofiled landform which would remove the high point would mean that the overall future experience of the users of the diverted Silsden 18 would be not as pleasant and attractive as it is at present. In my view, the harm to the experience of users of the PRow would be more than moderate as the Council suggested.
 36. Silsden 19 includes a very short section which runs adjacent to the appeal access, but it is not within the appeal site itself according to the submitted plan (CD 01-39). The illustrated diversion would realign this short section away from the site access and re-join the existing route of Silsden 19. I find that the experience of users of this potential diversion would be de minimis.
 37. Cringles Park Home Estate is a particularly sensitive receptor due to the number of permanent residents, but also contributes to the tourism offer of the area in that there are some holiday lets. The nature of the topography provides occupiers and visitors to Cringles Park clear uninterrupted and settled landscape views including Horn Crag. From my walk around Cringles Park during the accompanied site visit I observed that the tiered nature and layout of Cringles Park allows for more than just a few of the homes to experience these views. Therefore, any form of change to the settled landscape would be experienced by many of the occupiers.
 38. Notwithstanding the retention of some vegetation and the phasing, the appeal proposal would have a presence and a level of activity that would introduce a change to their current experience of the landscape character including the remoteness for a number of years.
 39. The time required for the landscape post restoration to recover and mature would add further time for the effect of the proposal on visual amenity. When taken cumulatively, the change to the landscape from the appeal proposal

¹⁰ CD01-14, page 14

commencing to the stage of maturity post restoration would be a significant number of years.

Valued landscape

40. Whilst the Council's Officer Report and reason for refusal did not contend that the appeal site lay within a "valued landscape" or that there would be any conflict with paragraph 180a) of the Framework; the Council's evidence to the Inquiry did include such an argument which was subject to cross examination.
41. It is common ground that the absence of a national or local plan designation does not mean that the landscape cannot be "valued" by reference to paragraph 180a) of the Framework. It seems to me that whether an area is a 'valued landscape' is a matter of planning judgement. The Council explained that in line with guidance at the time of the preparation of the CS, landscapes were not designated at the local level. This position is also supported by paragraph 5.26 of GLVIA which notes that planning policy and advice actively discouraged local designations unless it can be shown that other approaches would be inadequate. As such policies refer to the use of LCAs.
42. The Appellant and Council have referred me to a range of factors set out in Box 5.1 of GLVIA which can help in the identification of valued landscape. The factors include landscape quality (condition), scenic quality, rarity, representativeness, conservation interests, recreational value, perceptual aspects and associations.
43. The Appellant complains that the Council only refer to 5 of 8 factors being met in this case. However, in my view there are a range of factors and Box 5.1 does not suggest that all of them need to be met in order for the landscape to be considered as valued. Judgements need to be made about which particular components contribute most to its value and it may be the case that some factors are not relevant. The Council has made an assessment of the value attached to the landscape in relation to GLVIA Box 5.1 and cross refer to the details contained in the Rombalds Ridge LCA. Consequently, I am satisfied that the Council's assessment is sufficient and clearly recorded to support their conclusion that the landscape is valued.
44. I have carefully considered the Appellant's analysis of this point which is argued to be consistent with both GLVIA3 and TGN 02/21¹¹, and the fact that the Appellant's landscape witness indicated at the Inquiry that he did not concur with some aspects of the submitted LVA. This professional position is therefore noted and respected, however, it does underline the point that whilst there is good practice guidance, it is a matter of professional judgement.
45. Overall, from my own observations and the Council's evidence, I find that this is a recognisable and visually distinct landscape, with a strong sense of place and high historic continuity. This is a landscape which is very well used and enjoyed by the public for outdoor recreation, walking, cycling and horse riding. There is a good network of PRowS which cross the Rombalds Ridge area, all of which lead me to conclude that this is a valued landscape.

¹¹ CD11-06

Conclusion on the landscape matters

46. The appeal proposal relates to mineral extraction which is a temporary use of land, although it can be present for a considerable number of years. Accordingly, mineral extraction proposals can lead to temporary and permanent changes to landscape character.
47. In my judgement the appeal proposal would lead to the loss of the existing crag feature and the visual contribution made by the existing habitats both of which are integral to the current landscape. Although the phasing and schematic restoration proposals would assist to an extent of integrating the post-restoration vegetation cover into the landscape, the time scale to achieve this visual assimilation would be significant and weighs heavily against the proposal. As such the degree of change is not acceptable and there would be adverse harm to the landscape character and visual effects. Taking the proposal as a whole, I find that the harm arising from the proposal overall would be significant and therefore would conflict with Policy EN4 and EN9(B3) of the CS. Both of these policies seek to ensure that proposals make a positive contribution to the management and enhancement of the landscape character.
48. The post-development landform change and the introduction of the artificial linear and human-induced features would not be a positive contribution to the landscape character and would not be consistent with design requirements of working with the existing landscape character set out in Policy DS2 of the CS. As I have found the appeal proposal would harm the landscape character there would be conflict with Policy EC4(F) of the CS which, amongst other things, looks to support economic enterprises which develop or enhance the natural environment whilst having regard to local character.
49. The Council's decision notice included reference to Policy SWES5 of the NDP. For the reasons set out earlier I have found the appeal site to be part of a valued landscape. Policy SWES5 refers to Airedale's Valued Landscape in Figure 5 of the NDP which gives the spatial illustration of the landscape character. Amongst other things, the policy requires development to integrate with the landscape to respond positively to the character of the surrounding area and protecting important views. I have no evidence before me to say that the appeal proposal would impact upon any of the specific views identified in the NDP. However, as the proposal would not in my view respond positively to the character of the surrounding area, there would be conflict with this policy.
50. Policy EN1 of the CS is entitled the 'protection and improvement in the provision of open space and recreation facilities.' However, the focus of the policy is on the provision of open space, recreational facilities or green space. Although the appeal site does provide a recreational opportunity in the form of PRowS, the policy does not specifically address PRowS. As such this policy is not directly relevant to the appeal proposal. Policy DS5 of the CS seeks to ensure that new developments reduce the opportunities for crime and antisocial behaviour, again, I find nothing specific in this policy to be of direct relevance to this appeal proposal. Policy SWES6 of the NDP seeks to protect specified listed recreational routes which would not be affected by this proposal. The policy also looks to support access to the countryside, but I do not find that the policy criteria are directly applicable in this case.
51. There are no specific development plan policies on PRowS. However, paragraph 104 of the Framework requires planning decisions to protect and

enhance PRowS and access, including taking opportunities to provide better facilities for users. In this case, whilst the PRow and access is retained and therefore protected, the proposal only offers to amend the surface and provide dry stone wall crossing points¹². This limited offer does not take the full opportunity to provide better facilities for users as envisaged by the Framework. As I have identified earlier the suggested revised route for the Silsden 18 PRow would not be enhanced and would make a lesser contribution to the user experience than is currently enjoyed. Consequently, the appeal proposal would not be supported by paragraph 104 of the Framework.

Biodiversity and protected species

52. In relation to this matter there are two primary policies of relevance. CS Policy EN2 which applies to all development proposals and CS Policy EN9 which relates specifically to mineral extraction proposals. These two policies contain a number of important differences which are relevant to this appeal. In relation to the impact on biodiversity, Policy EN2(E) looks for proposals to contribute positively to the overall enhancement of the district's biodiversity resource. Whereas Policy EN9(B4) looks for development to not lead to a long-term loss of biodiversity. Policy EN2 also seeks to resist development that would cause serious fragmentation of habitats, wildlife corridors or have a significantly adverse impact on biodiversity networks or connectivity. Policy EN9(B4) takes a different approach and focuses on development that should not lead to the permanent disruption of a significant ecological network. Whilst both policies are relevant, Policy EN9 takes specific account of the nature of mineral extraction proposals and as such focuses upon the biodiversity position following development, which for a minerals scheme would take into account the important phases of restoration and aftercare. My assessment of the appeal proposal takes into account both policies.
53. Policy EN2 seeks to protect biodiversity and geodiversity within the district. There are currently four levels of designated sites within the Bradford District ranging from sites of international importance to those of local nature conservation value. The appeal site itself does not fall within any designated sites. It does not contain any irreplaceable habitats as defined in the Framework Glossary and a matter which the Council indicated it would not be pursuing at the Inquiry¹³.
54. The appeal site does lie within the buffer zone of the South Pennine Moors SPA. The R6(6) raised concerns about the bird species which use the site and within the wider area. The proposal has been supported by a number of surveys on site and reviews of other records for the wider area. Specifically in relation to the curlew, whilst there is evidence of their presence within the wider area, they have not been found within the site itself. It was common ground between the Appellant and the Council with reliance upon the consultation response of Natural England, that the appeal proposal would not have an adverse impact on the integrity of the SPA. Accordingly, I find that no Appropriate Assessment in accordance with the Habitats Regulations is therefore required.
55. Consequently, Policy EN2(D) sets out a criterion to assess the effect of proposals on habitats and species outside designated sites. The submitted Ecological Assessment (redacted) (CD 01-33) identifies the habitat baseline for

¹² CD12-22 Landscape Statement of Common Ground

¹³ CD12-03 Council Statement of Case, para 7.23

the appeal site comprises upland heathland, upland acid grassland, gorse scrub and bracken. Of these, the upland heath is a Habitat of Principal Importance¹⁴ and is of national importance. The acid grassland is a Bradford Biodiversity Action Plan Habitat. The appeal site does form a substantial part of the Bradford Wildlife Habitat network in this location which links the international, national and locally designated nature conservation sites.¹⁵ However, the individual habitats do not currently meet the West Yorkshire local site selection criteria for designation as local wildlife sites within the development plan.

56. The nature of the appeal proposal would result in the loss of the majority of the existing habitats on the appeal site, albeit some would remain within the periphery. In my view this can only be seen as a net loss of biodiversity during the extraction process which was also the conclusion of the submitted Biodiversity Net Gain Assessment (CD 01-30) when using the standard metric. As a consequence, the appeal proposal during the extraction operations would diminish the spatial extent and potentially the functionality of the Bradford Wildlife Habitat network in this location.
57. However, I am mindful that the appeal proposal, in common with many mineral schemes, would involve phased extraction followed by phased restoration. As such, not all of the existing habitats would be removed in one phase. A proportion of the habitat network would remain throughout the lifetime of the proposal. The temporary disturbance and diminution of the network could be addressed by a timely and appropriate restoration scheme which was suitable and sensitive to the location.
58. Policy EN2(E) lacks clarity as to whether the impact of development in terms of fragmentation or connectivity of habitats, wildlife corridors or biodiversity networks is intended to be assessed during development proposals and/or post development completion. Mineral extraction by its very nature would result in a different impact during extraction to that following restoration and aftercare. Through restoration it is possible to restore habitats and eventually achieve a net gain. Whilst there would be some temporary fragmentation of habitats and disruption to wildlife corridors and biodiversity networks and connectivity, this would be mitigated by the phased working and restoration. As such the appeal proposal would not result in the permanent disruption of a significant ecological network as required by Policy EN9(B4). Accordingly, I do not agree that the impacts would have a serious or significantly adverse effect on the ecological network either during the extraction or post development.
59. Well-conceived restoration schemes can offer some significant potential for biodiversity enhancement and net gains. In this case, it was common ground between the main parties that there is no legal or policy requirement for this proposal to deliver a specific level of net gain. Policy EN2(E) of the CS seeks an enhancement but provides no further direction on quantum. Policy EN9(B4) focusses on there not being a long-term net loss of biodiversity. It also does not seek enhancement and by inference accepts that during the extraction there may be an impact on biodiversity. In the appeal proposal the position achieved following restoration and aftercare would be one of a net gain in biodiversity.

¹⁴ Section 41, Natural Environment and Rural Communities Act 2006 (as amended)

¹⁵ CD12-10 Mr Masheder PoE para 3.1.3

60. There was considerable discussion between the main parties about the submitted restoration scheme. The Appellant's ecology expert explained how the finalised restoration scheme, which could be secured through a planning condition could take a more habitat led approach to restoration. It is my view that the submitted schematic restoration scheme which has been assessed for a quantifiable biodiversity contribution would provide a starting point and a net gain in biodiversity would be achievable.
61. In relation to a net gain in biodiversity, the main dispute related to the overall timescales for this to be realised. As the development plan policy is silent on what should be an expected timescale, it is therefore a matter of judgement as to what is reasonable. Whilst the Council made reference to the target date of 2030¹⁶ in the Defra Environmental Improvement Plan, this a general target. This target is not referred to within the Framework, the PPG or the development plan. In any event, this general target must be viewed relative to the proposal being determined, which in this case is a phased mineral extraction scheme that would have a life beyond 2030. As such, I do not agree that the time taken to achieve a net gain of biodiversity in the appeal proposal would be too long.
62. Phased restoration is part of the mechanism used in minerals proposals to manage the temporary disturbance to habitats. The finalised details of the restoration scheme could be secured through the use of planning conditions along the lines of those various versions discussed during the Inquiry. To accompany the restoration condition, an aftercare condition has also been suggested which could enable the agreement of the long-term monitoring and management of the site following restoration. This is another standard condition used with mineral schemes. Consequently, I am satisfied that through suitably worded conditions appropriate restoration and aftercare provisions could be secured which would therefore lead to an enhancement in the long term.

Conclusion on biodiversity

63. I find that whilst the appeal proposal would result in some disturbance and diminution of the Bradford Wildlife Habitat network, the impact would be temporary as the extraction and restoration would be phased. There would be no serious fragmentation of habitats or connectivity of wildlife corridors. Neither would there be the permanent disruption of a significant ecological network. Moreover, subject to securing an appropriate restoration scheme and aftercare, there would be no long-term net loss of biodiversity and a net gain could be achieved. Given the fact that the appeal site does not contain any irreplaceable habitats, there would be no conflict in this respect with criterion B4 of Policy EN9 and criterion E3 of Policy EN10 of the CS. As such, the appeal proposal in relation to biodiversity would not find conflict with Policies EN2 and EN9 and EN10 of the CS.

Protected species

64. It was established at the Inquiry that the only protected species which were of concern in relation to the appeal proposal were badgers. Badgers and their setts have legal protection to prevent persecution. Consequently, certain parts

¹⁶ CD 12-09A, Mr Campbell PoE para 5.4

of the evidence submitted to the Inquiry were redacted to provide appropriate safeguards for the precise geographical location of the badger setts.

65. Within the appeal site boundary there is an active badger sett together with an associated outlier or annex which could be used seasonally. Ms Groves from the Craven Badger Group was present at the accompanied site visit and pointed out to me the setts and numerous badger tracks within the site and surrounding area. I am therefore satisfied that I have sufficient information and evidence upon which to make a decision. It is not disputed that there are badgers present and active within the site and the surrounding area. The open nature of the surrounding land provides foraging and commuting opportunities for a badger community.
66. Whilst the exact extent of the active sett cannot be precisely defined; it was agreed by all the main parties that the proposed extraction area would be located more than 30 metres away. The Appellant indicated that this distance was suitable based on guidance published by the former English Nature. It should be sufficient to ensure that there should not be any direct disturbance to the active sett, providing works would not begin on site during their breeding season. The appropriate timing could be secured through a suitably worded planning condition.
67. Notwithstanding the Appellant's view that badgers are quite tolerant and that the existing badger clan would most likely remain within the sett, an artificial sett is proposed to be created prior to works starting and this could be secured by planning condition. No specific evidence of the relative success of artificial setts was presented to the Inquiry, however it is an established compensatory measure.
68. From the discussions it was accepted that the outlier sett would need to be closed. This would be a separate matter for Natural England as part of the protected species licensing regime which is a separate process to planning permission. I heard no reason during the Inquiry that would lead me to doubt that a licence would not be capable of being agreed with Natural England.

Conclusion on protected species

69. From what I have read and heard; I am satisfied that there is sufficient information regarding the approach to the protection of badgers, which could be secured through the use of suitable planning conditions. The planning conditions suggested and discussed during the Inquiry would be unlikely to give rise to insurmountable conflict with the separate badger licensing regime operated by Natural England. Accordingly, in relation to protected species, I find no conflict with Policies EN2 and EN9 of the CS.

Groundwater and private water supply

70. Hydrogeology is a complex subject and, in my experience, requires detailed and comprehensive information to support mineral proposals. As noted in paragraphs 6 and 7 of this decision, a revised Hydrogeological Assessment (HA) (CD 12-29) was submitted during the appeal publicity and consultation period. The HA is a concise document which presents a limited amount of detail and analysis for hydrogeology. The Appellant did submit a Proof of Evidence and provided some further explanation in response to my questions as part of the RTS discussions involving interested parties.

71. The EA identifies different types of aquifers (the underground layers of water-bearing permeable rock) which can allow groundwater to rise to the surface through naturally occurring springs or be abstracted using boreholes or wells. From the written and oral evidence to the Inquiry it is apparent that there are water features of springs, boreholes and wells within the vicinity of the appeal site. The spring, sometimes referred to as the Horn Crag Spring, provides a private water supply (PWS). The PWS¹⁷ within the red line boundary (but outside of the proposed extraction area) supplies potable water and is the only supply to 8 residential properties and a commercial premises.
72. The HA indicates that the appeal site lies within a secondary 'A' aquifer whereby the sandstones are well-cemented, and the groundwater flows predominantly through fractures. This is supported by the snapshot illustration of the geology of the site and surroundings in the submitted HAs which indicate heavy faulting. As such it is my understanding that whilst faults and associated fractures can act as barriers in certain conditions, they can also allow avenues for the vertical movement of water as well as horizontal flows along bedding planes. Consequently, a sandstone aquifer could be a productive water source. However, the HA does not provide any further details and explanation of the hydraulic parameters of the specific sandstone units of the appeal site and the groundwater contours are inferred, rather than confirmed.¹⁸
73. The Appellant's understanding was that rainfall feeds the spring, and it runs from the direction of the former quarry waste rock area on the western side of the appeal site. However, no evidence has been presented to indicate complete certainty that it is the case. Furthermore, the PoE in paragraph 4.7 indicates that there is a south westerly ground water flow towards the topographic low in the vicinity of the spring collection chambers. This raises a question as to whether the spring serving the PWS is fed by more than rainfall.
74. The appeal proposal would be dry worked with the base of the quarry remaining at least 1 metre above the groundwater table level. Consequently, it is necessary to understand the hydrogeological context and the water levels.
75. The HA indicates that one-off groundwater level measurements were taken using the 5 evaluation boreholes in July 2019¹⁹. This data was supplemented by the use of an additional existing old borehole whereby a further 15 readings were taken between October 2020 and January 2024.²⁰ The Appellant also explained that monitoring would continue throughout the lifetime of the proposal and two additional boreholes were anticipated.
76. Whilst the Appellant suggests that this provides a high level of confidence about where the maximum water levels currently lie, I do not share this view and nor did Mr Keeble of the Rule 6(6) Party in drawing on his own previous professional experience. I find that this represents a limited sample, both in terms of the number and location of boreholes and the intermittent frequency of the measurements to give the necessary comprehensive understanding of groundwater levels prior to a decision being made. Whilst further additional boreholes and monitoring during the lifetime of the quarry could be secured through planning conditions, it cannot be a substitute for the comprehensive

¹⁷ ID 11

¹⁸ CD 12-29 section 3.2 and CD 12-18 Mr Leake PoE, paragraph 4.2

¹⁹ CD 12-29, Table 3080/HIA/T1

²⁰ CD 12-29, Table 3080/HIA/T2

understanding which is part of the principle of determining the acceptability (or not) of a proposal.

77. From the limited data there is a variation in the recorded water levels. Contrary to the Appellant's view, it suggests that the groundwater levels are more dynamic and therefore require more detailed analysis. Furthermore, whilst some of the more recent readings were during a period of more stormy weather, as the EA indicated at the Inquiry, the influence of climate change would still require further discussion to establish an appropriate allowance.
78. I have read the submitted information (CD 11-30; CD 11-31; CD11-32) in relation to the previous Horn Crag Quarry schemes in the 1980s. From the limited information, it is not directly comparable to the appeal scheme, since the previous scheme was intending to work below the water table and dewatering operations would have been necessary, neither of which are part of the appeal proposal. However, CD 11-30 is of some relevance in that it provides further insight into the hydrogeological context. The consultation response advises that quarrying must be restricted to not deeper than 2 metres of the maximum ground water level which is likely to increase eastwards and it is important to establish this level before quarrying commences. The consultation conclusion notes that a 2-metre standoff from the base of the quarry would reduce the risk to the ground water overall and confine it to the Horn Crag (Fishbeck Lane) Springs.
79. A potential pre-commencement planning condition was discussed at the Inquiry which would require the design of a scheme to establish, amongst other things, the highest potential water table to be submitted to and approved by the Council. If sufficiently detailed and comprehensive information was already available, the use of such a condition would not be necessary. However, in this particular case, in my view it is necessary, although it would not be a wholly satisfactory approach. In my opinion, a more comprehensive understanding of the hydrogeological conditions including groundwater levels and flows is in my experience a key aspect since it should inform the extent, nature and depth of the working scheme prior to determination rather than prior to commencement of development. From the information before me in relation to the appeal scheme, it does not give me a sufficient level of confidence that there is a satisfactory level of understanding of the hydrogeological conditions of the appeal site. However, the conditions that have been suggested could potentially address that understanding.
80. Concerns were raised regarding the potential for the pollution of groundwater and the PWS. A number of local concerns have been raised about potential for fines and other suspended solids, and also bacterial matter carried on the suspended solids, being able to enter the PWS affecting the water quality. The revised HA notes that fines could be mobilised by rainfall-derived surface water. At the Inquiry interested parties confirmed that those properties connected benefit from a consistent and continuous supply. As such any contamination (irrespective of filter systems), or interruption would cause harm to the users of the PWS.
81. My attention has been drawn to the local knowledge and experience during previous unauthorised quarry working within the site. From the limited information available about the activity in the 1980s it occurred at a similar time when the PWS was grossly polluted, not only by salicaceous matter, but

also bacteriological organisms (CD 11-31). I have not been provided with any evidence to provide a definite conclusion as to whether the historic quarrying activity caused the pollution of the PWS. However, it was made very clear to me by interested parties and the Council that following cessation of the quarrying activity the water quality did improve and there have been no recorded problems since. As such this does all suggest that the PWS is very sensitive to any change.

82. Consequently, a suite of suggested planning conditions in relation to this matter were the subject of considerable discussion during the Inquiry with several iterations circulated and commented upon. The finalised suite of suggested planning conditions²¹ included a range of approaches. Some conditions proposed sought compliance with good practice or were negative in that something was not to be done, others would require approval of further details before the commencement of development, and another was a reactive style of condition, in the case of unexpected contamination. All of the conditions proposed were to manage and mitigate any potential adverse effects to groundwater and the PWS. The number and breadth of planning conditions by the end of the Inquiry arises from the lack of a full and comprehensive understanding of the hydrogeological context.
83. Notwithstanding my reservations with the approach pursued by the Appellant and Council on this matter, taking all things into consideration, I find that the finalised suite of suggested conditions relating to groundwater and PWS would go some way towards managing the risks. Whilst a reactive approach to unexpected contamination is commonplace with land contamination, in this context, it would place the burden of monitoring/assessing the PWS on the users of the PWS, which in my view is an unsatisfactory approach. Had this been the only aspect of remaining concern with the appeal scheme, then a more proactive approach to the monitoring of the PWS could be incorporated into the relevant planning condition. It would be possible to ensure in relation to groundwater and PWS, along the lines of suggested conditions, that they would all be capable of being necessary, relevant to planning and to the development, enforceable, precise and reasonable in all other respects.

Conclusion on groundwater and private water supplies

84. Consequently, from all I have read, heard and seen, my view is that much of the concern raised by interested parties on this matter could have potentially been addressed with a more thorough evidence base. This would have enabled the planning conditions to secure matters that were more established prior to the decision. It is very clear to me that this is a sensitive location for groundwater and PWS and therefore a precautionary approach should be followed. As things stand, whilst the suite of planning conditions discussed during the Inquiry would still leave a number of detailed matters to be determined at a later stage, on balance, they would go some way to addressing the potential risk to the groundwater and the PWS. If I were minded to allow the scheme, with some potential further revisions to the conditions, it would be possible to satisfy the requirement of Policy EN8(D) of the CS which seeks to ensure that there would be no adverse impact on water bodies and groundwater resources.

²¹ ID 15 version submitted prior to the closing submissions.

Other Matters

85. Concerns have been raised by a number of interested parties about the potential traffic and highway safety implications of the proposal including the number of HGVs and their routeing together with consequences of the vehicle movements on Fishbeck Lane, and particularly Brown Bank Lane and the junction with Bolton Road. The submitted Transport Statement (CD 01-15) indicates that there would be 10 two-way HGV trips (5 in and 5 out) per day and 8 two-way staff trips (4 in and 4 out) per day. Therefore, the trip generation from the development would not materially affect the operation of the highway network. A routeing plan for the HGVs could be secured and managed by a planning condition, this would also ensure that HGVs would not travel into Silsden. Part of the route would utilise Fishbeck Lane, which is an unadopted rural road with a metalled surface. A planning condition could be used to require the Appellant to survey and carry out repairs and maintenance to Fishbeck Lane throughout the lifetime of the quarry. This would provide a mechanism to ensure that the condition of Fishbeck Lane would not become degraded by the HGV movements.
86. I note that the Highway Authority has raised no technical highway safety concerns relating to the junction of Brown Bank Lane and the Bolton Road. I have seen, walked and driven in and out of Brown Bank Lane during my visits. Even with the surrounding current and potential development within the general vicinity of the junction, there are sufficient road markings and there are no specific geometric deficiencies in the existing highway network. The proposed number of trips and the nature of the vehicles anticipated to arise from the appeal scheme would not lead to an unacceptable impact on highway safety or impacts on the road network that would be severe in line with paragraph 115 of the Framework.
87. A number of concerns were expressed about noise and dust from the appeal proposal. However, the Noise Impact Assessment (CD 01-13), Dust Assessment (CD 01-31), and Dust Management Scheme (CD 01-10/CD 01-32) explain the nature of the noise and dust from the appeal proposal. It is common to have planning conditions to control noise and dust from mineral workings. As such I have no reason to doubt that the suggested conditions would not provide a suitable means of managing and controlling noise and dust in this case.
88. An interested party raised a question regarding the use of a s106 planning obligation and a restoration bond. Government policy in paragraph 55 of the Framework is clear that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Whilst some of the suggested conditions in relation to groundwater and the PWS could still be more precise and proactive, it is not my view that it is absolutely necessary for them to be addressed through the mechanism of a s106. In any event, the Council did not seek a planning agreement and nor did the Appellant offer a unilateral undertaking. I therefore have no s106 before me to consider. I have no substantive evidence before me that would indicate that the Council would not take enforcement action in relation to planning conditions should it be expedient to do so in the public interest. Financial guarantees to cover restoration and aftercare costs, sometimes referred to as restoration bonds, are normally only justified in exceptional circumstances in line with paragraph

217 e) of the Framework. No exceptional reasons have been presented that one would be required in this case.

Planning Balance and Conclusion

89. Planning law requires that applications for planning permission be determined in accordance with the development plan when taken as a whole, unless material considerations indicate otherwise.
90. In this case, for the reasons given above, I have found conflict with development plan policies EN4, EN9(3), EC4(F) and DS2 of the CS, and SWES5 of the NP in relation to the effect on landscape character. I am not satisfied that this conflict could be overcome by securing mitigation measures through planning conditions.
91. I have found that, subject to appropriate planning conditions, there would be no conflict with the development plan policies EN2, EN9 and EN10 of the CS in relation to biodiversity and protected species and policy EN8(D) of the CS in relation to groundwater.
92. It would be unusual for any application to accord with all policy aspects of the development plan and therefore this engages the need to balance and reach a judgement. Where a proposal is contrary to the development plan it is necessary to examine whether or not there are material considerations which could outweigh the harm and therefore justify granting planning permission.
93. The appeal proposal is of a relatively small-scale in the context of mineral schemes more generally. As such the CS, Framework and the PPG all refer to the need for a flexible approach to the duration of planning permissions when dealing with applications for building stone quarries. The proposed extraction period of some 20 years in this proposal is therefore not unusual in this regard.
94. The appeal proposal would contribute to the need for a sufficient supply of minerals, consequently it attracts significant weight in the planning balance. In accordance with the Framework in paragraph 217, I give great weight to the benefits of minerals extraction, including to the economy. The submitted planning supporting statement refers to the economic benefit to the mineral operator and ability to retain employees for the extraction, processing and supplying of building stone throughout Yorkshire.
95. The Planning Application Supporting Statement (CD 01-08) in paragraph 3.10.2 anticipated that the majority of the dimension stone produced at Horn Crag Quarry would be utilised throughout Yorkshire, specifically in areas underlain by the Millstone Grit Unit and where the patina of local buildings matches or is similar to the stone extracted at Horn Crag. This position does not sit entirely comfortably with the Appellant's explanation at the Inquiry that the proposal would look to deliver a more localised need for the specific type of stone which is found at Horn Crag.
96. It is not disputed that technically there are variations in building stone, such as colour, texture and grain size, bed thickness, sedimentary structure, porosity and mineralogy. The bedrock beneath the appeal site is geologically referred to as the Middleton Grit Unit of the Silsden Formation. Samples of stone from Hallas Rough, Naylor's Hill and Horn Crag were exhibited at the Inquiry. Whilst Hallas Rough and Naylor's Hill samples are technically different as acknowledged, however, a casual observer would not necessarily be able to

fully identify differences between the raw unpolished samples or conclude that the Horn Crag stone sample was particularly unique.

97. It was generally agreed that historically, stone from quarries would have been used in local buildings. The British Stones of England²² document as submitted only identifies one building specifically built with Middleton Grit, namely the Roman Fort (ruin) at Ilkley. Whilst the Appellant's Heritage Stone Survey²³ illustrated that the West Yorkshire Stone Atlas refers to two records of Horn Crag Stone being used for "Kerb, flag and building stone" in "Silsden, Keighley etc...", no specific buildings or heritage assets are named. Consequently, this is not entirely conclusive, and it is generally assumed, rather than proven, that the stone which was extracted from Horn Crag in the 19th Century was used locally.
98. It is not disputed that building stone is needed for repair and maintenance of existing buildings including heritage assets. This is a common issue and recognised in the Minerals Evidence Base Reports and the Framework in paragraph 217 f). From the Council's evidence, Horn Crag (Middleton Grit) has not been quarried for at least 20 years. No substantive specific evidence was put to the Inquiry that any demand for building stone, for example to repair and maintain heritage assets or the new developments within the local area, particularly Silsden, has not been met through an inability to source suitable stone. As such I am not satisfied that there is cogent evidence of a specific need for the Horn Crag stone over and above the general need for the supply of stone, or that it is a particularly scarce stone required for the repair of historic buildings which would enable it to have significant weight in line with Policy EN10(B) of the CS.
99. Policy EN10 of the CS envisages the output and reserves should be maintained. No specific monitoring data was presented to the Inquiry to provide empirical evidence on whether the output and reserves are in fact being maintained. As such there was considerable debate during the Inquiry around the numbers of active and closed quarries. Mineral extraction is dynamic, and numbers of active quarries and outputs do often vary in response to a range of factors, including demand. National policy does not require a specific landbank requirement for building stone. Without comprehensive empirical data, I am unable to reach a definitive conclusion on whether the output and reserves are delivering the expected supply. Even if a deficiency in supply exists as the Appellant suggests, I heard that the Council has taken a positive approach and granted consent for those proposals that accord with the strategy for minerals and the relevant policies of the CS. As indicated earlier I have already attached significant weight to the supply of building stone from the proposal within the balance.
100. Weighing against the proposal is the harm to the landscape character. The permanent changes to landscape character would not be acceptable. This harm would be to a valued landscape and in my judgement the harm to the landscape weighs substantially against the proposal. Notwithstanding the phasing and restoration proposals, the temporary effects to the landscape character would also in my judgement be unacceptable for a significant period of time which weighs heavily against the proposal. As such I find that the proposal would conflict with Policy EN4, EN9(3), Policy DS2 of the CS, Policy

²² CD 12-30

²³ CD 01-16

SWES5 of the NDP. Furthermore, the proposal only provides a limited offer and does not take the full opportunity to provide better facilities for users of the PRow, and therefore would not be supported by paragraph 104 of the Framework. This adds to the cumulative harm that would arise from the appeal proposal.

101. The appeal proposal would be contrary to the development plan as a whole. I have carefully considered all arguments presented by the Appellant and have taken account of all other matters raised in the representations and in the oral evidence to the Inquiry in my own assessment of this scheme. Having regard to all matters, it is my overall conclusion that the aspects that weigh in favour of the proposal, specifically need, would not be sufficient to overcome the harm that I have identified and therefore the conflict with the development plan. In such circumstances, relevant material considerations do not indicate that a decision should be reached otherwise than in accordance with the development plan.

102. Consequently, the appeal is dismissed.

Rachael A Bust

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr Paul Brown, King's Counsel, instructed by Ms Amanda Beresford, Partner, Schofield Sweeney

He called:

Mr Radek Chanas MEng, MA, MCMLI	Associate Landscape Architect, Pegasus Group
Ms Erica Kemp CEnv	Director and Head of Ecology, Envance
Mr Christopher Leake BSc MSc FGS	Managing Director, Hafren Water Ltd
Mr Chris Heffernan MRTPI FGS MIQ	Managing Director The Mineral Planning Group Ltd (MPG)

FOR THE PLANNING AUTHORITY:

Ms Clare Parry, Counsel, instructed by Mr Bob Power, Planning Solicitor, City of Bradford Metropolitan District Council

She called:

Mr Andrew Mindham BSc MSc MCMLI	Senior Landscape Architect City of Bradford Metropolitan District Council
Mr David Campbell MSc BSc MCIEEM	Biodiversity Officer City of Bradford Metropolitan District Council
Mr Robert Masheder BSc(Hons) ARSM	Ecology Service Team Manager West Yorkshire Ecology Service within West Yorkshire Joint Services
Mr Richard Pigott BA(Hons) MSc MRTPI	Director Planning & Design Practice Ltd

Additional participants for the round table sessions:

Mr Richard Turner	Environmental Health Officer City of Bradford Metropolitan District Council
Ms Ruth Buckley CGeol	Hydrogeologist Environment Agency

Mr Bob Power
Planning Solicitor
City of Bradford Metropolitan District Council

Ms Hannah Lucitt
Major Developments Manager
City of Bradford Metropolitan District Council

FOR ADDINGHAM CIVIC SOCIETY, RULE 6(6) PARTY:

Professor Rick Battarbee FRS
Chairman, Addingham Environment Group; Emeritus Professor of Environmental Change, University College London

Mr Malcolm Keeble
Trustee, Addingham Civic Society

INTERESTED PARTIES:

Councillor Caroline Whitaker
Craven Ward
City of Bradford Metropolitan District Council and local resident

Ms Sarah Walker
Local resident

Ms Liz Groves
Craven Badger Group

Mr Andrew Scott
Local resident

Mr Neil Whitaker
Retired solicitor and local resident

CORE DOCUMENTS

Published electronically on [public inquiry page](#) within the City of Bradford Metropolitan District Council website.

DOCUMENTS SUBMITTED AT THE INQUIRY

ID1 – Copy of comments on draft hydrogeology related planning conditions from Mr Keeble, R6 party previously attached to an email dated 22/01/24.

ID2 – Late representation from Ms Silverwood of Cringles Park, dated 16.2.24 received by the Council, presented by Ms Parry.

ID3 – Webpage extract of the Save Horn Crag online petition, as printed on 19 February 2024 presented by Ms Walker.

ID4 – Webpage extract of an online petition to the Secretary of State for the Environment, Food and Rural Affairs requesting the introduction of a national

minimum standard for all quarrying to be at least 1000 metres away from all residential settlements (10 or more homes), schools, hospitals and care facilities in the UK, printed on 19 February 2024 and presented by Ms Walker.

ID5 – Copy of photographs of Horn Crag from Silsden and surrounding area evidence for landscape, presented by Ms Walker and previously attached to an email dated 23/01/2024.

ID6 – Transcript of oral statement made by Cllr Caroline Whitaker on behalf of local residents on 20/02/2024 with supporting plans.

ID7 – Opening Statement on behalf of the Appellant.

ID8 – Opening Statement on behalf of the Council.

ID9 – Opening Statement on behalf of Addingham Civic Society as Rule 6 Party.

ID10 – Ecology: Outline of Appellant’s Position dated 22 February 2024.

ID11 – Copy of submission from Councillor Whitaker regarding private water supply attached to emails dated 22/01/2024.

ID12 – Copy of plan of pipes and properties connected to the private water supply, presented by Mr Turner.

ID13 – Further comments on draft hydrogeology related planning conditions from Mr Keeble, R6 party attached to an email dated 23/02/2024.

ID14 – Local residents’ comments on draft planning conditions, presented by Councillor Whitaker attached to an email dated 23/02/2024.

ID15 – Suggested planning conditions without prejudice, various revisions during the Inquiry superseded by the finalised hard copy presented to the Inquiry on 29/02/2024.

ID16 – Further comments on biodiversity related planning conditions from Professor Battarbee, R6 party, attached to an email dated 23/02/2024.

ID17 – Written statement and accompanying photographs submitted by Ms Groves on behalf of the Craven Badger Group, attached to an email dated 23/02/2024.

ID18 – Closing submissions on behalf of Addingham Civic Society as Rule 6 Party.

ID19 - Closing submissions on behalf of the Council.

ID20 - Closing submissions on behalf of the Appellant.

.....