

Consultation Response: Kirklees Council Conservation & Design (Biodiversity)

<i>Is this a response to an informal consultation request?</i> Yes ☐ No ☒	
Date	07/04/2017
Officer responding	Tom Stephenson
Application number	2017/90207
Purpose	Review of submitted ecological information, pre-determination
Location	Thongsbridge Mills, Miry Lane, Thongsbridge, Holmfirth, HD9 7RW

Assessment

I have reviewed the Ecological Appraisal for the site along with the additional bat survey information. The information supplied indicates that ecological constraints are the potential for impacts to nesting birds, the presence of invasive Himalayan balsam, the potential for inappropriate lighting to impact the adjacent River Holme, and the need for ecological enhancement. These constraints can be dealt with through conditions, which are suggested below.

Recommendation

I have no objection to the proposals provided the detail referred to in the below conditions can be secured.

Suggested Condition(s)

1. No removal or pruning of trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: to avoid direct impacts to birds, their eggs, nests and young and a consequential offence under section 1 of the Wildlife and Countryside Act 1981 (as amended).

2. No development shall take place (including any demolition, ground works, site clearance) until a method statement for the control of non-native invasive plants has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:
 - a) purpose and objectives for the proposed works;
 - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
 - c) extent and location of proposed works shown on appropriate scale maps and plans;
 - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;

- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details.

Reason: to prevent an offence under the Wildlife and Countryside Act 1981 (as amended) and in accordance with chapter 11 of the National Planning policy Framework.

3. No development shall take place until an ecological design strategy (EDS) including a sensitive lighting strategy and provision of areas of native planting has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: to secure the ecological protection and enhancement measures outlined in the submitted ecological report in accordance with Chapter 11 of the National Planning Policy Framework.

References

There are no sources in the current document.