From:	
To:	DCAdmin
Subject:	Comments on: Application 2020/60/92350 Land south of Heybeck Lane, Chidswell, Shaw Cross, Dewsbury & Application 2020/60/92331 Land east of Leeds Road, Chidswell, Shaw Cross, Dewsbury.
Date:	19 September 2020 12:25:51
Importance:	High

Attached comments on

Comments on:

Application 2020/60/92331 Land east of Leeds Road, Chidswell, Shaw Cross, Dewsbury.

Specific comments on the impact assessments & proposals:

Part 1 Comments on: Application 2020/60/92350 Land south of Heybeck Lane, Chidswell, Shaw Cross, Dewsbury & Application 2020/60/92331 Land east of Leeds Road, Chidswell, Shaw Cross, Dewsbury.

Response to the Environmental Statement - Nontechnical Summary

Socio-Economics

'*Due to inherent difficulties in assessing the significance of socio-economic effects, and lack of formal guidance, it is inevitable that there will be a degree of subjectivity within the assessment*.' – this implies that the findings may not be robust

1.74 Seems to omit biodiversity and health issues in relation to open space; doesn't necessarily address impact on current housing stock values;

1.80 – Employment – to note that job creation will not be within the local economy directly affected by the construction but imported labour.

1.85 - Similarly the leakage is likely to be much higher than this.

1.95 – Overall employment impact is mostly short-term rather than long-term and it would be helpful to see an estimate of likely job uptake / demand from the local community adversely affected by the development – rather than for the wider area.

1.98 – It would be helpful to assess this against current capacity in the immediate area to supply the goods / services considered here – or is this new import of provision?

1.100 Healthcare – an assessment of the adverse effects of loss of amenity and greenspace biodiversity, plus impacts of noise, stress and disturbance – on the current community. Plus potential lost opportunities for greenspace / health benefits for the new development too – and how this will be addressed.

1.102 – Education – this needs to consider the educational benefits and value of the current greenspace provision and likely impacts of the development

Open space provision and benefits

1.109 *The overall effect is therefore considered to be minor beneficial and permanent at the Site scale*.

This seems to be a most peculiar claim as the development removes a very large area of undeveloped open space. I am struggling to see how this brings even 'minor beneficial' impacts. There is no indication of how habitat improvements and conservation works might be brought about

or indeed, how public access and countryside recreational provision is to be managed. The local authority's current countryside services have been drastically reduced and do not have capacity to deliver and manage a new open space area. So how will public access (walking, running, cycling, horse-riding, and quiet recreational pursuits e.g. wildlife- related activities) and potential conflicts be effectively managed and nature conservation (biodiversity) interests protected sustainably?

Summary 1.120 *Overall, the assessment has concluded that the impact of future residents on existing neighbourhood services is not expected to give rise to significant effects, and so the Proposed Development would not be expected to detrimentally impact the socio-economic conditions of the existing area.*

But what about the current community – please inform us on that.

Landscape and Visual Impact

Small, fragmented remnants of pre-industrial landscapes and more recent creation of seminatural vegetation, including woodlands…with field boundaries of clipped hedges or fences.

The idea of 'clipped hedges' is rather odd in a countryside area. Please give details of hedgerow origins / dates and current or historic management i.e. ancient hedgerows, with or without laying, botanically rich or not, enclosures or pre-enclosures (medieval), and structures such as banks and dirties.

Continuing development pressure including land renewal and regeneration projects, especially along river corridors and around towns.

This notes the pressure for development on these landscapes.

Due to its proximity to a number of residential areas, the semi-natural landscape provides visual amenity, and also serves a recreational function through its extensive network of PROWs. These provide access to relatively tranquil places, set within a highly developed landscape. The Local Plan designates some regions of the LCA as Green Belt, though the Site itself no longer carries this designation as it has been allocated for development (Land at Chidswell, allocation MXS7 Mixed Use, covering 120.78ha).

This notes the importance of tranquillity – which will be adversely impacted on by the development. Indeed, the semi-natural landscape of the open countryside areas and the associated visual impacts on built and undeveloped areas are hugely significant at this local level.

1.128 'Development Area and Use and Proposed Parameter Plan – Access' *illustrates that some trees would be lost as a result of the Proposed Development. This loss could be mitigated through landscape proposals brought forward at reserved matters. Loss of trees would be compensated for through extensive tree planting throughout the Site. Belts of native trees are proposed within the Green Buffer running east-west through central regions of the Site, and other proposed green links, SUDs areas, and publicly accessible open space.*

Details of trees to be lost – locations, numbers, species and ages? To note that planting does not necessarily compensate for loss of mature trees. These areas of land are of considerable local value.

1.129 Proposed Parameter Plans *prevent development over existing water courses, and require the creation of additional areas for SUDS. More detailed landscape proposals included in any reserved matters applications would bring existing watercourses into positive management, ensuring that they contribute to the Site-wide SUDS strategy. Additional planting to watercourses would help improve their wildlife and amenity functions, generating synergies between blue and green infrastructure. The magnitude of change to existing watercourses, with mitigation, is judged to be low, and beneficial.*

Will the development include domestic soakaways and porous tarmac for example – if not, then why and if so, please give details.

1.130 *……users of public rights of way will experience a less rural, open view than they do currently. In order to mitigate this, the landscape proposals brought forward at reserved matters stage would bring the PRoWs into active management, and would seek to protect the existing amenity to the extent practicable.*

It is unclear how active management of PRoW would be sustainably funded long-term or indeed, how this compensates for loss of visual amenity via the less rural open view.

1.131 Proposed Parameter Plan *– Green Infrastructure includes corridors and buffers of landscape, as well as retained tree belts. More detailed proposals brought forward at the reserved matters stage would include a network of public spaces, set within a broader blue and green infrastructure framework. This framework would respond to, and would generate, varying degrees of activity. Chidswell - NTS Some areas of publicly accessible open space would be used intensively, while others would be for quieter use. Though relatively tranquil in the general context of the Proposed Development, proposed quiet areas would be less tranquil than baseline conditions. The resulting magnitude of change, with mitigation, to the sense of tranquillity is judged to be medium.*

The adverse impacts on tranquillity and amenity or acknowledged though how this effectively zoned usage with hugely increased demand through new residents will be managed is unclear. How will this be funded / resourced?

1.132 *….Taking the above mitigation measures into consideration, the magnitude of change caused by the Proposed Development on the sense of openness is still judged to be high.*

Indeed it will and the significant value of these areas will be severely compromised.

Table 1.5

Hedgerows Medium Low Minor Adverse Low Minor Beneficial

Trees Medium Low Minor-Moderate Adverse Medium Moderate Beneficial

These impacts do require a more formal assessment of the amenity and conservation value – i-Tree Eco or Helliwell etc. This will provide more robust evidence.

It is difficult to see how the impacts on trees, hedgerows or watercourses can be ‘beneficial’.

Table 1.6 Summary of Visual Effects following mitigation

This summarizes major adverse impacts of the scheme on landscape.

1.140 - Light pollution impacts are noted.

Summary 1.142 *Overall, it is considered that, despite its transformative nature, the Proposed Development could be incorporated into the surrounding landscape context without major harm to landscape character and fabric, notwithstanding the loss of agricultural land. The principles for future development as shown on the proposed parameter plans has been carefully designed in a manner which respects and responds to existing settlement pattern and landscape assets such as topography, hedgerows, trees, water courses, and offsite woodland copses. Mitigation measures would ensure that these assets are to a great extent conserved, protected and enhanced, and future reserved matters applications would further augment these features by additional planting within a comprehensive green infrastructure proposal. This planted network would reinforce landscape character and bring about environmental benefits such as wildlife habitat and corridors, storm water relief, visual amenity, and recreational functions.*

This doesn't seem to flow or follow from the evidence presented: '……..*Development could be incorporated into the surrounding landscape context without major harm to landscape character and fabric*,……' I fail to see how this can be achieved '*without major harm to landscape character and fabric*' because clearly both are badly affected by the development.

Archaeology and Historic Environment

1.153 *Elements of the 'important' hedgerows within the Site will be removed as a result of the construction of the Proposed Development. This would result in a minor adverse effect to the heritage significance of this asset.*

It is unclear how this statement is justified and how the importance of hedgerows or other landscape features was assessed. Please give details. Any surveys of woodland archaeology or by LiDAR and aerial photography for example, of the field areas to be lost? Dates of enclosure patterns?

1.157 *No mitigation measures are proposed or required within the operational phase, with regard to buried archaeological remains, built heritage and the historic landscape.*

So this means that nothing will be done? No watching brief for example, and no further fieldwork?

1.170 *The Proposed Development will not result in any significant effects on [KNOWN] heritage assets, including buried archaeological remains, although non-significant effects have been identified. No buildings of heritage significance will be physically affected by the Proposed Development. The Proposed Development is considered to result in less than substantial harm (at the lower end) through changes to the historical agricultural setting of the Grade II Listed Haigh Hall, however, this is not significant.*

This would be better stated as the 'known' heritage assets.

Noise and Vibration

Noise and Vibration are major impacts of big developments on current residents – from construction and from vehicle movements.

Flood Risk and Drainage

The development itself will not be at risk from flooding but it will exacerbate problems further downstream. This needs to be addressed and a plan be in-place to provide positive planning for water to ensure downstream impacts are reduced and not made worse. This should be detailed.

Contaminated runoff into surface waters - during construction and following development needs to be addressed. Similarly, enhanced periodicity of flows to the watercourses needs to be considered to avoid flashy streams which are seasonally dry. This also requires a monitoring strategy to be put in place. 'Catchment theft' of urbanised watercourses is a major problem.

1.229 *Dum Wood and Dogloitch Wood, both of which are located in close proximity to the Site, are designated as Ancient Replanted Woodland. There are no other Designated Environmentally Sensitive Sites within 2000m of the Site. Designated Environmentally Sensitive Sites belong to Designated Environmentally Sensitive Areas (DESA), which are defined as agricultural areas which need special protection because of their landscape, wildlife or historical value; and……*

This seems to be the first acknowledgment of these important sites – what work has been done on their heritage / archaeology, ecology, and importantly, hydrology? What will be the long-term impacts of the development including lowering of the watertable and increased recreational usage?

Particularly in areas of former coal-workings with complex hydrology, it is likely that over-development and urbanisation will lead to long-term drying of the woodland areas. This leads to dieback of trees, to loss of sensitive woodland ground flora through desiccation, and loss of streams and streamside vegetation. It is important that these issues are comprehensively addressed prior to permission being granted.

What services will be put in place to manage these impacts sustainably in the long-term?

Table 1.11 – Summary of Non Statutory Designations

To note that 'Ancient woodlands' do have recognition within the planning process.

What work has been done on veteran managed trees e.g. coppices and on woodland archaeology – banks, ditches, boundaries, pits and platforms, and routeways? This is very basic stuff for assessing ancient woodland.

Table 1.14 *– Summary of Species / Species Group Surveys Species/ Species group Notes Great crested newt Likely absence demonstrated Barn Owl Likely absence demonstrated Breeding Bird High number of breeding birds present. Species of particular note are Yellowhammer and Skylark. District level importance Badger Likely absence demonstrated Bat Roosting Trees – Some trees with roost potential Buildings - Likely absence demonstrated Bat Activity Very limited activity (foraging/commuting) – Site level importance Water vole Likely absence demonstrated Reptile Likely absent, or present at very low density - Site level importance*

This list seems to have a lot of 'likely absence' claimed. It seems surprising that presence was not confirmed and that neither badger nor water vole was found.

Also, what about woodland birds which undoubtedly are present?

Summary of Likely Significant Effects 1.289 *The construction stage will present the major impact in relation to ecology, as it will see direct impacts on habitats and species / species groups through vegetation clearance, as well as indirect Chidswell - NTS impacts from disturbance (noise, vibration, lighting, increased human presence, vehicular movement) and the potential for inadvertent release of pollutants. 1.290 Direct impacts on Dum Wood and Dogloitch Wood were designed out of the proposals at an early stage. This was achieved by amending the red line boundary to maintain a c.20-30m wide green stand-off from the woodland edge. Despite this standoff, in the absence of mitigation, minor indirect impacts could still occur. Without a clear exclusion zone being marked out on the ground, contractors could encroach within the canopy spread or root protection area of the woodland edge trees, resulting in physical damage to trees through collision, damage to roots by compaction/ severance and damage to the health of trees by spilling hazardous chemicals. The release of airborne pollutants (namely dust), could also lead to short term damage of the woodland ground layer. This impact would be negative and short lived, affecting only those trees and ground flora along the woodland edge. The impact would be felt for the duration of the construction period and would be reversible. The likely significance of this impact would be minor and the sensitivity low. The magnitude of the effect would only extend to the woodland edge bordering the Site.*

1.291 *Direct impacts would occur through targeted clearance of all hedgerows that conflict with the development footprint. This clearance would occur within the first stage of works within each development phase, with woody material being chipped and spread nearby. Hedgerows that lie within Publically Accessible Open Spaces would be retained, but at risk of damage by construction activities. Potential impacts are similar to those described above for the woodland edge trees. This impact would be negative and restricted to the Site, impacting only hedgerows within the red-line boundary. The impact would be felt for the duration of the construction period and would be reversible with mitigation. The magnitude of this impact would cover all onsite hedgerows, although the likely significance would be minor. The sensitivity to change would be low.*

It is unclear how the long-term impacts of the development on the woods in particular, are to be mitigated and managed. Please specify this in detail.

Table 1.15 *– Summary of predicted impacts of the Operational Phase, in the absence of mitigation Important Ecological Feature Predicted Likely Impact(s) Likely Significance Dum Wood & Dogloitch Wood LWS, SWS, KWHN (District) Increased pressure on woodland by new residents. Trampling of diverse woodland ground layer. Major negative*

This is a major negative impact on a key ecological and heritage resource – so what mitigation and how funded? With increased numbers of residences and gardens there will undoubtedly be an increased pressure of invasive, non-native species of plants invading the hedges and woods. How will this be monitored, mitigated, and managed? Please specify.

1.303 *With a development site of this scale, some impacts remain significant, and are very hard to mitigate, especially in the case of disturbance from factors such as noise, lighting and increased human presence. Regardless of what measures are put in place, some of the most sensitive species/ species groups (farmland breeding birds) are likely to be displaced from the Site, either temporarily or long term.*

So what mitigation in place and how funded long-term? Please specify.

Summary 1.304 *The Site's baseline has been thoroughly assessed and a number of habitat and species/ species groups have been identified as Importance Ecological Features. Parameter plans take account of these ecological constraints and will allow for the connectivity of habitats through the Site and, for the most part, the retention and protection of key habitats and features.*

1.305 *The proposals are subject to an outline application with access only included for determination. A number of detailed matters will be addressed on a phase by phase basis through subsequent reserved matters submissions. These include:*

- *Details of how precautions and mitigation relating to protected species and invasive species will be dealt with in terms of each phase. It is likely that updating survey data on some or all of these would be required at this time.*

- *Details of the protection of retained habitat and the prevention of pollution / disturbance of habitats around the Site.*

- *Details of habitat creation and management.*

Overall, I have serious reservations about the a) the survey work undertaken – in terms of depth, timing, and whether it has been sufficiently comprehensive. Furthermore, the interpretation of significance of (or lack of it) and of detriment to birds such as is very questionable. Additionally, the importance of the hedgerow habitats and the ancient woodlands as local wildlife sites is consistently down-played and unreasonably so.

I think there are still big gaps to be filled. Also, mitigation measures need to be detailed and agreed to include long-term monitoring and management – and submitted before 'outline planning permission' is granted. To do this phase by phase is unacceptable.

PART 2

A development on this scale clearly brings negative environmental impacts. However, it is important that these are fully acknowledged and evaluated and plans set in place, with funding long-term, to alleviate where possible. This is presently not the case with the report and proposals and there remain significant issues to be addressed. Overall impacts should aim to have no long-term detriment and that means providing management of remaining conserved resources and the creation of new habitats etc to compensate to an extent and where possible, for losses. So far it is unclear how these issues will be addressed and delivered.

There should be appropriate plans in place with clear funding and deliverables for:

1) Water / flood-risk downstream,
2) Watertable on-site and in the woodlands,
3) Biodiversity and heritage,
4) Nature-based amenity and health,
5) Access provision and management,
6) Landscape impacts.

In terms of biodiversity the new-build properties should include as and other bird nesting boxes as appropriate. should be provided in the greenspace and could also be constructed.

All surfaces where possible should include porous materials to enhance water retention and slow the flow.

Furthermore, a development on this scale needs to deliver positive climate-change contribution – i.e. solar panels on properties as standard and water-retention features.

The environmental mitigation plan with costings and timetables for delivery needs to be presented prior to 'outline planning permission' being granted.

Resources should be provided for positive working and action with local residents to address long-term environmental issues. Again this requires approval and funding at the outset of the project with mechanisms for long-term delivery. This needs to reflect and be informed by national policy on issues such as 'localism' for example. Furthermore, a development on the scale proposed must present positive commitments to address matters such as climate change targets, carbon targets, and biodiversity targets. These commitments need to include long-term delivery informed by effective monitoring.