From:		
To:	DCAdmin	
Cc:		
Subject:	FAO Victor Grayson -	comments on applications 2020/60/92331/E and 2020/60/92350/E
Date:	07 October 2020 15:24:32	
Attachments:	Dum & Dogloitch Woods - E.pdf	on applications 2020-60-92331-E & 2020-60-92350-

Dear Victor,

Thank you for the opportunity to comment on the above consultation. Please find attached the

If you wish to discuss any of the points raised, please do not hesitate to get in touch.

Kind regards,

Kirklees Council
Planning
PO Box B93
Civic Centre 3
Huddersfield
HD1 2JR

7th October 2020

Dear Victor Grayson,

Applications: 2020/60/92331/E & 2020/60/92350/E
Proposals: Outline planning application for demolition of existing dwellings and development of phased, mixed use scheme comprising residential development (up to 1,354 dwellings), employment development (up to 35 hectares of B1(part a and c), B2, B8 uses), residential institution (C2) development (up to 1 hectare), a local centre (comprising A1/A2/A3/A4/A5/D1/D2 uses), a 2 form entry primary school including early years provision, green space, access and other associated infrastructure | Land east of, Leeds Road, Chidswell, Shaw Cross, Dewsbury

Outline application for residential development (Use Class C3) of up to 181 dwellings, engineering and site works, demolition of existing property, landscaping, drainage and other associated infrastructure | Land south of, Heybeck Lane, Chidswell, Shaw Cross, Dewsbury

Objection – Detrimental impact to Dum Wood and Dogloitch Wood

aims to protect native woods, trees and their wildlife for the future. We covering around 29,000 hectares (71,000 acres) and we have over

<u>Ancient Woodland</u>
Natural England[1] and the Forestry Commission defines ancient woodland "*as an irreplaceable habitat [which] is important for its: wildlife (which include rare and threatened species); soils; recreational value; cultural, historical and landscape value [which] has been wooded continuously since at least 1600AD."*

It includes: "*Ancient semi-natural woodland* [ASNW] *mainly made up of trees and shrubs native to the site, usually arising from natural regeneration*

Plantations on ancient woodland sites – [PAWS] *replanted with conifer or broadleaved trees that retain ancient woodland features, such as undisturbed soil, ground flora and fungi"*

Both ASNW and PAWS woodland are given equal protection in government's National Planning Policy Framework (NPPF) regardless of the woodland's condition, size or features.

[1] https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences

Damage to ancient woodland

objects to planning applications 2020/60/92331/E and 2020/60/92350/E on the basis of damage to Dum Wood (grid ref: SE2730324175) and Dogloitch Wood (grid ref: SE2781923464), which are both designated as Plantation on Ancient Woodland Sites on Natural England's Ancient Woodland Inventory (AWI).

Planning Policy

National Planning Policy Framework, paragraph 175 states: "*When determining planning applications, local planning authorities should apply the following principles:*

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons[58] and a suitable compensation strategy exists;

Footnote 58, defines exceptional reasons as follows: "*For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat."*

There is **no wholly exceptional reason** for the development in this location and as such this development should be refused on the grounds it does not comply with national planning policy.

The council should also have regard for **Policy LP30 (Biodiversity and Geodiversity)** of the Kirklees Local Plan (2019) in relation to the protection of ancient woodland.

Impacts to ancient woodland

The proposed applications are for the construction of a large scale mixed use development within close proximity to two areas of ancient woodland. Natural England has identified the impacts of development on ancient woodland or veteran trees within their standing advice. This guidance should be considered as Natural England's position with regards to development impacting ancient woodland:

"Nearby development can also have an indirect impact on ancient woodland or veteran trees and the species they support. These can include:

- *breaking up or destroying connections between woodlands and veteran trees*
- *reducing the amount of semi-natural habitats next to ancient woodland and other habitats*
- *increasing the amount of pollution, including dust*
- *increasing disturbance to wildlife from additional traffic and visitors*
- *increasing light pollution*
- *increasing damaging activities like fly-tipping and the impact of domestic pets*
- *changing the landscape character of the area"*

When land use is intensified such as in this situation, plant and animal populations are exposed to environmental impacts from the outside of a woodland. In particular, the habitats become more vulnerable to the outside influences, or edge effects, that result from the adjacent land's change of use. These can impact cumulatively on ancient woodland - this is much more damaging than individual effects, and we are specifically concerned about the following impacts to the ancient woodland:

- Intensification of the recreational activity of humans and their pets can result in disturbance to breeding birds, vegetation damage, trampling, litter, and fire damage.
- Fragmentation as a result of the separation of adjacent semi-natural habitats, such as small wooded areas, hedgerows, individual trees and wetland habitats.
- Noise, light and dust pollution occurring from adjacent development, during both construction and operational phases.
- Where the wood edge overhangs public areas, trees can become safety issues and be indiscriminately lopped/felled, resulting in a reduction of the woodland canopy and threatening the long-term retention of such trees.
- Adverse hydrological impacts can occur where the introduction of hard-standing areas and water run-offs affect the quality and quantity of surface and ground water. This can result in the introduction of harmful pollutants/contaminants into the woodland.
- Development can provide a source of non-native and/or invasive plant species and aids their colonisation of the woodland;
- Where gardens abut woodland or the site is readily accessible to nearby housing, it gives the opportunity for garden waste to be dumped in woodland and for adjacent landowners to extend garden areas into the woodland. It can also create pressure to fell boundary trees because of shade and leaf fall and interference with TV reception. It also forces boundary trees to be put into tree safety inspection zones resulting costs for neighbours and increasingly comprehensive felling.

Mitigation

Detrimental edge effects have been shown to penetrate woodland causing changes in ancient woodland characteristics that extend up to three times the canopy height in from the forest edges. As such, it is necessary for mitigation to be considered to alleviate such impacts. Natural England's standing advice for ancient woodland, states: "*Mitigation measures will depend on the development but could include:*

- *improving the condition of the woodland*
- *putting up screening barriers to protect woodland or ancient and veteran trees from dust and pollution*
- *noise or light reduction measures*
- *protecting ancient and veteran trees by designing open space around them*
- *identifying and protecting trees that could become ancient and veteran trees in the future*
- *rerouting footpaths*
- *removing invasive species*
- ***buffer zones"***

Additional mitigation approaches are also outlined in our Planners' Manual[2]; these measures would help ensure that the development meets policy requirement and guidance and include:

- Measures to control noise, dust and other forms of water and airborne pollution
- Sympathetic design and use of appropriate lighting to avoid light pollution.
- Producing and funding an access management plan for the woodland, and/or providing alternative natural greenspace to reduce additional visitor pressure.
- Implementation of an appropriate monitoring plan to ensure that proposed measures are effective over the long term and accompanied by contingencies should any conservation objectives not be met.

Buffering

This development should allow for a buffer zone of **at least 50 metres** to avoid root damage and to allow for the effect of pollution from the development. The council should ensure that the width of the proposed buffer is adequate to protect the adjacent ancient woodland. The buffer should be planted before construction commences on site. HERAS fencing fitted with acoustic and dust screening measures should also be put in place during construction to ensure that the buffer zone does not suffer from encroachment of construction vehicles/stockpiles, and to limit the effects of other indirect impacts.

This is backed up by Natural England's standing advice which states that "*you should have a buffer zone of at least 15 metres to avoid root damage. Where assessment shows other impacts are likely to extend beyond this distance, you're likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic*."

Conclusion

objects to these planning applications unless the applicant is able to provide a 50m buffer zone to both areas of ancient woodland adjacent to the proposed development.

If you would like clarification of any of the points raised please contact us via

Yours sincerely,