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Mr V. Grayson
Kirklees Council

Dear Mr Grayson

Planning application 2020/92350: Hey Beck Lane, Chidswell

This letter provides a technical response to recent consultee comments on the above Heybeck Lane planning application regarding the potential impacts of the proposed development in terms of noise, air quality and water and any resulting adverse effects on the Ancient Woodland at Dum Wood. No adverse effects on the Ancient Woodland are anticipated as a result of the proposed development, as explained below. This letter should be read in conjunction with the representation of Deloitte dated 6 November 2025.

Lucion Delta-Simons Ltd (Lucion), formerly Delta-Simons, provides environmental consultancy advice to C.C. Projects (the applicant) on the above planning application.

Noise

A noise impact assessment (NIA) produced by Lucion was submitted with the outline planning application and assessed the impact of existing noise sources on the proposed dwellings to ensure a good acoustic design process is followed. A baseline noise survey was undertaken to establish existing noise levels at the Heybeck Lane site (Site) from the surrounding road network and other sources. The day-time noise level contours are set out at Appendix B (Figure 7 (Daytime LAeq, 16hr)) which shows that noise levels in the area adjacent to Dum Wood exceed 40dB and are therefore high. The NIA identifies the dominant noise sources affecting the site as existing road traffic from the A653 Leeds Road and Heybeck Lane. We summarise the impacts of construction and operation of the proposed development on those noise levels below, and address any anticipated effects on the Ancient Woodland.

Construction Phase

In the usual way for outline applications, specific construction methodologies are unknown. It is however well established for a scheme of this nature that any temporary effects from construction noise can be appropriately mitigated through standard best practice measures. Condition 6 secures approval by the local planning authority (LPA) of a Construction (Environmental) Management Plan (CEMP) which must include measures for the mitigation of noise and vibration arising from all construction related activities. Condition 6 requires strict accordance with the approved CEMP.

In addition to the CEMP and the buffer around Dum Wood, Condition 10 secures consideration of specific measures in relation to Dum Wood. It requires the submission to and approval by the local planning authority of a detailed Ancient Woodland Protection Plan (AWPP) prior to the commencement of any development within 500m of Dum Wood. The condition requires the AWPP to include specific measures to protect the woodland from noise throughout the period of construction. Condition 10 requires that the development must be carried out strictly in accordance with the approved AWPP.

[1] Kirklees Council (KC) (June 2024) 2024 Air Quality ASR.
[2] Defra Local Air Quality Management (LAQM) Support Pages. Available at: http://laqm.defra.gov.uk/
[3] Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations, NE, 2018.
[4] https://www.standardsforhighways.co.uk/dmrb/

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Appropriate mitigation for construction noise will therefore be secured through the CEMP and any specific measures considered necessary to control impacts on the Ancient Woodland secured through the AWPP. No adverse effects on the Ancient Woodland are anticipated as a result of noise arising during construction of the proposed development.

Operational Phase

The Third Party comments correctly note that existing noise levels in Dum Wood (i.e. exceeding 40dB) are high (as confirmed by the NIA which confirms that the source is road traffic noise). As such, the levels of additional traffic expected to be generated by the proposed development are not expected to materially impact existing noise levels within Dum Wood. No adverse effects on the Ancient Woodland are anticipated as a result of noise arising during operation of the proposed development.

Air Quality

The planning application was supported by an Air Quality Assessment (AQA) produced by Lucion. We summarise the effects of construction and operation of the proposed development, in terms of changes in air quality, on the Ancient Woodland below, with reference to the baseline information and methodology set out in the AQA.

Construction Phase

As set out in the AQA, the emission of dust has the potential to cause impacts in the vicinity of the Site, which includes Dum Wood which is identified as a sensitive receptor. Activities that have the potential to generate and/or re-suspend dust include earthworks, construction activities and trackout (where is carried from the Site on vehicle tyres, deposited on roads and may later become suspended in the air as a result of vehicle movements). Earthworks and construction activities that can generate dust include:

- Preparation of temporary access/egress to the Site and haulage routes;
- Materials handling, storage, stockpiling, spillage and disposal;
- Movement of vehicles and construction traffic within the Site (including excavators and dumper trucks);
- Use of crushing and screening equipment/plant;
- Construction of buildings, roads and areas of hardstanding alongside fabrication processes;
- Internal and external finishing and site landscaping.

The majority of the activities generating dust are likely to occur during the 'working week'. However, for some potential sources (e.g. exposed soil during earthworks), in the absence of dust control mitigation measures, dust generation has the potential to occur 24 hours per day whilst the relevant activities are taking place.

The IAQM assessment methodology was used in the AQA to determine the magnitude of potential dust emissions during earthworks, construction and trackout and the findings as particularly applicable to the Ancient Woodland are set out below.

[1] Kirklees Council (KC) (June 2024) 2024 Air Quality ASR.
[2] Defra Local Air Quality Management (LAQM) Support Pages. Available at: http://laqm.defra.gov.uk/
[3] Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations, NE, 2018.
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- Earthworks - The total area of the Site is between 18,000m^2 and 110,000m^2. As such, the potential dust emission magnitude is considered to be **medium** for earthworks activities.

- Construction - Due to the nature of the development, the total building volume is likely to exceed 75,000 m^3. Therefore, the potential dust emission magnitude is considered to be **large** for construction activities.

- Trackout - Based on the Site area, it is anticipated that the unpaved road length will be greater than 100m. As such, it is considered that the potential dust emission magnitude is **large** for trackout.

A wind rose generated using the most representative meteorological data for the Site in 2018 shows that the prevailing wind direction is predominantly from the west. Therefore, receptors located to the east of the Site (including Dum Wood) are more likely to be affected by any dust emitted and re-suspended during the construction phase.

Taking the above into account and following IAQM assessment methodology, the sensitivity of the area to changes in dust has been considered. The potential impact on Dum Wood would be ecological and, as a locally designated site, it is considered to be of **low** sensitivity for all three activities (earthworks, construction and trackout).

The predicted dust emission magnitude is combined with the defined sensitivity of the area to determine the risk of impacts during the construction phase, prior to mitigation. The risk of ecological impacts arising from dust is considered to be **low** for all three activities without mitigation.

Through good site practice and the implementation of suitable mitigation measures, the effect of dust releases can be appropriately managed and are not expected to be significant. In addition to the CEMP secured by Condition 6 which includes measures to control and monitor the emission of dust, the AWPP secured by Condition 10 expressly requires consideration of the need for measures to protect Dum Wood from dust during construction. No adverse impacts on Dum Wood are anticipated as a result of changes to air quality arising during construction of the proposed development.

Operational Phase

The AQA also considers the predicted vehicle trip generation along affected road links. The links which pass and are of relevance to Dum Wood are Heybeck Lane and Batley Road. The AQA predicts an increase in vehicle trips during the operational phase of 585 Annual Average Daily Traffic (AADT) on these road links. The proposed development is not predicted to increase AADT flows within 200m of Dum Wood by more than 1,000 AADT[1] (a widely accepted benchmark for imperceptible impacts). As such, no adverse impacts on Dum Wood are anticipated as a result of changes to air quality arising during operation of the proposed development.

1 Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations, NE, 2018.
[1] Kirklees Council (KC) (June 2024) 2024 Air Quality ASR.
[2] Defra Local Air Quality Management (LAQM) Support Pages. Available at: http://laqm.defra.gov.uk/
[3] Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations, NE, 2018.
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Hydrology

The planning application was supported by a Flood Risk Assessment and Drainage Strategy (FRADS) produced by Patrick Parsons. Third party representations including of the Woodland Trust (9 October 2025) raise concerns regarding hydrological impacts on the Ancient Woodland from changes to surface or groundwater flows associated with drainage and SUDs provision. No such adverse impacts on the Ancient Woodland are anticipated.

In terms of the baseline, the Site largely comprises agricultural fields which are considered 100% permeable. The FRADS identifies that the Site is located within Flood Zone 1 (Low Probability) and has less than a 1 in 1000 (<0.1%) annual probability of fluvial or tidal flooding occurring. It also identifies the Site as being at a Very Low chance of surface water flooding and that it has less than a 1 in 1000 (<0.1%) annual probability of surface water flooding occurring. There are areas of surface water flood risk located along the southern and south-eastern Site boundaries, associated with the existing watercourses in these locations. The risk is constrained to the watercourse channels and the immediate vicinity of those channels.

In accordance with Table A4.3 of the Design Manual for Roads and Bridges (DMRB) Volume 11, Section 3, Part 10 (HD 45/09)[4], the Ancient Woodland has been identified as a 'High' value receptor, such receptors are defined as:

Features which have a high quality and rarity on a local scale, and which if lost, cannot be replaced or relocated. Receptors of greatest sensitivity e.g. watercourse suitable for potable supply, 'other' abstractions, good cyprinid fisheries and natural ecosystems, or those corresponding to good cyprinid ecosystems; watercourse of 'good' ecological quality under the River Basin Management Plans; overall WFD status of 'good', Principal Aquifers outside groundwater Source Protection Zones; geological features of regional importance; and human users of residential dwellings.

The assessment undertaken in the FRADS takes account of embedded mitigation during the construction and operational phases. Any potential impacts to the Ancient Woodland following implementation of the mitigation (as stated below) are summarised as follows.

Construction Phase

The AWPP secured through Condition 10 is expressly required to include measures to protect Dum Wood from surface water runoff and other pollution during construction phases. This will include potential pollution from silt and fuel / chemicals into the receiving watercourses. Condition 8 requires approval of a scheme of temporary surface water drainage for each phase of the development to include methods of preventing silt, debris and contaminants entering existing and proposed drainage systems and how flooding of adjacent land would be prevented.

The approach to surface water management during construction will therefore be subject to the LPA's approval under Conditions 8 and 10. Surface water flows will be managed on-site so as to mimic existing conditions i.e. discharge to equivalent greenfield runoff rates to the nearby watercourse. As such, the hydrological regime of the receiving watercourses, including contribution to base flows, is not expected to be adversely impacted during the construction phase. There may be a reduction in contribution to the watercourses during certain rainfall events if there is increased storage on site, but that is considered unlikely to result in long-term impacts, taking account of the length of the construction phase.

[1] Kirklees Council (KC) (June 2024) 2024 Air Quality ASR.
[2] Defra Local Air Quality Management (LAQM) Support Pages. Available at: http://laqm.defra.gov.uk/
[3] Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations, NE, 2018.
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In relation to groundwater flows, the potential for surface water flows to infiltrate to the underlying geology is limited, given the conclusion of the FRADS that the ground is not suitable for soakaways. As such, the direct contribution of rainfall to groundwater recharge will be limited and it is expected that baseline surface water runoff will largely flow overland to the nearby watercourses. Therefore, the construction phase is unlikely to alter the current regime for groundwater recharge and groundwater flows.

The construction phase of the proposed development is therefore not expected to cause direct or indirect impacts or effects on the Ancient Woodland from a flood risk and drainage perspective.

Operational Phase

A site wide foul and surface water and land drainage strategy is to be approved under Condition 21, a detailed foul and surface water and land drainage scheme for each phase is to be approved under Condition 22 and an assessment of the effects of storm events is to be approved under Condition 23. These conditions will secure an appropriate surface water management strategy, which will mimic the existing situation through restriction of discharge rates and provision of on-site attenuation.

Surface water flows will be managed on-site to mimic existing conditions i.e. discharge to equivalent greenfield runoff rates, assumed at either the 1 in 1 year flood or Qbar equivalent rates (referred to as the design discharge event), to the nearby watercourse. As such, the hydrological regime of the receiving watercourses, including contribution to base flows, will not be adversely impacted by the operational phase. For events more frequent than the design discharge event, there will be no change in flow to the watercourses compared to the baseline scenario. For less frequent events, where surface water flows are in excess of the discharge rate design event, the flows will be controlled. This will result in a reduction in flows to the receiving watercourse, but the Ancient Woodland would not have sufficient absorption capacity to accept all flows during these events. Further, base flow from the proposed discharge locations to the watercourse will remain. Therefore, the proposed surface water and land drainage strategy involving discharge of all surface water to the watercourse will be managed to as to not impact on the local hydrological regime.

In relation to groundwater flows, as noted above, the direct contribution of rainfall to groundwater recharge will be limited and it is expected that baseline surface water runoff will largely comprise flow overland to the nearby watercourses. Therefore, there is not expected to be any negative impact upon the current regime for groundwater recharge and groundwater flows.

The operational phase of the proposed development is therefore not expected to involve direct or indirect impacts or effects on the Ancient Woodland from a flood risk/drainage perspective.

Conclusion

The above findings confirm that the proposed development will not result in significant adverse effects on the adjacent areas of Ancient Woodland. The suite of conditions, including the bespoke protection plan secured by Condition 10, will ensure that no adverse impacts on the Ancient Woodland from changes in noise, air quality and hydrology will arise during the construction or operational phase.

[1] Kirklees Council (KC) (June 2024) 2024 Air Quality ASR.
[2] Defra Local Air Quality Management (LAQM) Support Pages. Available at: http://laqm.defra.gov.uk/
[3] Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations, NE, 2018.
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