

Address: Morningside Sands Road Hunmanby Gap Filey YO14 9QW

About the application

Application number: 2020/92350	
What is the application for?:	Outline application for residential development (Use Class C3) of up to 181 dwell
Address of the site or building:	Land south of, Heybeck Lane, Chidswell, Shaw Cross, Dewsbury
Postcode:	

User comments

Type of comment: An objection	
Do you wish your comments to be published on the website anonymously?	No
<p>I wish to object to this application and would like the planning committee to consider the following relevant points..</p> <p>The area is of district wide importance for habitats and birdlife, especially farmland birds. The ancient woods, protected by their isolation within surrounding fields are designated Local Wildlife Sites. The area forms part of the Kirklees Wildlife Habitat Network. The ancient woodlands of Dum Wood and Dogloitch Wood have records requesting permission to thin them dated 1312.</p> <p>In 1978 West Yorkshire Metropolitan Council described it as 'part of a major lung of open space separating Wakefield, Ossett, Dewsbury and Morley. It is a valuable area of open undeveloped land and greenbelt'.</p> <p>The Landowner, The Church Commissioners for England, paid for a suite of Environmental Impact Assessment Surveys. These are now out of date by CIEEM standards.</p> <p>Yorkshire Wildlife Trust calculated a MINUS 14% LOSS in the Biodiversity Net Gain calculation based on these surveys, finding fundamental flaws in calculations and assumptions.</p> <p>Existence of Schedule 1 species have been denied and bat activity downplayed. For example, in the Ornithological report, the Ornithologist saw the Barn Owl during the survey and concluded that it was passing over based on anecdotal evidence. Red List species have not always been included. Our survey activity and presentation of proof has led to acknowledgement of existence of Kingfisher and a nod to the red kite. We have deployed a static bat detector on site and uploaded recordings onto the BTO Acoustic Pipeline project, over 9000 of these recordings have been ID'd as bats. We have uploaded evidence of different species on the Chidswell Action Group iNaturalist project.</p> <p>The Landowner's Consultants argue a 1 day walk over in October 2022 to update the survey is sufficient and said there will be a 10% net gain in biodiversity, how this will</p>	

surveys is sufficient and said there will be a 10% net gain in biodiversity, how this will be achieved is unknown at this time. The resulting report from the walkover further downgraded the waterways, points we can show are fundamentally flawed.

Inclusion of Schedule 1 species is important as this affects impact assessment outcome and required action.

In the detail of the reports are important acknowledgements:

- The Landowner's Environmental Impact Assessment Reports include negative and significant impacts to waterbodies that would be felt on all on-site waterbodies and would reoccur frequently over the lifetime of the development.
- The Ornithological Report does recognise the high numbers of breeding birds present in habitats within the site red-line boundary and in peripheral habitats adjoining the site and that any proposed development would compromise bird diversity through loss of breeding and foraging habitat at a district level.
- The Landowner's Environmental Impact Assessment states that for the woodlands impacts would be negative and significant at district level, frequent and long term. Impacts on the diverse ground layer would be irreversible if lost with a magnitude covering the entire woodland area. The likely significance of this impact would be major with the sensitivity to change being high.
- The Landowner's Environmental Impact Assessment states '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, are likely to be displaced from the site either temporarily or long term'.

No mitigation is proposed for loss of farmland and soil. The regional map has been used to describe soil classification despite requests from Natural England for a proper ALC survey. Using DEFRA figures, this could result in a loss of 185 tonnes of living organisms in soil from the industrial allocation and school alone, this estimate does not include soil taken away for roads, infrastructure and 1535 dwellings.

Considerations to impacts on ecosystem services has not been considered nor the role this area plays in climate resilience, acting as a cool zone nor changes to greenhouse gas emissions from land use changes impacting the woods, streams, hedgerows and soil. Mitigation is proposed. It is this mitigation that has been found to be fundamentally flawed by Yorkshire Wildlife Trust in the Biodiversity Net Gain calculation.

Kirklees Council have declared a Climate Emergency, yet this aspect has been scoped out.

The area has been put forward as an investment zone. The area falls into two parliamentary constituencies and MPs from each constituency, Mark Eastwood MP and Kim Leadbeater MP have objected to it becoming an investment zone due to it not benefitting the local community.

Outline planning permission is requested for demolition and access only, all other items to be saved for reserved matters. Objections were raised by CPRE, Yorkshire Wildlife Trust and the Woodland Trust. CPRE stated that such important considerations cannot be left until Reserved Matters stage.