

**Consultation Response from KC,
Ecology Unit**

2023/92215 land off, Woodside Lane, Fixby, Huddersfield, HD2 2HA

Outline application for erection of residential development

Date Responded: 08/04/2024

Responding Officer: Gareth Hey

Responding Ref:

A Preliminary Ecological Appraisal (PEA) has been submitted with the application. The PEA details that the site comprises a small parcel of woodland and other neutral grassland. The habitats are likely to provide some opportunities for limited numbers of protected faunal groups, which could be adequately addressed through appropriately worded conditions.

[Relation to local and national policies and guidance](#)

The site is located 7m from a parcel of ancient woodland (Upper Fell Greave). The PEA has failed to fully address the potential impacts on the adjacent ancient woodland. In addition to the above, the pre-application response from trees detailed that a tree survey was required in order to support the application. As this information has not been submitted, impacts to trees within the vicinity of the site are unable to be determined. This information is required, given the highly sensitive nature of the adjacent trees and woodland.

Natural England and Forestry Commission have identified impacts of development on ancient woodland or ancient and veteran trees within their [standing advice](#). This guidance should be considered the Government's position with regards to development impacting ancient woodland and Natural England, the Forestry Commission and the Woodland Trust should all be consulted on this application. The above-mentioned guidance details that ancient woodlands should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage (known as the root protection area).

The National Planning Policy Framework, paragraph 180, 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(63), and a suitable compensation strategy exists;"

Footnote 63, 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."

Regard should also be given for Policy LP30 (Biodiversity and Geodiversity) and LP33 (Trees) of the Kirklees Local Plan, with respect to the protection of ancient woodland and the natural environment.

When land use is intensified such as in this situation, woodland 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.

At this stage, I object to the proposals, based on the inadequate level of submitted information. This information is essential in order to determine if the proposals can come forward in line with policies LP30 and LP33 of the local plan. If it cannot be determined that adverse impacts to the adjacent woodland cannot be avoided, then the scheme should be refused, in the interest of the above mentioned national and local policies.

