

Bill Topping

From: Tom Stephenson
Sent: 21 November 2016 13:28
To: Bill Topping
Subject: RE: FAO Bill Topping - 2016/60/91479/E

Bill,

I agree with both comments. I do however recognise that only limited weight can be given to emerging local policies, therefore I would prefer to rely on the national policies of the NPPF, which are reflected in the emerging PLP 30. There is also a legal basis for protecting the ponds; public bodies have duty to 'have regard to biodiversity' under the NERC Act 2006, the Act also makes provision for the production of a list of Habitat and Species of Principle Importance to be used to inform the above duty. As pointed out by Lauren, ponds are included in this list.

Regards,

Tom Stephenson MCIEEM
Biodiversity Officer
Kirklees Council
Conservation and Design Team

From: Bill Topping
Sent: 21 November 2016 11:18
To: Tom Stephenson
Subject: FW: FAO Bill Topping - 2016/60/91479/E

Tom,

This has arrived re the Hart Street scheme. This is now deferred , given the fire. However can you look at this, it seems to help us.

If we refuse, siting policies in the Emerging Local plan we need to be careful, as we are not able to give them much weight at the moment.

Let me know what you think please

Regards

Bill

From: DCAdmin
Sent: 21 November 2016 11:05
To: Bill Topping
Subject: FW: FAO Bill Topping - 2016/60/91479/E

On Anite and APAS

From: Lauren Garside [<mailto:lauren.garside@ywt.org.uk>]
Sent: 15 November 2016 15:16
To: Planning ContactCentre
Subject: FAO Bill Topping - 2016/60/91479/E

FAO Bill Topping

Planning application ref: 2016/60/91479/E
Location: Hart Street, Newsome, Huddersfield, HD4 6LS
Development: Outline application for erection of 22 dwellings

Dear Bill,

Yorkshire Wildlife Trust notes that you are currently consulting on the above planning application. We would like to make the following comments:

Loss of habitats of principle importance

The proposed development will result in the loss of two large mill ponds from the development site. Such habitats have been identified as habitats of principle importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act and are regarded as conservation priorities. Such habitats are protected under Policy PLP30 of the emerging Kirklees Local Plan, which states that:

*‘Habitats and Species of Principal Importance
Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured’*

As no compensatory measures have been included with the application, the development is therefore in contradiction with PLP 30 of the emerging Kirklees Local Plan.

White clawed crayfish surveys

The EcIA (conducted by Ecus Environmental) highlighted that surveys would be conducted in 2017 for white clawed crayfish in the two mill ponds. The survey method proposed for this is environmental DNA (eDNA) surveys for white clawed crayfish. Yorkshire Wildlife Trust would like to highlight that such survey methodology has not been granted approval by DEFRA as an appropriate survey methodology for the species, and there are no guarantees that this will happen. Whilst we agree that the chance of white clawed crayfish being present in the ponds is low, if future surveys are to be conducted they should be undertaken using certified survey techniques.

I hope you find these comments useful.

Kind Regards,

Lauren

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