PUBLICATION DRAFT KIRKLEES LOCAL PLAN (NOV 2016)

SITE H591 LAND TO THE WEST OF CLIFFE MOUNT, FERRAND LANE, GOMERSAL

For KCS Development Ltd

December 2016

Carter Jonas

CONTENTS

1.0 INTRODUCTION

1.1 Carter Jonas LLP welcomes the opportunity to comment upon Kirklees Council's Publication Draft Local Plan which is published for consultation until 19 December 2016.

1.2 These representations are submitted on behalf of our client KCS Development Ltd and are specifically in relation to his land interests at 'Land to the West of Cliffe Mount, Ferrand Lane, Gomersal' (Site Reference H591) which is being promoted for housing in the Draft Local Plan and supporting evidence base. The site is shown in figure 1 below:

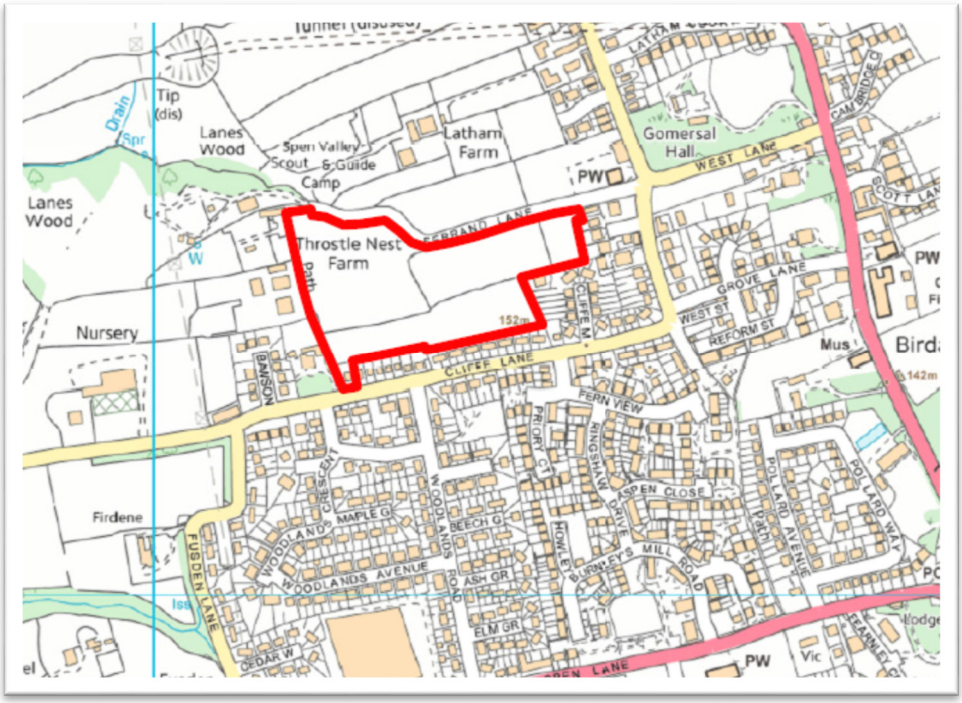


Figure 1: Location Plan of Site H591

1.3 KCS Development Ltd support the broad approach set out in the Local Plan in respect to the scale and distribution of housing allocations. The distribution is broadly consistent with the spatial development strategy and represents a robust and reasonable approach consistent with the relative sustainability of the individual settlements, and the wider economic aspirations of the Council and the Leeds City Region.

1.4 We welcome and support the continued identification of our client's site at Ferrand Lane, Gomersal (H591) as a housing allocation. These representations seek to establish that the site is suitable for allocation and represents the most appropriate option for allocation when considered against reasonable alternatives. In doing so, the representations will provide details of the sites' deliverability, suitability for development and achievability in terms of its ability to be brought forward to meet the district's housing requirement.

1.5 Nevertheless, we consider that amendments are required to the Allocation Policy H591 because it contains a number of inaccuracies in relation to the suggested constraints associated with the site, which is also reflected in the evidence base. This report will demonstrate that the site is not constrained in respect to:

- No third party land is required to achieve the visibility splays;
- No improvements are required to the local highway network;
- No protected trees will be impacted by the potential access point on to Cliffe Lane; and
- There are no significant noise sources near the site.

1.6 These modifications are clearly minor in nature and do not materially affect the allocation policy. However, it is considered that these changes are necessary to ensure that the plan is justified and effective.

1.7 As the Council will be aware, our client has been actively involved in the promotion of Site H591 'Land to the West of Cliffe Mount, Ferrand Lane, Gomersal' throughout the Local Plan process. Detailed representations were submitted to the 'Call for Sites' Consultation in May 2014, to the Green Belt Review in September 2014, and to the Draft Local Plan Allocations and Designations document in January 2015. During this time, our client has submitted a significant amount of technical evidence to demonstrate the full deliverability of the site, which includes:

- Indicative Masterplan;
- Transport Appraisal with Access Layout;
- Green Belt Review;
- Heritage Impact Appraisal;
- Preliminary Ecological Appraisal
- Arboricultural Pre-Development Report;
- Drainage and Flood Risk Assessment;
- Geo-Environmental Desk Study Report including Coal Authority Report; and
- Noise Assessment.

1.8 For completeness, we have attached these documents to this representation.

2.0 SITE CONTEXT

2.1 The site is approximately 3.87 hectares in size. The land is currently used as low quality paddock land. The accompanying Geo- Environmental Desktop Study demonstrates that a proportion of the site is potentially made up of 'made ground' as a result of activities on the nearby former colliery. As a result, the site constitutes poor quality agricultural land and is of little intrinsic environmental value. However, the Geo- Environmental Desk Study establishes that the level of contamination is unlikely to be significant and would not represent a barrier to the development of the site.

2.2 The site directly abuts the properties bordering on to Cliffe Lane to the south, which currently marks the historic development limits of the settlement. To the north, the site borders onto Ferrand Lane. To the east, the site abuts the residential properties on Cliffe Mount and Latham Lane. To the west, are a number of residential properties, a farm, and equestrian livery. There is a public right of way (PROW), which runs along the outside western and northern edge of the site. The PROW is outside of the site area and would not be impacted on by the proposed allocation. Figure 2 below shows the location of the PROW:

Figure 2: Location of the PROW

2.3 The site is surrounded by built development on three sides and as a result forms part of the built up area, and is distinct from the open countryside to the north. Consequently, in accordance with the spatial development strategy and site selection methodology, the site would constitute a "*sustainable extension to the settlement*", and therefore is a high priority for development / allocation.

2.4 Ferrand Lane would provide a clear, defensible and physical Green Belt boundary and edge to the settlement, which would have permanence beyond the plan period. Equally, there is an extensive hedgerow on the northern side of Ferrand Lane, which would provide an attractive soft edge and natural boundary to the settlement.

2.5 The site is located on the north-western edge of Gomersal. Gomersal has a wide range of services and facilities including two primary schools, GP Surgery, convenience stores and employment opportunities, which are all within walking and cycling distance of the site.

3.0 THE PROPOSAL

3.1 An indicative masterplan has been prepared for the site, which is attached in **appendix 1**. The masterplan shows a scheme for 100 dwellings based on a density of 30 dwellings per hectare. However our client would be amenable to providing 135 dwellings on the site by increasing the density to 35 dwellings per hectare. There are no constraints on the site which would prevent it being able to deliver this number of dwellings. The masterplan demonstrates that:

- The scheme will provide a mixture of house types, sizes, and tenures including affordable housing;
- The proposed scheme will provide a significant area of public open space including children play provision;
- The scheme will retain the public footpath along the western site boundary and enhance it through increased natural surveillance;
- The existing Category A and B (high and moderate value) trees will be retained and integrated within the development; and
- The main landscape features within the site will be retained such as the existing hedgerows.

4.0 REPRESENTATIONS IN SUPPORT OF SITE H591: LAND TO THE WEST OF CLIFFE MOUNT, FERRAND LANE, GOMERSAL

4.0.1 KCS Development Ltd is fully supportive of the allocation of Site H591 'Land to the west of Cliffe Mount, Ferrand Lane, Gomersal' for housing. This section of the representations will demonstrate the allocation of the site is 'sound' and is the most appropriate option for allocation when considered against reasonable alternatives i.e. the other sites put forward for allocation in and around Gomersal. This will involve showing that:

1. Site H591 is fully 'deliverable' within the meaning of paragraph 47 of the NPPF;
2. The scores within the Sustainability Appraisal do not accurately reflect the potential of the site for housing; and
3. The constraints section of allocation policy for H591 should be amended because it is not justified.

4.1 The Deliverability of Site H591: Land to the west of Cliffe Mount, Ferrand Lane, Gomersal

4.1.1 Our client's Site H591 'Land to the west of Cliffe Mount, Ferrand Lane, Gomersal' is fully 'deliverable' in accordance with Paragraph 47 of the Framework because it is: -

a) Available now;
b) A suitable location for development now; and
c) Is achievable with a realistic prospect that housing will be delivered on the site.

A) Availability

4.1.2 The site is available and in the control of our client. The land is currently in two ownerships both of whom have entered in to a promotional agreement with our client to bring the site forward for housing. The owner of the house (No 271 Cliffe Lane) that is proposed for demolition to facilitate the access is also the owner of a significant proportion of the site. The owner of No 271 has entered into a legal agreement to sell the property to our client when required to create a suitable vehicular access. As a result, there is no ransom situation.

4.1.3 The policy box incorrectly suggests that third party land is required to achieve sufficient visibility splays. However, the proposed site access drawing, shown in Appendix 2 demonstrates that an adoptable standard access can be delivered within land under our client's control or within existing public highway. The highway layout and drawings have been agreed with Kirklees Council's highway officers.

4.1.4 In summary, it is considered that there are no legal impediments, need for land in third party ownership, or known constraints that would impede deliverability. Our client and the landowners are committed to bringing forward the site when required by the Council.

B) Suitability

4.1.5 The main considerations highlighted within the Council's Site Selection Methodology Paper, Sustainability Appraisal and Policy commentary are as follows:

1. Compliance with the Spatial Development Strategy;
2. Green Belt Considerations;
3. Landscape/Visual Impact;
4. Impact on Heritage Assets;
5. Impact on Ecology;
6. Impact on Trees and the adjacent Public Right of Way;
7. Flooding and Drainage;
8. Transport and Accessibility Considerations;
9. Environmental Health Considerations including Noise and Contamination; and
10. Coal Mining Activity and related Ground Stability;

4.1.6 These issues will be considered in turn:

1. Compliance with the Spatial Development Strategy;

4.1.7 Site H591 clearly accords with the sequential approach set out in the Spatial Development Strategy in respect that it represents a:

- *"Sustainable extension to the settlement where exceptional circumstances can be demonstrated to release land from the Green Belt."*

4.1.8 The Spatial Development Strategy seeks to deliver an integrated approach towards housing and employment. The allocation of Site H591 would fulfil this objective because any future residents would have easy access to the significant employment opportunities / nodes proposed on the M62 Corridor, especially the prime strategic employment allocation at White Chapel Road (E1831) and Former Bierley Waste Water Treatment Works (E1985(a), which are only approximately 2 miles from the site.

4.1.9 In respect to the other relevant considerations, it can be confirmed that:

- The proposed allocation would facilitate the use of sustainable transport modes with residents having easy access to the core road and bus network;
- No significant infrastructure is required to support the proposed development coming forward;
- The site is not within Area Quality Management Area (AQMA)

2. Green Belt Considerations;

4.1.10 The Green Belt function of the site was considered as part of the Council's Strategic Green Belt Review. The review concluded that the site does not fulfil any of the five purposes of the Green Belt, including preventing the merging of settlements, and concluded that Ferrand Lane would provide a strong defensible boundary.

4.1.11 The site is located in the built-confines of Gomersal and is surrounded by development to the east, west and south. The northern boundary of the site comprises of Ferrand Lane, which represents a strong, permanent and defensible Green Belt boundary. The site has been identified for release from the Green Belt because it does not form perform a function in safeguarding the countryside from encroachment, and does fall within an area identified as important to maintaining a gap between settlements (Figure 5 Batley & Spen Sub Area).

4.1.12 We have already submitted detailed representations in support of the allocation in terms of its impact on the five purposes of the Green Belt, which is attached in Appendix 3. However these representations demonstrate that:

- The site would represent a rounding off and consolidation of the north western part of the settlement;
- The site abuts existing development on three sides and is entirely contained within the built up confines of the settlement;
- The allocation of the land would not harm any of the five purposes of the Green Belt in particular it would not lead to the loss or erosion of a strategic green gap between settlements i.e. coalescence;
- The site is visually contained and would not lead to the outward sprawl of the settlement or any prominent development; and
- The development of the site would provide an opportunity to create a strong new defensible Green Belt boundary, which would have permanence beyond the plan period.

4.1.13 The lack of deliverable brownfield sites within the urban area would constitute 'exceptional circumstances' required by national planning policy to justify the release of Site H591 from the Green Belt. The lack of deliverable and/or developable brownfield sites is clearly acknowledged in the Spatial Development Strategy within the Local Plan (paragraphs 6.3 and 6.4).

3. Landscape and Visual Impact

4.1.14 The site is contiguous with the existing built up area as evident by the fact that the existing settlement limits are drawn immediately to the south. The site is bordered by housing development on three sides. Ferrand Lane to the north provides a clear delineation between the built up area and the more open countryside beyond. The site has little intrinsic landscape value and Ferrand Lane with its mature hedgerows would provide a clear and defensible development limit.

4.1.15 The site is well related to the existing pattern of development and would represent an appropriate consolidation and rounding off of the north western edge of the village. The site is visually contained and would respect the traditional form and character of the area. The proposed development would not impinge on any Landscape Designations or proposed Green Corridors. As previously stated the site is already bordered by built development to the south, east, and west and therefore would not lead to the outward spread of the settlement.

4.1.16 Importantly, the development of the site for housing would not significantly impact on the landscape character of the area.

4. Impact on Heritage Assets

4.1.17 Our client has commissioned an independent Heritage Impact Appraisal of Site H591, which is attached in Appendix 4. The Appraisal carried out a detailed assessment of the area to identify the significance and essential characteristics of the Conservation Area and its setting, and evaluated the impact that the proposed development would have on the Conservation Area.

4.1.18 The report concluded that the proposed development is physically and visually remote from the majority of the Conservation Area, and even where the two areas are in close proximity the impact would be negligible. It goes on to state that the development of the proposed site for housing would have no detrimental impact on the Conservation Area, or on any of the Listed Buildings within the area.

5. Impact on Ecology

4.1.19 There are no international, national or local designations protecting the site. Our client has commissioned a preliminary Ecological Appraisal, which concluded that the site has a low conservation value. A copy of the Ecological Appraisal is attached in Appendix 5.

4.1.20 The existing boundary hedges would be retained and enhanced and new landscaping would be provided. These measures would potentially provide a net gain in habitat for wildlife, as well as improve visual amenity and local air quality.

6. Impact on Trees and the adjacent Public Right of Way

4.1.21 The indicative masterplan demonstrates that the:

- The public right of way would not be impacted upon by the proposed development. Equally, the proposed development would increase the natural surveillance of the footpath, which would be a significant benefit in favour of the allocation.

4.1.22 Our client commissioned an Arboricultural Pre-Development Report, which carried out an assessment of all the trees on and adjoining the site, where public access allowed (attached in Appendix 6). The report ranked the trees in to four separate categories according to their quality and value. The four categories are as follows:

- Category 'A' High quality and value
- Category 'B' Moderate quality and value
- Category 'C' Low quality and value
- Category 'U' Remove. Any existing value lost within 10 years.

4.1.23 The indicative masterplan demonstrates that the proposed development would not lead to the loss of any Category A or B trees i.e. those of high or moderate value.

4.1.24 The policy site box states that there are "protected *trees adjacent to the access point on Cliffe Lane*". However as shown on the accompanying masterplan there are no trees in this location. The trees referred to within the policy were lawfully removed a number of years ago. This has been confirmed by the Council's Tree Officer in an email dated 8 June 2016. The Tree Officer stated:

"From my assessment I cannot see a tree related reason why this site should not be included in the local plan. Should a planning application ever come in I foresee there will be some tree conflicts to consider but these are something that would be addressed at the point of application and should not prevent the allocation of the site.

By way of evidence I have listed a few points below to expand on the possible tree issues I've referred to should the site be considered for development:

The access currently shown seeks to remove a dwelling on Cliffe Mount, our plans show 2 protected trees within the garden of this property. However our records show a historic consent notice for tree removal at this address. Therefore, the TPOs are only showing now as a charge on the land, the trees have been removed so will not be a constraint for the proposed access.

There are trees across the site that may potentially have some conflict with any proposed development, this includes the existing TPO'd trees located within the garden of Bawson Cliffe that overhang close to the proposed access. However, these possible conflicts could be avoided or managed as part of any future planning application, through amendments to the layout or submission of an arboricultural method statement, as examples."

4.1.25 As demonstrated, the proposed allocation would not lead to the loss of any protected or valuable trees.

7. Flooding Sequential Test

4.1.26 The Drainage and Flood Risk Statement, attached in Appendix 7, demonstrates that:

- The site is located entirely within Flood Zone 1 and therefore has a low probability of flooding.
- There are a number of viable methods for the disposal of surface water from the site with the preference being given to a soakaway/infiltration system in accordance with best practice.
- The foul water from the development would be discharged in to the Yorkshire Water foul sewer in Cliffe Lane and/or Cliffe Mount.

4.1.27 The Drainage and Flood Risk Statement demonstrates that there are no drainage constraints and the site is at a low risk from pluvial and fluvial flooding. Therefore, in accordance with the site selection methodology, the site is a sequentially preferable location for allocation.

8. Transport and Accessibility Considerations

4.1.28 The accompanying Transport Appraisal demonstrates that the site is fully deliverable from a transport standpoint and is within a highly sustainable as well as accessible location (appendix 4). In detail, the appraisal concludes that:

- An appropriate vehicle access can be achieved on to Cliffe Lane.
- The vehicle access can provide the required visibility splays.
- The proposed development is unlikely to result in a material impact on the operation of the local highway network.
- The site is highly accessible to public transport. There are a number of bus services within easy walking distance of the site which provide regular services to the major employment and retail centres of Leeds, Dewsbury, Huddersfield, Birstall, Morley, Mirfield and Bradford.
- The site is within reasonable walking distance to a wide range of local facilities including convenience stores, doctors' surgery, pharmacy, post office, nurseries and schools (amongst other things).
- The site is within cycling distance of a wide range of services and facilities as well as employment opportunities.

9. Environmental Health Considerations including Noise and Contamination

4.1.29 In response to the site policy commentary, our client has commissioned a Geo-Environmental Desk Study Report, which investigated the potential level of contamination on the site. The report attached in appendix 8 concludes that:

"There is a 'moderate' risk of contamination due to the activities of West Lane Colliery and part of the site is made of 'made ground."

4.1.29 The report concludes that these constraints can be overcome and do not represent a constraint on the development of the site. The level of contamination is likely to be moderate and could be easily mitigated and would not undermine the delivery of residential development on the site including affordable housing.

4.1.30 Our client has commissioned a Noise Assessment (attached in appendix 6) which confirms that that none of the activities surrounding the site would give rise to noise related concerns. Equally, the noise from the construction of the proposed development would be relatively short-lived and could be controlled through an appropriate working arrangement agreement i.e. restricting the hours of operation, the routing of any construction traffic etc. Therefore, the disturbance to existing residents from the construction of the development would be minimal.

10. Coal Mining Activity and related Ground Stability

4.1.31 As previously stated, our client has commissioned a Geo-Environmental Desk Study Report, which also investigates whether there is any evidence of former coal working in or near the site which would represent a significant constraint on development. The report concludes that:

- The site is within a Coal Mining Reporting Area;
- The site is in the likely zone of influence from coal working, but any ground movements from these activities should have stopped; and
- The site is partially made of 'made ground'.

4.1.32 The report concludes that the former coal working would not represent a constraint on the development of the site. The issue of ground stability could be resolved by the use of standard foundation solutions. It should be noted that similar ground conditions are found throughout West Yorkshire and large parts of northern England.

3) Achievability

4.1.33 Paragraph 47 of NPPF states that for a site to be 'achievable' there should be a reasonable prospect that housing will be delivered on the site within five years and in particular, the site is viable. It is considered that the site is achievable and that there are no insurmountable constraints that would prevent the deliverability of the site.

4.1.34 As a leading Agency, Carter Jonas considers that there is market demand for housing development on the site. One of the principal drivers of market demand for housing is location. The site is located within an established residential area and is near the A638 and A651, which provides easy access to the M62. In addition, the site is accessible to the employment opportunities along the M62, Leeds, Huddersfield and Bradford.

4.2 Sustainability Appraisal – Housing Site Selection Methodology

4.2.1 The 'Publication Local Plan Sustainability Appraisal Report – Annex 1: Sustainability Appraisal Matrices and Maps for Residential Site Options (including safeguarding land)' dated October 2016 appraises the site against the 19 Sustainability Objectives (SA)

4.2.2 Our Client supports the positive comments made in respect to the sustainability of Site H591 (pages 1639 to 1642) in respect to:

- **SA Objective 1: Employment;**
- **SA Objective 3: Education;**
- **SA Objective 8: Leisure and Recreation;**
- **SA Objective 10: Sustainable Transport; and**
- **SA Objective 19: Climate Change.**

4.2.3 Nevertheless, we consider that there are various scores within the Sustainability Appraisal that do not accurately reflect the evidence in respect to:

SA Objective 5: Local Amenity - the SA currently states that there are industrial units adjacent to the western site boundary which may mean that residents of the site could be affected by industrial noise. However it is understood that Thostles Nest Farm to the west of the site operates as a farm and livery, and does not include any industrial uses. This would appear to be confirmed by the planning history on the site. In addition, our Client commissioned a noise survey, which demonstrates that the ambient noise levels at site are relatively low (Appendix 9). As a result, we consider that there must be an error in respect to the scoring of this objective and strongly recommend that it is amended accordingly.

SA Objective 13 Historic Environment – the SA states that the impact on the nearby heritage assets is uncertain. However the attached Heritage Impact Assessment demonstrates that the proposed allocation would not have a detrimental impact on the Conservation Area or nearby Listed Building (Appendix 4). As a result, we consider that there must be an error in respect to the scoring of this objective and strongly recommend that it is amended accordingly.

4.3 The Site H591 Constraints

4.3.1 Based on the evidence presented within this report, it is clear that Site H591: 'Land to the west of Cliffe Lane, Gomersal' is not effected by the following constraints:

- No third party land is required to achieve the visibility splays;
- No improvements are required to the local highway network;
- No protected trees will be impacted by the potential access point on Cliffe Lane; and
- There are no significant noise sources near the site.

4.3.2 We would request that reference to these constraints are removed from the site box for reasons of accuracy and to ensure that the policy is justified and effective.

5.0 CONCLUSIONS

5.1 KCS Development Ltd support the continued identification of the land to the west of Cliffe Lane, Gomersal H591 as a housing allocation. The allocation of the site for residential development is 'sound' when judged against the four tests set out in paragraph 182 of the Framework. In summary, the allocation of Site H591 meets these test because it is:

- **Positively prepared** – the allocation and release of the site is consistent with the objectives of achieving the three elements of sustainability set out in paragraph 7 of the NPPF and forms part of a strategy to meet the objectively assessed need for housing in the district;
- **Justified** – Site H591 is the most appropriate site for allocation in Gomersal and is consistent with the site selection methodology adopted by the Council;
- **Effective** – the site is fully deliverable within the plan period, which is demonstrated by the supporting technical evidence; and
- **Consistent with national policy** – the allocation of the site is required to enable the delivery of sustainable development and is fully consistent with the provisions of the NPPF.

5.2 Nevertheless, we have concerns and object to the inclusion of several of the constraints within the allocation policy for Site H591. As demonstrated, a number of the constraints raised within the allocation policy are incorrect. As a result, the publication draft Local Plan is not effective or justified in this respect. This issue was raised with the local planning authority prior to the consultation, who responded that:

"The reason that these issues are still recorded in the plan is that this information will be required as part of a planning application. Should the site be sold on or does not come forward until later in the plan, there needs to be clear guidance set out in the local plan on the issues and information required."

5.3 As a result of the inclusion of these constraints, it is considered important that our Client is afforded an opportunity to explain the background and nature of these issues in person to the Planning Inspectorate at the Public Examination because they currently give a false impression of the site.

Appendix 1 Indicative Masterplan

All site dimensions shall be verified by the contractor on site prior to work commencing

Do not scale from this drawing
Only work to written dimensions

NOTES

Site layout subject to detailed level and topographical review

SCHEDULE OF ACCOMODATION

TYPE 2A - 2 BED SEMI-DETACHED- 646 SQ FT (60 SQ M) 1no. OFF STREET PARKING SPACES	18
TYPE 3A - 3 BED DETACHED - 912 SQ FT (84.7 SQ M) DETACHED GARAGE/OFF STREET PARKING	7
TYPE 3B - 3 BED SEMI-DETACHED - 785 SQ FT (73 SQ M) OFF STREET PARKING	36
TYPE 3C - 3 BED DETACHED - 904 SQ FT (84 SQ M) 2no. OFF STREET PARKING SPACES	7
TYPE 4A - 4 BED DETACHED - 1,237 SQ FT (115 SQ M) DETACHED GARAGE	13
TYPE 4B - 4 BED DETACHED - 1,170 SQ FT (108.7 SQ M) INTEGRAL GARAGE	14
TYPE 4C - 4 BED DETACHED - 1,157 SQ FT (107.5 SQ M) INTEGRAL GARAGE	5
TOTAL NOTE: G.I.A. SHOWN EXCLUDING GARAGE SPACE	100

Rev	Designation	Details of Revision	Date	By/Chk/Sign
A		MINOR AMENDMENTS FOLLOWING COMMENTS.	16.11.15	(DPE)

DRAFT

ellis healey architecture

SKETCH

PROJECT:	PROPOSED DEVELOPMENT LAND AT FERRAND LANE GOMERSAL
TITLE:	PROPOSED SITE PLAN
DRAWING NO:	1332 SK 04 A
BY/CHECKED:	DPE
DATE:	NOV 2015
SCALE @A1:	1:1000

Round Foundry Media Centre, Foundry Street, Leeds, LS11 5QP
Tel: 0113 3944355 E-mail: info@ellishealey.com

Appendix 2 Transport Appraisal with Access Layout

BRYAN G HALL

CONSULTING CIVIL & TRANSPORTATION PLANNING ENGINEERS

Our ref: 15-398/RD

please reply to Leeds office

12 January 2016

Mr Stephen Courcier
Carter Jonas LLP
Regent House
13 - 15 Albert Street
Harrogate
HG1 1JX

Dear Stephen,

LAND AT CLIFFE LANE, GOMERSAL

This Transport Appraisal letter has been prepared to support the inclusion of the site at Cliffe Lane, Gomersal, for residential use under allocation H591 of the emerging Kirklees Local Plan. This letter demonstrates that residential development on the site would be accessible and can be delivered without materially impacting on the operation of the local highway network.

Draft Local Plan – Strategy and Policies

The draft Local Plan for Kirklees includes a Strategy and Policies document (November 2015), section 9 of which sets out the draft transport related objectives for development in Kirklees. This includes a number of draft policies which aim to ensure new developments can be accessed using sustainable travel modes.

For example, Policy DLP 20 "Sustainable Travel" states that:

"New development will be located in accordance with the spatial development strategy to ensure the need to travel is reduced and that essential travel needs can be met by forms of sustainable transport other than the private car. The council will support development proposals that can be served by alternative modes of transport such as public transport, cycling and walking and in the case of new residential development is located close to local facilities.

The council will support demand management measures which discourage single occupancy car travel within new development and encourage the use of low emission vehicles to improve areas with low levels of air quality. Proposals should include measures to encourage the use of sustainable travel options, including public transport, the promotion of personal journey planning, walking, cycling, car sharing, electronic communication and home working.

Continued

Bryan G Hall Ltd
Registered in England & Wales
Co No: 4104802

VAT No: 399 4601 07

Registered Office
Suite E15 Joseph's Well
Hanover Walk
Leeds LS3 1AB

Telephone: 0113 246 1555
Email: highways@bryanghall.co.uk

London Office
Lighterman House
26-36 Wharfdale Road
London N1 9RY

Telephone: 0203 553 2336
Website: www.bryanghall.co.uk

Continuation 1
Mr S Courcier
15-398/RD

12 January 2016

Travel plans will be required for all major planning applications in accordance with current guidance and should set targets and monitoring arrangements to ensure sustainable travel patterns are maintained. Travel plans should include agreed and defined outcomes related to a package of specified measures to be implemented."

This Transport Appraisal letter demonstrates that the site at Cliffe Lane, Gomersal, is accessible using alternative and more sustainable modes of transport than simply relying on single occupancy car journeys, and is therefore in line with the draft policies set out in the Transport section of the draft Local Plan Strategy and Policies document.

The Site and the Development Proposal
The site comprises 3.89ha of rough pasture, which is located to the north western extents of the settlement of Gomersal, therefore the site would represent an extension to Gomersal. The land is bounded by Ferrand Lane to the north, residential development to the east, residential development and Cliffe Lane to the south and residential development and agricultural land to the west.

The site is identified in the Kirklees draft Local Plan Allocations and Designations document (November 2015) as a proposed housing allocation for up to 115 dwellings (Site Reference H591).

Highway Access
It is envisaged that the development would be accessed by a simple priority controlled T-junction with Cliffe Lane to the south western extents of the site. Initial investigation has shown that a small improvement scheme would be provided in order to ensure an appropriate standard access including sight lines can be provided. A plan showing the access scheme is included at **Enclosure 1**. As indicated in the letter attached at **Enclosure 2**, it has previously been confirmed that the local highways development control team at Kirklees Council consider the proposed residential access arrangements acceptable in principle. It is also envisaged that there will be a secondary pedestrian/cycle access point onto Ferrand Lane to the northern boundary of the site.

Cliffe Lane runs in an east to west direction to the south of the site, and is subject to a 30mph speed limit. To the east of the site Cliffe Lane becomes Latham Lane as it heads to the north to form a simple priority T-junction with West Lane. To the east, West Lane provides access to the A651 Oxford Road, from which the facilities in the centre of Gomersal can be accessed. To the north of the junction with West Lane, Latham Lane provides access to residential properties and the A58 via Drub Lane.

Continued

Continuation 2
Mr S Courcier
15-398/RD

12 January 2016

Returning to Cliffe Lane, to the west of the site, the road continues towards Cleckheaton, becoming Balme Road and forming a priority crossroads junction with the A638 Bradford Road and High Street. Facilities additional to those in the centre of Gomersal are located in the centre of Cleckheaton.

An alternative route to the centre of Gomersal is via Woodlands Road, which forms a simple priority T-junction with Cliffe Lane immediately to the south of the site. Woodlands Road continues south before meeting the A643 Spen Lane by way of a simple priority T-junction. To the east, the A643 Spen Lane meets the A651 Oxford Road in the centre of Gomersal by way of a signalised crossroads junction, which has pedestrian crossing facilities on all arms.

Returning to the Woodlands Road/A643 Spen Lane junction, to the west of the junction with Woodlands Road, the A643 Spen Lane continues towards the A638 Dewsbury Road in the centre of Cleckheaton.

Accessibility by Public Transport
The nearest bus stops to the site are on Cliffe Lane located to the east of the proposed Cliffe Lane site access, approximately 380 metres walking distance from the centre of the site. The stops are currently served by bus service number 255, which runs between Halifax and Leeds via Hipperholme, Wyke, Scholes, Cleckheaton and Birkenshaw.

Further bus stops are located on the A643 Spen Lane to the south of the site just to the west of the Woodlands Road junction, within approximately 700 metres walking distance of the centre of the site. These stops are served by bus services 220, 252, 253 and 254, in addition to the 255 service which stops on Cliffe Lane. These additional stops on Cliffe Lane provide frequent bus services, which would be attractive for future residents to use to travel to and from the site.

A summary of the timetable information for the bus services stopping on Cliffe Lane and the A643 Spen Lane is shown in the following table.

Continued

Continuation 3
Mr S Courcier
15-398/RD

12 January 2016

Service	Route	Stops	Frequency		
			Mon to Sat Daytime (mins)	Mon to Sat Evening (mins)	Sundays (mins)
255	Halifax - Leeds	Cliffe Lane	30	60 (last service from Halifax 19:10)	60
220	Huddersfield – Leeds	A643 Spen Lane	60	60 (last service from Huddersfield 18:30)	No Service
252	Dewsbury - Leeds	A643 Spen Lane	No Service	60	60 (Evening Only)
253	Dewsbury - Bradford	A643 Spen Lane	60	60	60
254	Dewsbury - Leeds	A643 Spen Lane	30	30 (up to 17:15 from Dewsbury, then 1 last service at 18:45)	60

There is therefore significant potential for public transport trips to destinations including Leeds, Dewsbury, Huddersfield, Birstall, Morley, Mirfield and Bradford.

The nearest railway station to the site is located in Dewsbury approximately 6 kilometres to the south east of the site as the crow flies. The railway station is located within approximately 300 metres walking distance of Dewsbury bus station, which is a destination for the 252, 253, and 254 bus services which serve the stops on the A643 Spen Lane. Dewsbury railway station provides regular train services to destinations including Leeds, Huddersfield, York, Manchester, Liverpool and Hull.

The 60 minute public transport catchments created using the TRACC accessibility software for both the AM and PM peak for the site are included as **Enclosure 3**. These plans show that areas including Leeds, Bradford, Morley, Batley and Cleckheaton are accessible within a maximum 60 minute catchment, with some of these areas being reached considerably quicker than the maximum.

Continued

It is therefore concluded that the site is in a sustainable location within Gomersal and is particularly well connected to Leeds and Bradford by frequent and convenient public transport services.

Accessibility for Pedestrians and Cyclists
Footways are present on both sides of Cliffe Lane in the vicinity of the site, which continue onto Woodlands Road to the south of the site. These footways continue to the south onto both sides of the A643 Spen Lane. To the east of Woodlands Road, there is a pedestrian crossing facility on the A643 Spen Lane to assist pedestrians accessing the residential areas to the south.

The footways on both sides of the A643 Spen Lane continue to the east towards the signalised crossroads junction with the A651 Oxford Road and the A643 Church Lane, where signalised pedestrian crossing facilities exist on all arms. From this point, pedestrians can access the facilities in the centre of Gomersal via footways on both sides of the A651 Oxford Road.

The walking accessibility plan created using the TRACC accessibility software is included at **Enclosure 4** and shows that a number of facilities are accessible within a maximum 2 kilometre walking catchment of the centre of the site. The plan also shows walking catchments of 400m, 800m, 1,200m and 1,600m. These facilities are detailed in later paragraphs.

In general, the majority of roads in Gomersal in the vicinity of the site are considered to be suitable for cycling. The signalised crossroads junction of the A643 Spen Road, the A651 Oxford Road and the A643 Church Lane has existing advanced cycle stop lines on all arms.

The National Cycle Route 66, also known as Spen Valley Greenway, is accessible in Cleckheaton to the west of the site. The Spen Valley Greenway is an off road cycle route which runs between Dewsbury and Bradford.

The cycling accessibility plan created using the TRACC accessibility software included at **Enclosure 5** shows the 5 kilometre and 8 kilometre cycling catchments from the centre of the site. The plan shows that areas including the centre of Gomersal, Cleckheaton, Liversedge, Batley, Birstall, Birkenshaw and Drighlington are accessible within a 5 kilometre cycling catchment, and areas including Gildersome, Morley, Dewsbury, Heckmondwike, Hipperholme, Oakenshaw and the south eastern extents of Bradford are accessible within a 8 kilometre cycling catchment. These areas include a number of retail facilities and employment opportunities, along with Dewsbury, Batley and Morley railway stations.

Continued

Continuation 5
Mr S Courcier
15-398/RD

12 January 2016

The pedestrian and cycling facilities available provide good accessibility in and around Gomersal. Appropriate pedestrian/cycle facilities would be provided within the development to complement and connect with the existing facilities.

Access to Local Facilities
Gomersal currently benefits from local facilities including a small food store, convenience shops, petrol filling station with small food store, a doctor's surgery and pharmacy, public houses, a post office, churches, day nurseries and schools. Most of these facilities are accessed off the A651 Oxford Road in the centre of Gomersal. These facilities are shown plotted on the walking accessibility plan included at **Enclosure 4**. Further facilities such as banks, opticians and dental surgeries are available in the centre of Cleckheaton, a short bus ride to the south west of the site via the number 255 service.

In terms of accessibility to retail facilities, CIHT guidelines suggest a preferred maximum walking distance of 1.2km. The walking accessibility plan at **Enclosure 4** illustrates that retail facilities, including convenience stores and a post office (generally marked in dark blue dots as 'Shops' on the plan), are accessible within a walking distance of 1.2km from the centre of the site.

There are two primary schools within Gomersal. Gomersal Primary School consists of two sites, Gomersal First School and Gomersal Middle School, both of which are located on the A651 Oxford Road to the east and south east of the site respectively. St Mary's Church of England Primary School is also located to the south east of the site accessed off Shirley's Avenue. Both of these Primary Schools are accessible on foot from the development site.

All these existing local facilities are readily accessible from the site, as is illustrated by the walking accessibility plan.

Trip Generation and Distribution
A development of around 100 dwellings would generate in the order of 65 vehicle movements in the morning and evening peak hours.

At this stage, it is assumed that traffic will distribute on the local highway network towards the major employment areas of Bradford, Leeds, Dewsbury, Huddersfield, Wakefield and Halifax. Local junctions through which development traffic will travel include:

- Woodlands Road/Cliffe Lane
- Latham Lane/West Lane
- West Lane/A651 Oxford Road
- Woodlands Road/A643 Spen Lane

Continued

Continuation 6
Mr S Courcier
15-398/RD

12 January 2016

- A643 Spen Lane/A651 Oxford Road/A643 Church Road
- Balme Road/A638 Bradford Road
- A643 St Peg Lane/A638 Dewsbury Road/A643 Parkside

Based on the likely distribution of traffic onto the local highway network, residential development of in the order of 100 units on the site is unlikely to result in a material impact on the operation of any of the above junctions. By the time the traffic is distributed onto the wider network, the resultant increase in traffic flows is likely to be well within the day to day variations in traffic flow expected on the network. As such, a development of this size is unlikely to trigger a requirement for off-site highway improvements.

Summary
To summarise, the site is in an accessible location in Gomersal with good pedestrian access to local facilities and availability of local public transport services. The site therefore meets the sustainable travel requirements of draft Policy DLP 20 of the draft Kirklees Local Plan Strategy and Policies document.

The site can be accessed via a new access onto Cliffe Lane, which meets appropriate design standards and in principle has been approved by the highway authority. Based on assumptions in relation to potential traffic generation and distribution, it is considered that a proposed residential development of around 100 dwellings on the site would not have a material impact on the operation of the local highway network.

Therefore, in conclusion, in transport and accessibility terms, there is no reason why the site should not be allocated for residential use under allocation H591 of the emerging Kirklees Local Plan.

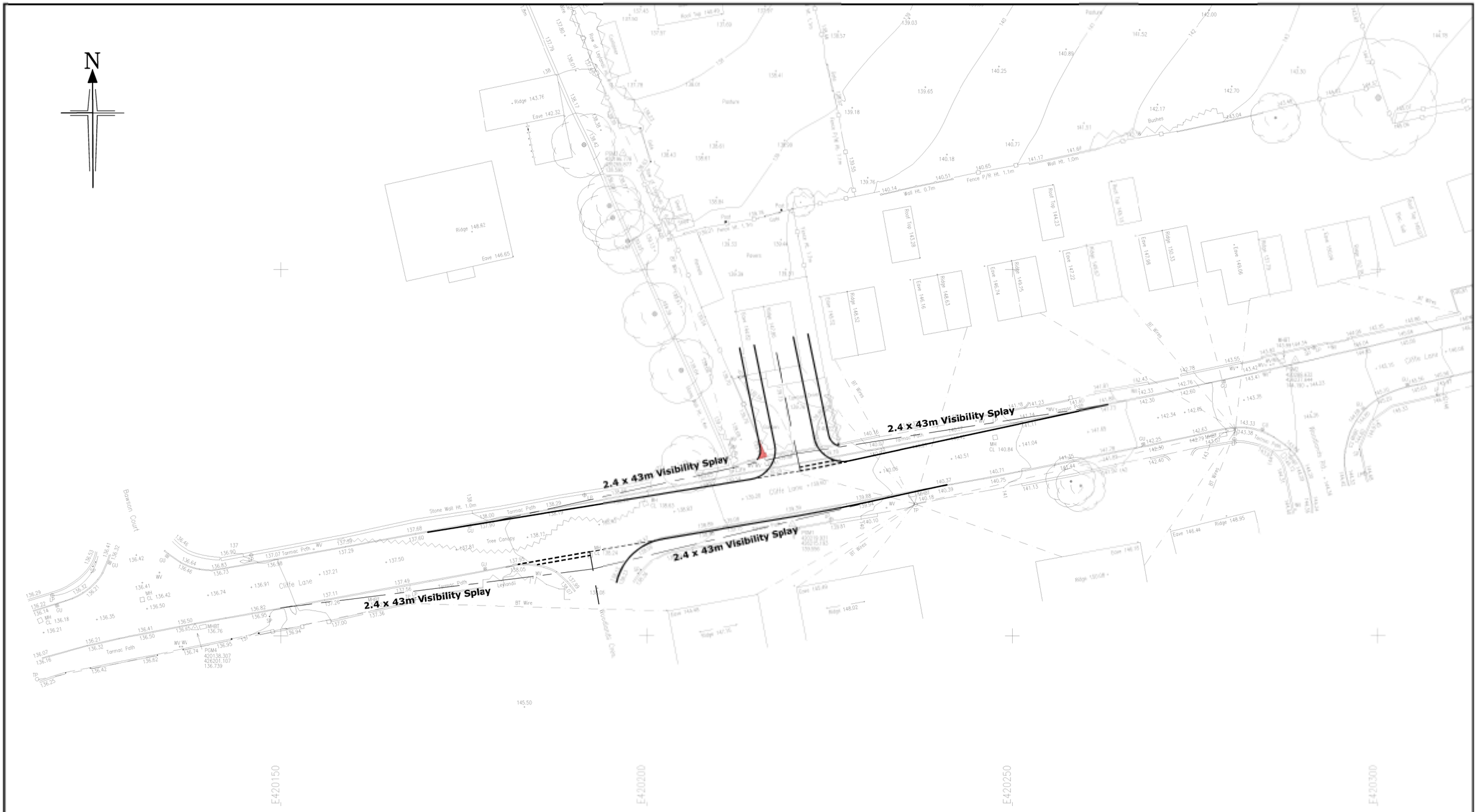
Yours sincerely

R. Donaldson

Robbie Donaldson

Enclosure 1 – Drawing Number 15/398/SKH/003
Enclosure 2 – Letter Dated 20 May 2014 indicating Highway Authority approval to access arrangements
Enclosure 3 – Public Transport Accessibility Plans (15/398/ACC/003 and 004)
Enclosure 4 – Walking Accessibility Plan (15/398/ACC/001)
Enclosure 5 – Cycling Accessibility Plan (15/398/ACC/002)

ENCLOSURE 1



Client: KCS DEVELOPMENTS

Project: CLIFFE LANE, GOMERSAL

Title: PROPOSED ACCESS ARRANGEMENT

BRYAN G HALL
CONSULTING CIVIL & TRANSPORTATION PLANNING ENGINEERS

E highways@bryanghall.co.uk
W www.bryanghall.co.uk
Suite E15 | Josephs Well
Hanover Walk | LEEDS | LS3 1AB
T 0113 246 1555
F 0113 234 2201
Lighterman House
26/36 Wharfdale Road
LONDON | N1 9RY
T 0203 553 2336

Rev:	Amendment:	Dm:	Chk:	Date:

Job No: 15-398 Drawn: CT Checked: JP Date: 23/11/15

Scale: 1:500 A3 - 420 x 297 Drawing No: 15/398/SKH/003 Revision:

ENCLOSURE 2

Cannon
Highways Limited

12b Hall Annex,
Newton Chambers Road,
Thorncliffe Park,
Chapeltown,
Sheffield. S35 2PH

0114 296 5653
www.cannonhighways.co.uk
Registered in England
03778944

Ref: 246/DT/01

Mr R Morton
KCS Development Ltd
3rd Floor
Goodbard House
15 Infirmary Street
Leeds,
LS1 2JS

20 May2014

Dear Richard,

Proposed Residential Development in Land to the Rear of Cliffe Lane, Gomersal

Please find enclosed a copy of our sketch number SK4 showing a possible access off Cliffe Lane that is suitable to accommodate residential development in the land to the rear of the existing houses.

The access comprises a simple priority junction with associated access road constructed within the land currently occupied by number 271 Cliffe Lane. The layout of the junction incorporates minor realignment of the existing footways and the carriageway in Cliffe Lane in order to secure the appropriate levels of junction visibility. In addition, it should be noted that the existing access to neighbouring land, located immediately adjacent to the proposed junction, should be stopped up and access to the neighbouring land incorporated into the new access road (I understand that an appropriate legal agreement is now in place to enable the existing access to the neighbouring land to be diverted and that the revised access arrangement is shown on the latest development proposals).

The local highways development control officer at Kirklees Council has reviewed the proposed access arrangements and indicated to me that they would be acceptable for the purpose of residential development. Responding, in writing, to my submission of our sketch SK4 he stated that, " *I can confirm that subject to the scale of development and the findings and conclusions or a transport assessment the proposed access arrangements are acceptable in principle to serve residential development.*

If the proposals progress to an application the submission must include an independent Stage 1 Road Safety Audit and Designer's response covering all aspects of the access arrangements.

e-mail: davetaylor39@cannonhighways.co.uk

I would reiterate that the private access directly to the west of the proposed access, which shares the alignment of Public Footpath No. SPEN/56/10 should be incorporated in to the proposed access to form a single point of access.

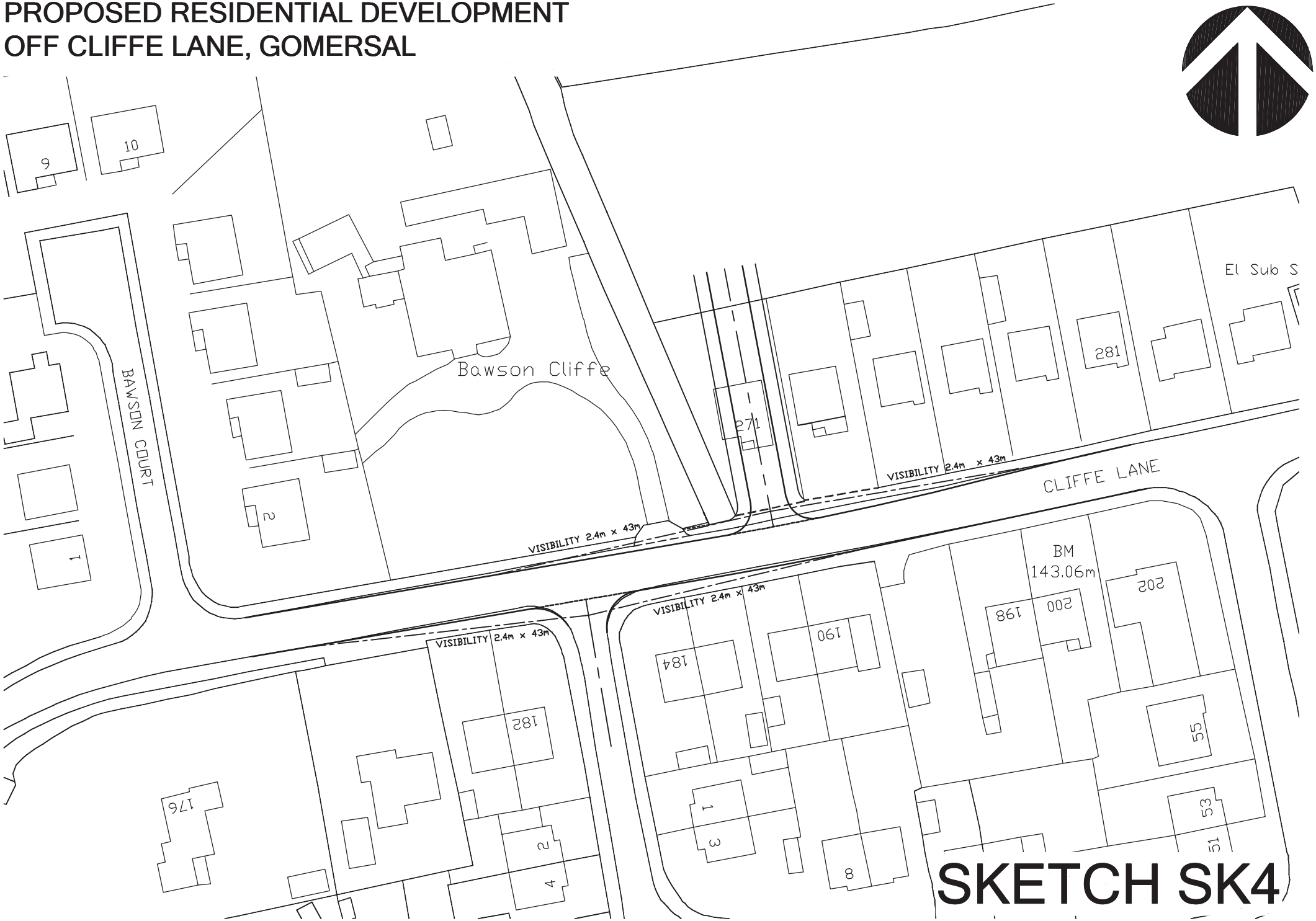
Please note this reply is given in good faith and is based on information which you have supplied or is held by the Council. Although every effort has been made to ensure the accuracy of the response it should be understood that neither the Council nor any of its Officers should be held legally responsible for the advice given, nor does this opinion prejudice the outcome of any application for planning permission to this Authority in the future."

I trust that this is satisfactory. Nevertheless, if you have any queries or would like to discuss the access arrangements in more detail please do not hesitate to contact me.

Yours sincerly,

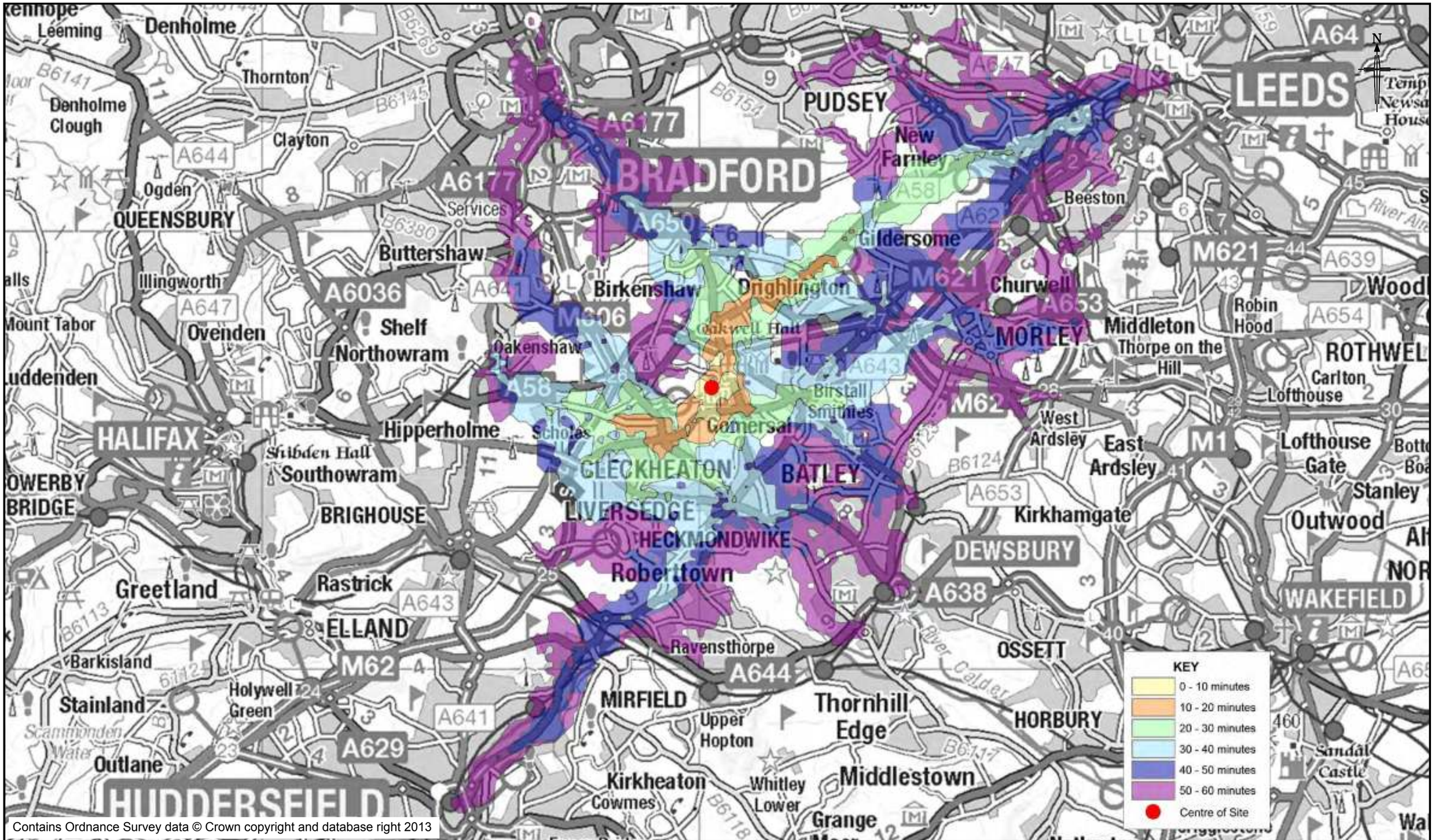
Dave Taylor

PROPOSED RESIDENTIAL DEVELOPMENT
OFF CLIFFE LANE, GOMERSAL



SKETCH SK4

ENCLOSURE 3



Client: KCS DEVELOPMENTS

Project: CLIFFE LANE, GOMERSAL

BRYAN G HALL
CONSULTING CIVIL & TRANSPORTATION PLANNING ENGINEERS
Copyright Reserved Bryan G Hall Ltd.

E highways@bryanghall.co.uk
Suite E15 | Josephs Well
Hanover Walk | LEEDS | LS3 1AB
T 0113 246 1555
F 0113 234 2201

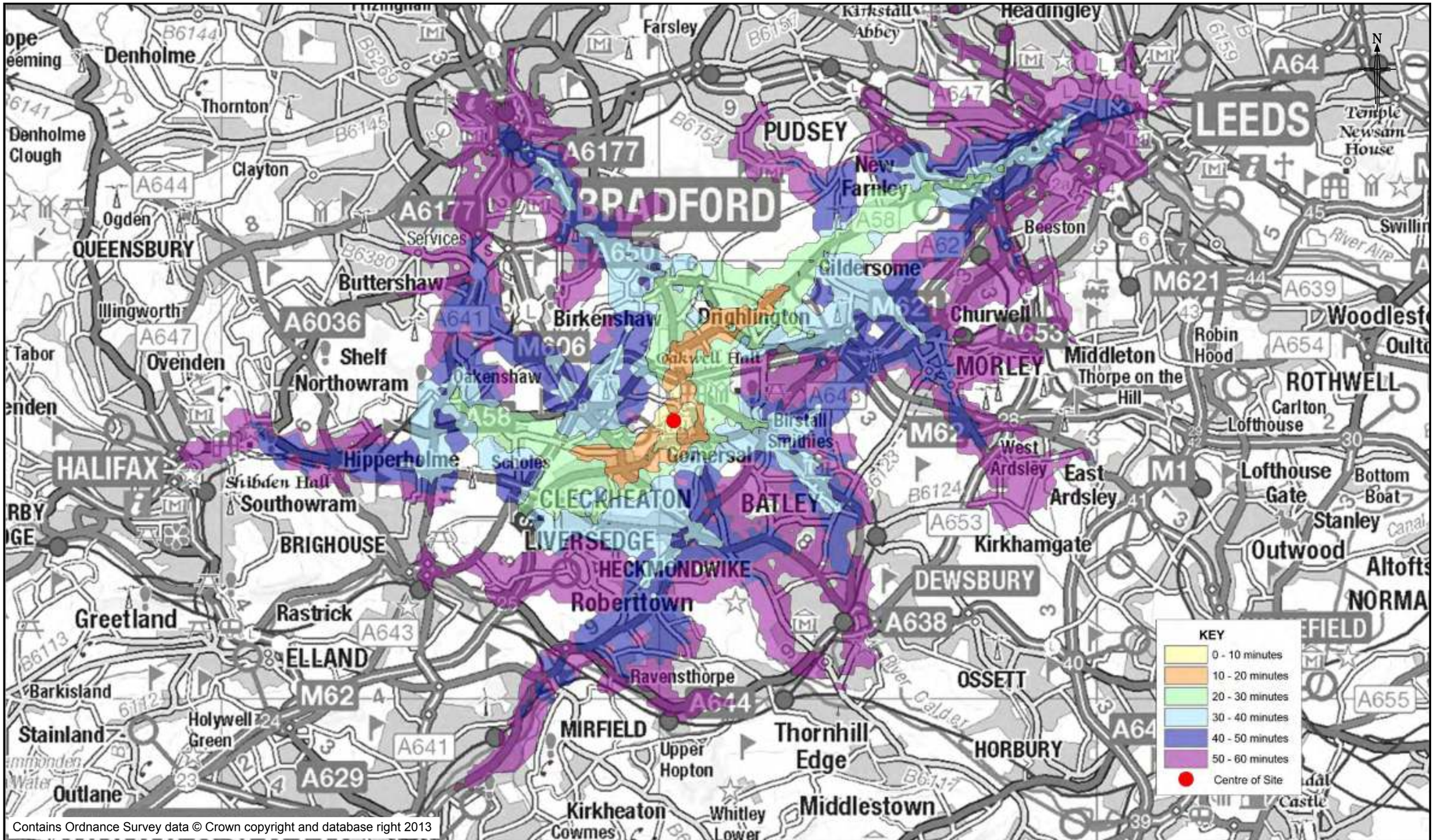
W www.bryanghall.co.uk
Lighterman House
26/36 Wharfdale Road
LONDON | N1 9RY
T 0203 077 2103

Title: TRACC PUBLIC TRANSPORT CATCHMENT
60 MINUTES, AM PEAK

Rev:	Amendment:	Drn:	Chk:	Date:

Job No: 15-398 Drawn: RD Checked: SW Date: 04-01-2016

Scale: N.T.S. (A3 - 420 x 297) Drawing No: 15/398/ACC/003 Revision:



Client: KCS DEVELOPMENTS

Project: CLIFFE LANE, GOMERSAL

BRYAN G HALL
CONSULTING CIVIL & TRANSPORTATION PLANNING ENGINEERS
Copyright Reserved Bryan G Hall Ltd.

E highways@bryanghall.co.uk
W www.bryanghall.co.uk

Suite E15 | Josephs Well
Hanover Walk | LEEDS | LS3 1AB
T 0113 246 1555
F 0113 234 2201

Lighterman House
26/36 Wharfdale Road
LONDON | N1 9RY
T 0203 077 2103

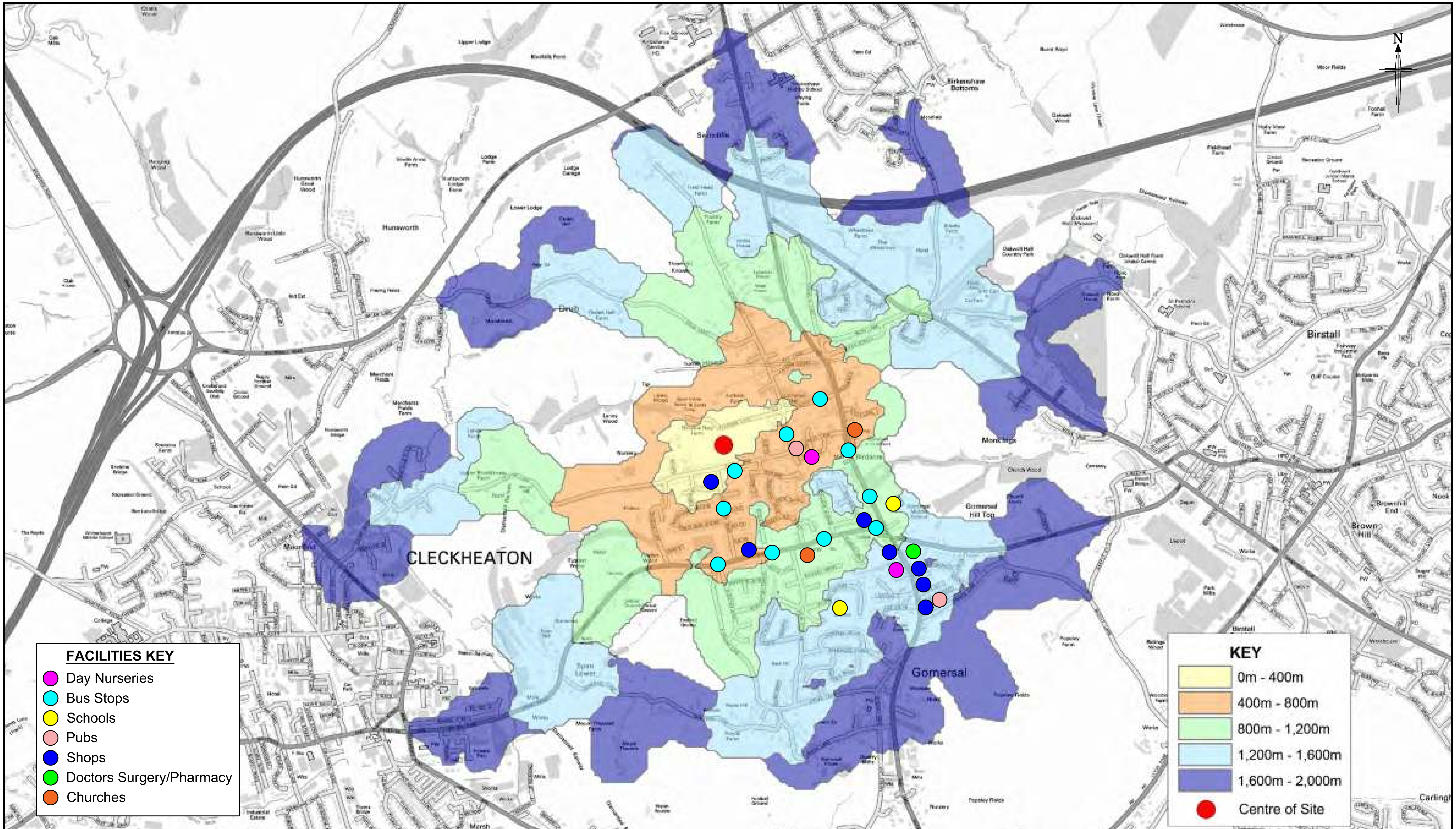
Title: TRACC PUBLIC TRANSPORT CATCHMENT
60 MINUTES, PM PEAK

Rev:	Amendment:	Drn:	Chk:	Date:

Job No: 15-398 Drawn: RD Checked: SW Date: 04-01-2016

Scale: N.T.S. (A3 - 420 x 297) Drawing No: 15/398/ACC/004 Revision:

ENCLOSURE 4



Client: KCS DEVELOPMENTS

Project: CLIFFE LANE, GOMERSAL

Title: TRACC WALKING CATCHMENT 2km

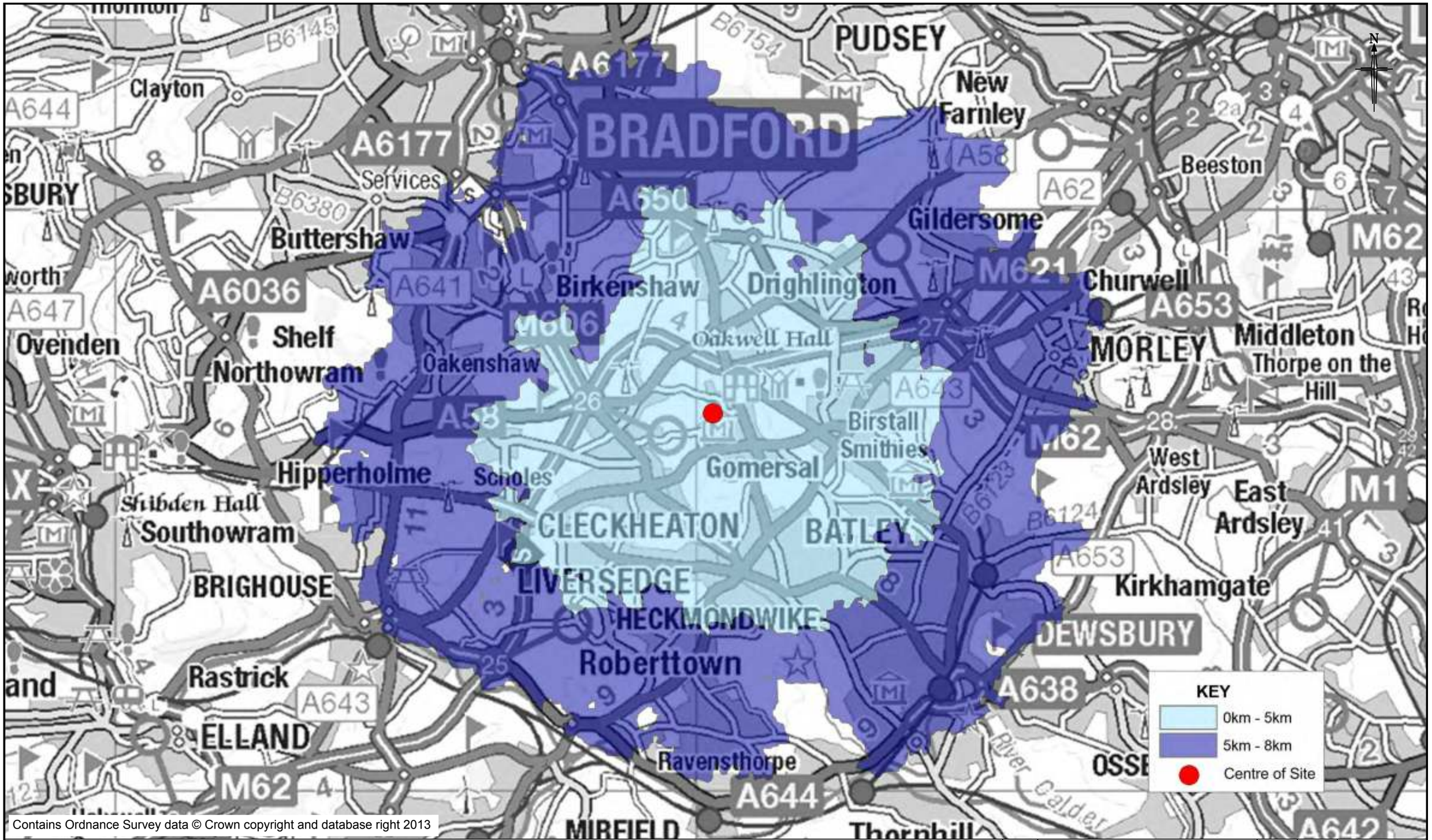
Rev:	Amendment:	Drn:	Chk:	Date:
A	Local facility point colours amended	RD	SW	12-01-2016

Job No: 15-398 Drawn: RD Checked: SW Date: 04-01-2016

Scale: N.T.S. A3 - 420 x 297 Drawing No: 15/398/ACC/001 Revision: A

BRYAN G HALL
CONSULTING CIVIL & TRANSPORTATION PLANNING ENGINEERS
E highways@bryanghall.co.uk W www.bryanghall.co.uk
Suite E15 | Josephs Well
Hanover Walk | LEEDS | LS3 1AB
T 0113 246 1555
F 0113 234 2201
Lighterman House
26/36 Wharfdale Road
LONDON | N1 9RY
T 0203 077 2103

ENCLOSURE 5



Client: KCS DEVELOPMENTS

Project: CLIFFE LANE, GOMERSAL

BRYAN G HALL
CONSULTING CIVIL & TRANSPORTATION PLANNING ENGINEERS
Copyright Reserved Bryan G Hall Ltd.

E highways@bryanghall.co.uk
W www.bryanghall.co.uk

Suite E15 | Josephs Well
Hanover Walk | LEEDS | LS3 1AB
T 0113 246 1555
F 0113 234 2201

Lighterman House
26/36 Wharfdale Road
LONDON | N1 9RY
T 0203 077 2103

Title: TRACC CYCLING CATCHMENT 5km & 8km

Rev:	Amendment:	Drn:	Chk:	Date:

Job No: 15-398 Drawn: RD Checked: SW Date: 04-01-2016

Scale: N.T.S. (A3 - 420 x 297) Drawing No: 15/398/ACC/002 Revision:

Appendix 3 Green Belt Review

CARTER JONAS
The Property People

Regent House
13-15 Albert Street
Harrogate HG1 1JX

T: 01423 523423
F: 01423 521373

Green Belt Review
The North Western Edge of Gomersal

In promotion of 'Land to the West of Cliffe Mount, Ferrand Lane, Gomersal' (Site Ref. 7)

On behalf of KCS Developments

12 September 2014

1.0 INTRODUCTION

1.1 Thank you for the opportunity to submit comments to the District Wide Green Belt Review. This submission is made specifically in relation to the north western edge of the village of Gomersal. As you are aware, these representations are made on behalf of KCS Developments Ltd in the promotion of 'Land to the West of Cliffe Mount, Ferrand Lane, Gomersal' for its removal from the Green Belt and subsequent allocation for housing.

1.2 The Strategic Housing Land Availability Assessment (SHLAA) and the Core Strategy acknowledge that it will be necessary to release land from the Green Belt to meet the district's housing requirement. Furthermore, given the results of the Core Strategy EiP, it is widely recognised that the housing requirement will have to be significantly increased to meet objectively assessed housing needs, which will lead to greater pressure to remove land from the Green Belt. The substantial need and the lack of available as well as deliverable sites within the urban area for housing constitutes exceptional circumstances under paragraph 83 of The Framework required to justify the removal of land from the Green Belt.

1.3 We fully support the Council's decision to prepare a unified Local Plan and carry out a comprehensive review of the Green Belt. The Green Belt boundaries were first defined in the West Riding County Development Plan and Town Maps prepared in the 1960's and approved in the 1970's. As a result, the Green Belt boundaries are out-date in many places and includes land which does not fulfil any of the Green Belt purposes and is unnecessary to keep permanently open.

2.0 GREEN BELT REVIEW

2.1 The National Planning Policy Framework (The Framework), at paragraph 79, identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of the Green Belt is its openness and permanence.

2.2 The five purposes of the Green Belt are listed in the Framework (paragraph 80) as:

- *'to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'*

2.3 Once established, the Framework (paragraph 83) identifies that Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. The Framework also sets out that authorities should consider the boundaries of the Green Belt having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.

2.4 In carrying out the Green Belt review, we consider that it should comprise of two individual stages. The first being a high-level review of Green Belt land to identify areas that contribute less towards national Green Belt purposes as set out in the Framework. The second stage involves establishing specific boundaries for the Green Belt following the approach set out in paragraph 85 of the Framework, which requires, inter alia, that local planning authorities should:

- *'not include land which it is unnecessary to keep permanently open;*
- *satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and*
- *define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.'*

3.0 ANALYSIS

3.1 On the northwestern edge of Gomersal, the current Green Belt boundary established in the Kirklees Unitary Development Plan (UDP) (1999) runs along the back of the properties on Latham Lane, Thatchers Way, Cliffe Mount, and Cliffe Lane. We have attached an aerial photograph of the site below showing the line of the existing Green Belt boundary as well as the line which we consider better reflects the realities on the ground and Green Belt policy.

Figure 1 – Aerial Photograph showing the existing and proposed Green Belt boundary

I) Strategic Considerations

3.2 The Framework is clear that the five purposes of the Green Belt are:

- *'to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'*

3.2 As a result, it is considered that it is important to consider whether the 'Land to the West of Cliffe Mount, Ferrand Lane, Gomersal' fulfils any of the purposes of the Green Belt and as a result, whether it is of strategic importance in this regard.

3.3 We have attached below an extract from the Unitary Development Plan Proposed Map, which shows the context of the site within the wider Green Belt. However, it should be noted that the proposal map does not show the extent of the modern development immediately to the west of the site which effectively encloses the site by built development on three sides.

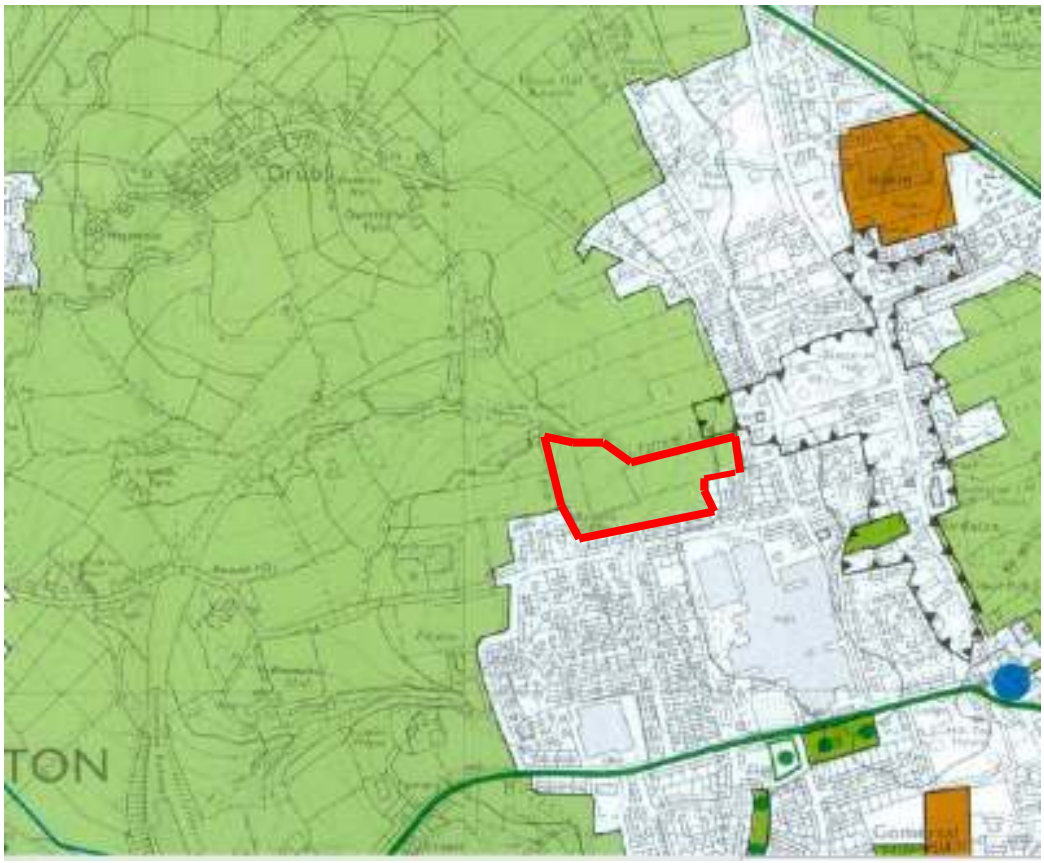


Figure 2 – Extract from the Unitary Development Plan Proposal Map showing the location of the site.

3.4 We have considered the site against the five purposes of the Green Belt below

1. To check the unrestricted sprawl of large built-up areas;

3.5 The site clearly adjoins the existing built-up area and is surrounded by development on three sides (figure 1 and photographs 1 to 6). As a result, the site is clearly well related to the existing built up area and is distinguishable from the more open countryside to the north (photographs 7 and 8). Ferrand Lane would provide a well-defined boundary, which would prevent the future sprawl of the built up area beyond the new Green Belt boundary. As a result, the removal of the site from the Green Belt and its subsequent allocation would not lead to the outward sprawl of the settlement into the open countryside.

2. To prevent neighbouring towns from merging into one another;

3.6 This is considered the most important purpose of the Green Belt within the context of Kirklees. As shown in figure 2, the site forms part of an extensive area of Green Belt and, as a result, its loss would not impact on the strategic purpose of the Green Belt in this location. The development of the site would not result in the reduction of the gap between settlements or lead to issues of coalescence.

3. To assist in safeguarding the countryside from encroachment;

3.7 The site is contiguous with the urban area and is bordered by built development on three sides and a road to the north. As a result, the site clearly forms part of the urban fringe, which is separate and distinct from the open countryside to the north. The proposed development would represent a rounding off of the settlement and Ferrand Lane would provide a clear physical boundary to the village (photographs 10 and 11).

4. To preserve the setting and special character of historic towns;

The site has no relationship with any listed buildings or conservation areas.

5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

3.8 The proposal would not have a detrimental impact on the regeneration of the more deprived parts of the district given the relatively small scale of development proposed. Notwithstanding this, it is clear that there is insufficient deliverable previously developed land within the urban areas to meet housing and employment requirements.

3.9 In conclusion, it is clear that the site does not fulfil any strategic Green Belt function and its removal would not harm any of the five purposes of the Green Belt.

II) Detailed Green Belt Boundary Considerations

3.10 The second part of the review involves establishing whether the existing and proposed Green Belt boundaries accord with the approach set out in paragraph 85 of the Framework, which requires that local planning authorities should:

- *'not include land which it is unnecessary to keep permanently open;*
- *satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and*
- *define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.'*

The Existing Green Belt Boundary

3.11 The site comprises of a number of small fields, which are enclosed by development on three sides. The site is bordered on to directly by residential properties, which provides an untidy and hard edge to the settlement. We have attached below a number of photographs, which show the existing Green Belt boundary:

Photograph 1 of the north eastern edge of the site. The lack of a defensible Green Belt boundary has lead to the incursion of a number of properties into the Green Belt in this location.

Photograph 2 – the northern edge of the site

3.12 There is an extensive area of built development to the west of the site, which is currently in the Green Belt. There is Spen Valley Boy Scouts Centre, Throstle Nest Farm, and a property called Holmfield located along the western boundary of the site. The developments on the adjoining sites are semi-industrial in character and appearance and currently detract from the openness and visual amenities of the Green Belt. We have attached photographs showing the extent of the development bordering the site, which clearly demonstrates that the site is bounded by development on three sides.

Photograph 3 of the entrance to Thostle Nest Farm and the Boy Scouts Centre

Photograph 4 from the entrance of Thostle Nest Farm

Photograph 5 showing building work being carried out at Thostle Nest Farm

Photograph 6 showing the extent of development at Holmfield

3.13 The 'land to the West of Cliffe Mount, Ferrand Lane, Gomersal' is clearly different in character to the more open and rolling countryside to the north of Ferrand Lane and to the east of Latham Lane. The site is an anomaly in the sense that it is cut off from the rest of the Green Belt by Ferrand Lane. We have attached photographs below which show the nature and character of the Green Belt beyond Ferrand Lane.

Photograph 7 and 8 showing the open and rolling landscape to the north of Ferrand Lane

The Proposed New Green Belt Boundary

3.14 National policy is clear that the Green Belt should have a degree of permanence beyond the plan period and, wherever possible, the boundary should be clearly defined by using physical features that are readily recognisable and likely to be permanent.

3.15 We consider that Ferrand Lane would provide a strong and defensible Green Belt boundary, which would last beyond the plan period. It already provides a clear boundary between the built-up area and the more open countryside to the north. Equally, the mature hedgerows along the Ferrand Lane would provide a soft and natural edge between the built-up area and the Green Belt beyond. We have attached photographs below, which highlights the above points:

Photograph 9 showing the entrance to Ferrand Lane from Latham Lane

Photograph 10 and 11 showing Ferrand Lane and the mature hedgerows along its boundaries.

4.0 CONCLUSION

4.1 The review clearly establishes that the land between Cliffe Lane and Ferrand Lane does not fulfil any strategic Green Belt function and its loss would not harm any of the five purposes of the Green Belt. The site is clearly an anomaly in the sense that it is cut off and remote from the wider Green Belt. In terms of going forward, Ferrand Lane would provide a strong and defensible Green Belt boundary, which would have permanence beyond the plan period. For these reasons, we consider that the site is suitable for removal from the Green Belt to meet the housing needs of Gomersal and the wider district.

Appendix 4 Heritage Impact Appraisal

PROPOSED DEVELOPMENT

at

LAND AT FERRAND LANE, GOMERSAL

IMPACT ASSESSMENT

prepared by
Lindsay Cowle B Arch Dip Cons (Dist) RIBA IHBC CAABC

(Conservation Consultant)

March 2016

PROPOSED DEVELOPMENT AT FERRAND LANE, GOMERSAL

IMPACT ASSESSMENT

1.0 INTRODUCTION

1.1 This Impact Assessment has been prepared in support of a representation made to Kirklees District Council to approve in principle the allocation in the Local Plan of land on Ferrand Lane, Gomersal, for future residential development. It is made in view of the fact that the central part of the settlement of Gomersal is designated as a conservation area, and that Historic England has required an impact assessment on the conservation area to be made before it can give its response. This must necessarily include the impact on any Listed buildings in the area.

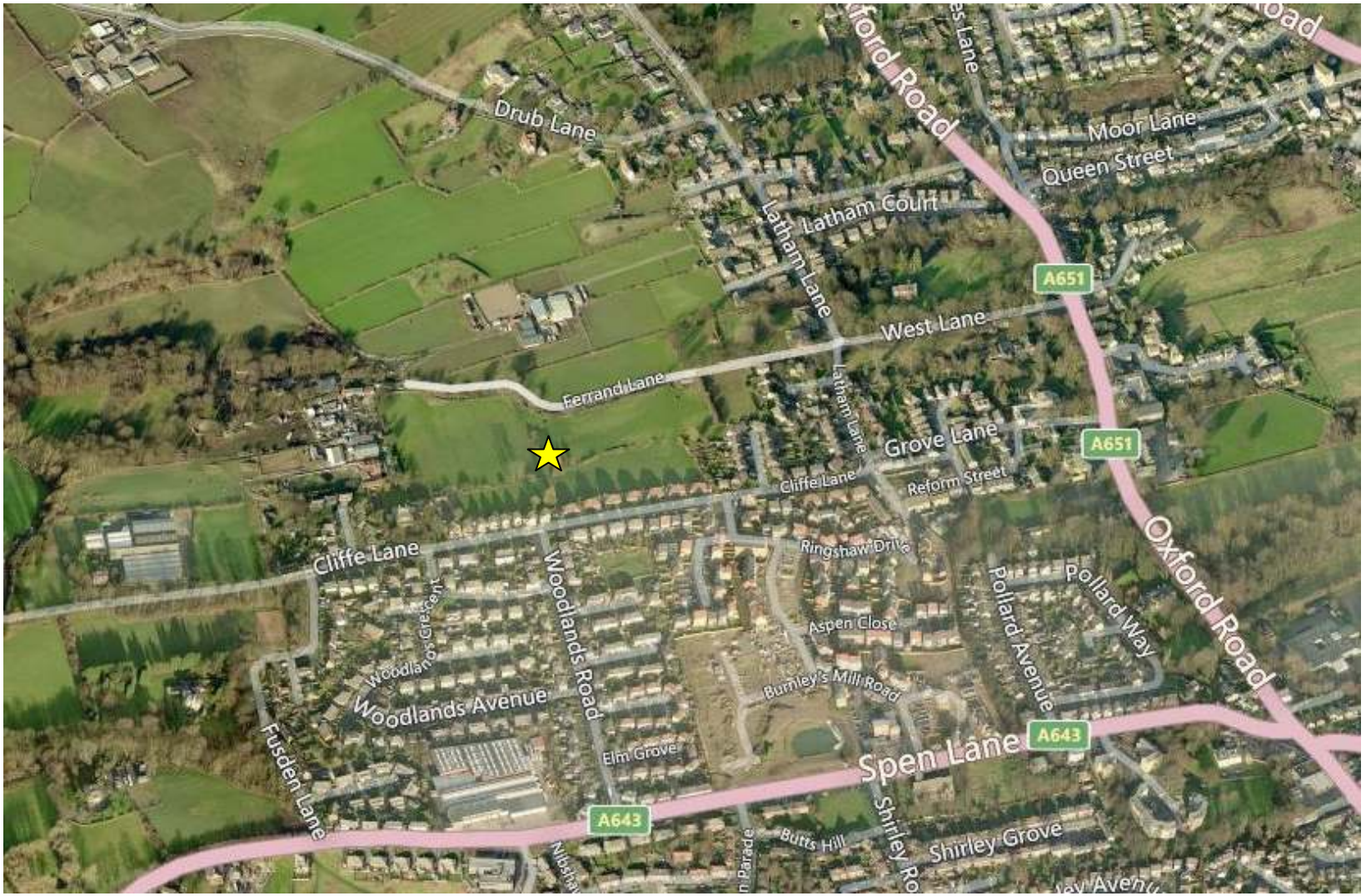
1.2 This Assessment relates only to building conservation matters and does not cover other land allocations and policies.

2.0 LOCATION AND BRIEF DESCRIPTION

2.1 Gomersal is an historic settlement in the eastern foothills of the Pennines, located centrally between the cities of Leeds, Bradford, Wakefield and Huddersfield. It is essentially a linear settlement along a north-south ridge, following an historic route (- now the A651 Oxford Road -) connecting Bradford (to the north) and Dewsbury and Huddersfield (to the south), at a point where the route diverged and was intersected by other cross-country roads.

2.2 The settlement is roughly 2.5 km in length extending from the modern M62 motorway (at the north end) to the outskirts of Heckmondwicke (at the south end). In the centre of the settlement the A651 is crossed by the east-west A643 road (- Spen Lane-) from Birstall to Cleckheaton (see **Fig 1**). The character of the settlement is primarily residential, with much modern housing development on the west side, centred around Spen Lane.

2.3 Much of Oxford Road to the north of Spen Lane retains its historic character and has been designated as a conservation area, including short branches off to the east and longer branches to the west, especially along West Lane (see **Fig 1**): the latter leads to the Grade ll Listed Methodist church of 1827-8 which terminates the conservation area: thereafter it becomes a small lane (Ferrand Lane) descending between fields to the Throstle's Nest farmstead. The proposed development site is on the south side of Ferrand Lane, on existing fields falling distinctly to the west and northwest.



Aerial view of north part of Gomersal, proposed development site starred yellow. **Fig 1**

3.0 HISTORY

3.1 In the absence of a conservation area character appraisal it is necessary to carry out a rough assessment of the area, including its historic origins, in order to identify any characteristics which might be affected by the proposed development. The history is described in detail in *'Gomersal - a Window on the Past'* by Gillian Cookson 1992.

3.2 There is known to have been a settlement here in pre-Conquest times, and Anglo-Saxon relics in the Norman church of St Peter at Birstall nearby would seem to bear this out. In common with much of the area in the eastern foothills of the Pennines the local industry was agricultural, particularly sheep rearing, supplemented by domestic textile production in the winter months: domestic cloth production was well established here by the 17th century, sold through the Leeds and Halifax markets. Coal mining and iron ore extraction had also been established by the 14th century.

Suggested layout of mediaeval village (Cookson) showing major houses **Fig 2**

3.3 Gomersal in particular benefitted from the growing and profitable textile industry and the yeoman houses and farmsteads scattered along the ridge were joined by larger houses of considerable wealth and status, indicating the Gomersal was already an attractive and prestigious place to live. Some of these still survive within the conservation area eg Peel House and Pollard Hall, both from the 17th century or earlier (see **Fig 2**). There was however no central focus to the settlement, the manor house and church being located further east for ease of access to the wider area.

3.4 The status and influence of the settlement was such that in 1775 a Cloth Hall was built in Gomersall to try to break the monopoly of the Leeds White Cloth Hall, although its success was short-lived. It later became a woollen mill (see **Fig 3**).

3.5 Mechanisation was introduced at the end of the 18th century to deal with the preparation and finishing processes in factories, but powered weaving was not available until well into the 19th century, and Gomersal is recorded as still having 130 hand-loom weavers in 1840. The area was prominent in the Luddite uprising of 1812 when many rioters were injured or killed and the leaders were executed in York.

3.6 The 18th century Red House Museum on Oxford Road (formerly the residence of the prominent Taylor family, see **Fig 2**) is noted as featuring in Charlotte Bronte's novel '*Shirley*', which drew material from the Luddite riots.

3.7 In 1826 the turnpike road from Bradford was completed, rising southwards up the east flank of the ridge to the ridge summit at 'Gomersal Hill Top' where it was crossed by Spen Lane. The ridge summit was otherwise marked by Upper Lane (now Latham Lane) - see **Figs 1 and 2.**

3.8 The earliest detailed map of the area (- the Ordnance Survey map of 1854, see **Fig 3** -) shows the northern part of Gomersal relevant to this assessment. Evidence of the cottage woollen and weaving industry is evident in the tenter frames in the surrounding fields: at the same time it is evident that the area was undergoing much more radical industrialisation, with large woollen mills, coal pits, stone quarries, brick works and rope works taking over the fields, with their associated catchment ponds and reservoirs.

3.9 The map shows buildings (- mostly houses -)scattered rather randomly along the north-south highway, with smaller houses on the east side and larger detached houses in substantial grounds on the west side: they may have housed the mill owners or other industrialists. Farrend Lane already exists, serving Throstle's Nest farm, with open fields either side. By this time the non-conformist churches had taken root in the village, taking advantage of the lack of a Protestant church in the vicinity, with a Wesleyan (now Methodist) chapel built at the end of West Lane and a Congregational (now United Reformed) chapel on Oxford Road, both built in the 1820's. A fine Public Institute of classical design was built on Oxford Road in 1860.

Ordnance Survey Map 1854 **Fig 3**

3.10 The Ordnance Survey map of 1894 (see **Fig 4**) shows relatively little change. The previous industrial activities appear to have diminished, with fewer coal pits, quarries and brick fields etc. Gomersal was unable to keep pace with the industrialisation of the area due to its elevated position, the mills etc tending to migrate to the valley bottoms where there was a better supply of water: the village therefore avoided the damaging new developments found in many other east Pennine villages.

3.11 The last major development to affect the village was the construction of the LNWR Heaton Lodge and Wortley failway line from Leeds to Heckmondwyke, built at around the turn of the 19th century: however, its impact was limited as the line was tunnelled under Gomersall from a point north of Ferrand Lane to the north end of the village, emerging next to what is now Queen Street (see **Fig 5**).

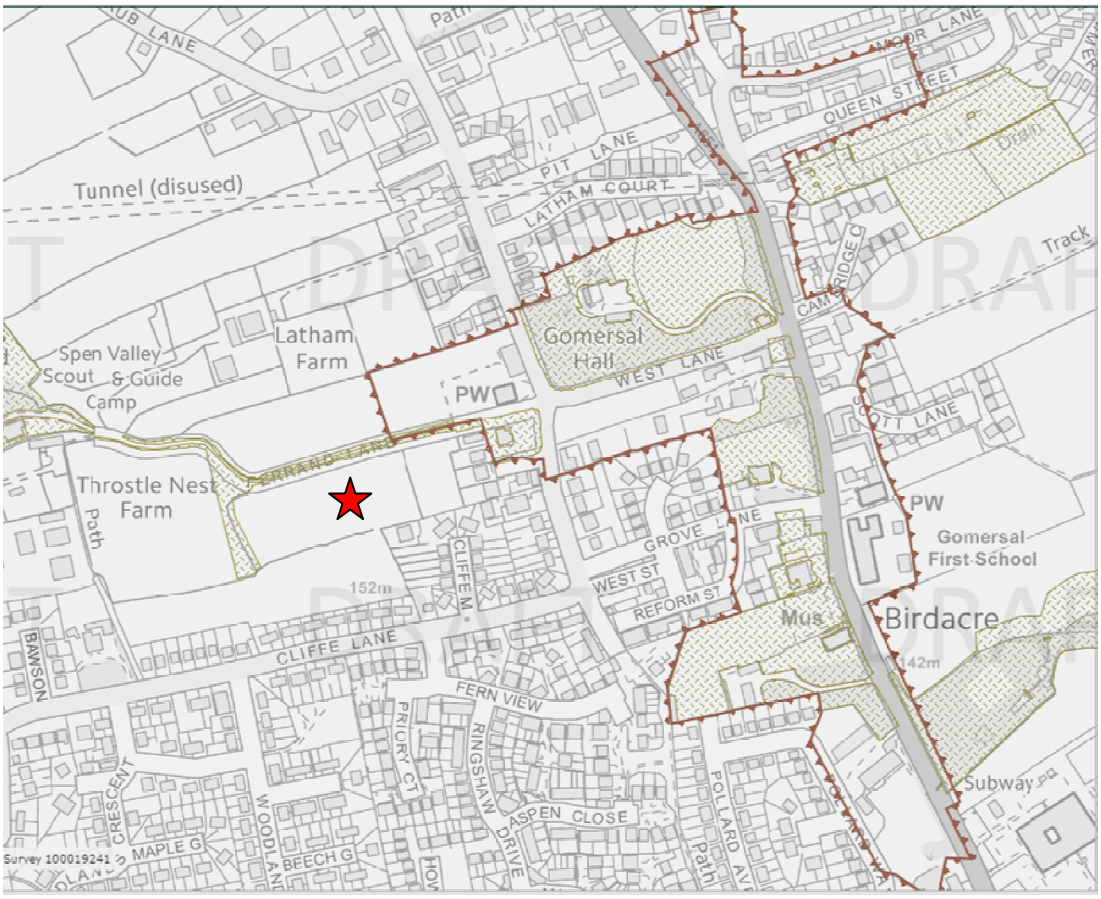
Ordnance Survey Map of 1894 **Fig 4**

Ordnance Survey Map of 1944 **Fig 5**

3.12 The Ordnance Survey map of 1944 (see **Fig 5**) still shows relatively little change apart from the expansion of the Gomersal Mill on Spen Lane, and the impression is one of a settled residential area liberally interspersed with mature trees. The Methodist chapel had by now (prior to or around 1900) expanded along Ferrand Lane by acquiring an adjoining plot, no doubt intended to serve the Sunday School which had been added at that time.

3.13 The 1944 map shows the first mass (pre-War) housing development, consisting of a small cluster at the south end of Latham Lane and on the corner with Cliffe Lane, on summit of the ridge. Following the closure and clearance of the Gomersal Mill this was to be followed by much more mass housing development along and between Spen Lane and Cliffe Lane (see **Fig 1**), along the ridge and down the western slopes.

3.14 Gomersall has been designated as a conservation area by Kirklees District Council, and a conservation area character appraisal is awaited.



Plan showing conservation area, proposed development site starred red. **Fig 6**

4.0 THE CHARACTER OF THE CONSERVATION AREA

4.1 The following is a description of the conservation area, as seen travelling northwards along Oxford Road from Spen Lane to the bifurcation at the north end of the area.

4.2 After the Spen Lane Road junction some of the key characteristics which distinguish the conservation area from the general topography of the wider area are soon apparent: the road is spacious, flanked by mature trees which overhang the road and bounded by well constructed stone walls with shaped copings. To the west are large period houses in spacious grounds screened by vegetation (notable the Grade ll*Pollard Hall), with 'through views' obscured by trees: the adjoining Grade ll Red House with its classically designed coach house indicates an affluent and settled residential area. To the east there is a more rural setting, with a wood followed by a field sloping away to the valley below and giving long views of the ridges beyond.

4.3 The first nucleus of buildings near the Grove Lane junction includes the classically designed and Grade ll Listed public hall to the west and the Grade ll Congregational Chapel to the east, giving a strong sense of community and quality. Otherwise the large secluded houses which continue on the west side, within high enclosing walls bounded by trees, are now joined on the east side by more modest terraced and workers' houses, several occupied by shops or businesses, in a more tight knit suburban form (see **Figs 7 and 8).**

4.4 At this point Oxford Road starts a distinct descent to the north, and its strategic location traversing the east flank of the ridge is apparent: to the east the land slopes away with more long views between buildings to the valley bottom and the hillsides beyond, and the larger houses appear to have been located to take advantage of these easterly views. By contrast, Grove Lane rises steeply to the west and quickly reverts to being an access road to the Post-War housing estates on the ridge top and beyond.

4.5 Beyond West Lane (- which is described later in 4.6 -) Oxford Road passes a final large house on the west side (- Gomersal house, which is invisible from all sides due to its high boundary wall and tree screen -) followed by new housing developments. The street pattern becomes more fragmented near the 'Shoulder of Mutton' public house where Knowles Lane continues the historic road line and the later turnpike road veers off to the west. The Grade ll* Listed Peel House on Knowles Lane forms a visual 'stop' to the conservation area (see **Fig 10**)and provides a final reminder of the age and status of the settlement, and before that both Queen Street and Moor Lane turn down steeply to the east and contain a handful of original terraced or semi-detached houses representative of the Victorian middle classes (see **Fig 9**).

4.7 Along this length of Oxford Road there is little evidence of industry or sources of employment, but the agricultural origins of the settlement are still discernible in the older surviving farmhouse such as the Grade ll Listed Sigston Hall.

View south along Oxford Road near Grove Lane **Fig 7**

View south along Oxford Road near West Lane **Fig 8**

View down Moor Lane **Fig 9**

View north up Knowles Lane, to Peel House **Fig 10**

View westwards up West Lane **Fig 11**

Congregational chapel from Latham Lane **Fig 12**
(entrance to Ferrand Lane between chapel and Victorian villa beyond)

4.8 The only real departure from this north-south linear conservation area is a branch running off westwards up West Lane (see **Fig 11**). The initial character is that of an unspoilt narrow country lane, bounded on the north side by the high boundary walls and trees of Gomersal Hall and on the south (after some currently derelict buildings) by a hedge bounding a paddock, suggesting a transition into open countryside. This impression is however short-lived on reaching Latham Lane, which serves modern housing to both north and south, and the main purpose of the deviation is to include the attractive and Grade ll Listed Methodist Chapel and its Sunday School located on the summit of the ridge (see **Fig 12**).

4.9 Beyond the Latham Lane road junction Ferrand Lane continues the line of West Lane, starting as a wide unadopted and unmade road introduced by a large Victorian villa on the south corner, bounded by mature trees, followed by modern houses and fields (see **Fig 13**). On the north side is the Methodist chapel churchyard, bounded by mature trees, and a further area also bounded by trees, possibly intended to serve the Sunday School but now of no obvious purpose.

4.10 At this point the conservation area stops and the character of the area changes dramatically. Having crossed the ridge Ferrand Lane narrows and descends steeply between fields and wide views now open up to the north and west. To the south side of the lane the steeply sloping fields descending from the modern housing on the skyline are the location of the proposed housing development (see **Fig 14**).

4.11 The main characteristics of the conservation area can therefore be summarised as follows:

- A spacious and unspoilt road (Oxford Road) curving gently and descending south to north through the entire length of the conservation area along the eastern flank of the ridge, with a prime aspect to the east over a rural setting and limited uphill views to the west stopped by mature trees or modern housing.
- Road and property curtilages bounded by attractive stone walls and - west of Oxford Road - bounded and sometimes extensively filled by mature trees.
- A surviving and attractive section of unspoilt country lane (West Lane).
- A large number of Listed detached houses of high quality on the west side of Oxford Road, in spacious and secluded grounds, indicating the appeal and success of this area historically through early industry and later as a residential area.
- The historical association with Charlotte Bronte (Red House).
- Some surviving historic farmhouses and agricultural buildings indicating the origins of the settlement.
- Some modest workers' houses and later middle class houses making up the social and economic mix and providing evidence of social change.
- A high proportion of good quality public buildings, both civic and religious, many of which are Listed, indicating a strong sense of community.
- Predominant value provided by individual buildings rather than by spatial qualities.

View westwards from Ferrand Lane **Fig 13**

View from Ferrand Lane across proposed development site **Fig 14**

View south-eastwards from Drub Lane, Ferrand Lane in centre **Fig 15**

5.0 THE PROPOSED DEVELOPMENT

5.1 The location of the proposed development site on Ferrand Lane is shown on **Fig 1** and **Fig 6**. An indicative layout has been produced to support the representation to allow housing allocation and this is attached below as **Fig 16**.

5.2 **Fig 16** shows the site being accessed via a new junction off Cliffe Lane, which is well outside the conservation area and whose frontages have already been developed as modern housing. Because of the large size of the site provision is made for an emergency 'escape' access to Ferrand Lane but otherwise the new houses would have their rear gardens backing onto Ferrand Lane, with no vehicular connections, allowing the lane hedges to be preserved. Ferrand Lane would remain unadopted.

6.0 IMPACT ON THE CONSERVATION AREA

6.1 The purpose of the above analysis has been to identify the essential characteristics of the conservation area, and its setting, in order to be able to assess whether the proposed development could cause direct or indirect harm to it.

6.2 The analysis shows that the conservation area derives much of its character from its historic buildings, rather than from its spatial qualities or its relationship with the wider landscape. It is therefore somewhat enclosed and inward-looking, and its qualities tend to be appreciated at close quarters and do not involve a wider context.

6.3 Any views out of the conservation area are almost exclusively to the east, down the valley slope, giving the conservation area an easterly aspect. Whilst they are incidental they do help to confirm the rural setting and origins of the settlement, and add to the character of the area. In contrast, the proposed development site lies on the opposite side of the ridge, facing west, with no visual connection with the bulk of the conservation area and separated from it by existing modern housing. At ground level the profile of the ridge results in a far greater division between the two areas than is apparent in the aerial and plan views (**Fig 1** and **Fig 6**), and the development site can be largely regarded as being visually unrelated and irrelevant.

6.4 The only area in which the development site and the conservation area come close enough to have any possible relationship is at the west end of West Lane and the start of Ferrand Lane, around the Methodist chapel (see **Fig 6**). On the south side of Ferrand Lane the conservation area boundary takes in the corner Victorian villa but not the houses beyond, which therefore prevent the two areas from meeting. The new development would therefore have no visual impact along this boundary.

6.5 On the north side of Ferrand Lane the conservation area boundary extends a short distance down the centre of the lane, and at this point the new development to the south would be opposite the extension to the chapel site to the north made around 1900 (see 3.12 above). The function of this part of the chapel site is unclear - it may have been intended to serve as a recreation area for the Sunday School but there is no evidence. It does not seem to have been used as an amenity area for the chapel and the graveyard to the east was always more than capable of providing enough space for burials.

6.6 This area of the chapel site was presumably included in the conservation area in order to take in the full curtilage of the chapel and its stone boundary wall and trees (see **Fig 13**), which is logical. Apart from the fact that it falls to the west, whereas the chapel is on land still falling to the east, the chapel is orientated firmly to the east, turning its back to the churchyard and with no suggestion that views to the west were of value.

6.7 The chapel itself is far enough away from the proposed development site that - bearing also in mind its orientation - its setting would not be materially affected. Whilst nearer, its graveyard would also not be significantly affected.

6.8 The impact on long distance views of the conservation area has been considered but these are limited to views from Drub Lane to the north east (see **Fig 15**). However, the chapel is screened by trees and the new housing would sit below a skyline already lined with modern housing, with no detriment to the chapel or conservation area.

6.9 The conservation area includes no more of Ferrand Lane than is necessary to protect the chapel site, and the proposed development site does not include any remains of historic industry or activity (other than agricultural) which add intelligibility and value to the area.

7.0 CONCLUSION

The proposed development site is physically and visually remote from the majority of the conservation area, particularly due to the presence of the intervening ridge and modern housing, and even where the two areas come into close proximity the impact will be negligible. The conclusion of this analysis is therefore that development of the proposed site for housing will have no detrimental impact on the conservation area, or on any of the Listed buildings within the area.

Lindsay Cowle (Conservation Consultant) March 2016

Proposed housing site -indicative layout **Fig 16**

Appendix 5 Preliminary Ecological Appraisal

elliottconsultancyltd.
arboricultural consultants

Location:
Ferrand Lane,
Gommersal

Report Type:
Arboricultural Pre-development Report

Ref:
ARB/CP/1224

Date:
November 2015

Wrens Nest, Underhill, Glaisdale, North Yorkshire, YO21 2PF
Tel – 01947 897001 Email: enquiries@elliottconsultancy.com
www.elliottconsultancy.com
Company Registration No: 5515572 VAT No: 889226571

Contents

Appendices

1 Introduction

1.1 Acting upon the request of the client a survey of trees to the south of Ferrand Lane, Gommersal was carried out on the 10th November 2015. The tree survey and report production were undertaken by Charles Prowse of Elliott Consultancy Ltd.

1.2 Scope of the document:

- This document provides details of the individual trees and groups of trees that were surveyed and is intended to assist with site layout decisions. A key to abbreviations used precedes the tree data (Appendix 1).
- All trees within the site were assessed and categorised with regard to their quality and a retention value was assigned using criteria outlined in British Standard 5837:2012 – 'Trees in Relation to Design, Demolition & Construction' (BS5837:2012). Section 3 explains the different categories and notes the trees and groups assigned; Appendix 3 provides information regarding the categorisation method.
- A Tree Constraints Plan is included as Appendix 2 which shows the locations of trees, groups and hedgerows with identifying numbers, BS5837 category, crown spread, and root protection area extents.

1.3 This document represents the first in a series of reports outlined within BS5837:2012 that are intended to provide the necessary advice to ensure appropriate tree retention and protection. An Arboricultural Impact Assessment, which evaluates the proposed development in context to the existing trees, should be undertaken once potential layouts have been prepared for the detailed planning submission. Following detailed layout finalisation and approval an Arboricultural Method Statement and Tree Protection Plan should be produced, and approved by the Local Planning Authority.

1.4 The locations of the trees upon the Tree Constraints Plan are as per the topographical plan (drawing number EH1000-001 to 002 DRAFT) provided.

2 Site Information

2.1 The area surveyed is located to the south of Ferrand Lane, Gommersal. Figure 1 shows the extent of the area.

Figure 1: Area Surveyed Highlighted

2.2 The area is comprised of a number of agricultural fields currently used for grazing. Some outbuildings used for housing poultry are located to the rear number 271 Cliffe Lane which was also included within the survey area.

2.3 The trees are predominantly located within field boundary hedgerows that surround and crisscross the area. A small number of trees located within adjacent properties were recorded where they could have an influence within the site. Their details are annotated upon the Tree Constraints Plan, Appendix 2.

2.4 Residential properties abut the survey area to the east, south and the southern half of the western boundary. A commercial property is located to the northwest. Agricultural land and a cemetery are located beyond Ferrand Lane to the north.

2.5 On the day the site was surveyed the sky was predominantly overcast which presented reasonable levels of light. Any visibility issues encountered are noted within Appendix 1).

3 Tree Category Evaluation

3.1 The criteria used for evaluating how suitable each tree is for retention within a development is that suggested within 5837:2012; a copy of the categorisation sheet can be found within Appendix 4.

3.2 BS5837:2012 notes that all trees apart from those with stem diameters <150mm or classified as Category U should be considered for retention and viewed as a potential site constraint. When inspected, each tree and or group feature is assigned one of four categories that signify how suitable that tree/group would be for retention within any development proposals, and therefore the degree to which it should constrain the site. The four categories are as follows:

3.2.1 **Category A** (coloured green) trees are those of high quality and value, and of a condition whereby they could make a substantial contribution to the site. The retention of Category A trees should be considered during the design phase and afforded adequate physical protection during the construction phase in accordance with BS 5837:2012 where retained. This means keeping proposed features and alterations to ground levels outside of root protection areas and crown spreads so as to ensure that the tree remains in an adequate condition post-development. Root protection areas and crown spreads are displayed upon the Tree Constraints Plan, Appendix 2. Two individual trees were classified as Category A; their numbers being Trees 20 and 34.

3.2.2 **Category B** (coloured blue) trees are those of moderate quality and value, and of a condition that they make a substantial contribution to the site. The retention of Category B trees should be considered during the design phase and afforded adequate physical protection during the construction phase in accordance with BS 5837:2012 where retained. Fifteen individual trees, and two hedgerows were classified as Category B; their numbers being Trees 1, 3, 4, 6, 9, 10, 12, 14, 15, 18, 21-25, 30, 32, 33 and Hedgerows 1 and 2.

3.2.3 **Category C** (coloured grey) trees are considered to be of low quality and value, but of an adequate condition to remain in the short-term. Trees with a stem diameter of less than 150mm (measured at 1.5m above ground level) are classified as Category C; these trees should also be retained where

possible but where they form a significant constraint to development their removal should be permitted. Where they are to be retained they should be afforded adequate consideration during the design phase and physical protection during the construction phase in accordance with BS 5837:2012. Twelve individual trees, eight groups of trees and nine hedgerows were classified as Category C; their numbers being Trees 2, 7, 8, 11, 13, 16, 17, 26-29, 31, Groups 1-8, and Hedges 3-11.

3.2.4 **Category U** (coloured red) trees are of such a condition that any existing value would be lost within 10 years. As a result it is recommended that Category U trees are not considered a constraint for development and are removed prior to construction commencing. Two of the trees were classified as Category U. Tree 5 is a goat willow with poor form which is in contact with an out-building and Tree 19 is an oak which has been left unbalanced and with a stem crack following the loss of a co-dominant stem.

3.2.5 In addition to the four main categories explained above, each tree/group is assigned a sub-category which signifies its overriding value as determined by the surveyor, which is noted by adding a suffix of 1, 2 or 3 alongside the category letter. 1 signifies that the trees/groups main value is arboricultural e.g. it may be a particularly good example or may be rare. 2 signifies that the overriding factor was due to the landscape value that the tree/group provides e.g. it may be part of a group feature such as a screen. 3 indicates that a cultural factor was the overriding value e.g. it may have historical or commemorative importance.

3.3 Overall the majority of the trees within the site are of reasonable to good physiological and structural condition with few arboricultural issues noted. Specific details for trees, groups and hedgerows can be found within Appendix 1.

Summary of Categories Awarded			
Category	Tree Numbers	Group Numbers	Hedgerow Numbers
A	20, 34		
B	1, 3, 4, 6, 9, 10, 12, 14, 15, 18, 21-25, 30, 32, 33		1 & 2
C	2, 7, 8, 11, 13, 16, 17, 26-29, 31	1-8	3-11
U	5, 19		

4 Tree Retention and Protection Considerations

4.1 The information contained within this report and Tree Constraints Plan (Appendix 2) should be used to guide the design with the aim of producing a layout that integrates existing trees of suitable quality where at all possible. Crown spreads and root protection areas should be respected with adequate space afforded for future development as the trees mature. An **Arboricultural Impact Assessment** should be undertaken on the final development proposals and submitted to the Local Planning Department as part of the detailed planning application.

4.2 Any tree retained within the design will require protection in accordance with *BS 5837 'Trees in relation to design, demolition and construction'* 2012 regardless of its initial retention category. This protection will usually require trees enclosed by a barrier in areas equal to the Root Protection Areas (As detailed within Appendix 2); this should be undertaken prior to any work beginning, including demolition and site preparation works. The specification for the fencing and for any other protection measures required must be provided within the **Arboricultural Method Statement** and approved by the Local Planning Authority.

4.3 Root protection areas should be considered sacrosanct from any disturbance throughout the entire development process - with no ground disturbance, material storage, or physical encroachment allowed. Where possible trees should be protected with continuous barriers protecting trees as groups rather than individual specimens – this is of particular merit around the periphery of the site to protect boundary trees on and off-site.

4.4 Areas that have been identified for post-development tree planting should also be protected to ensure that the soil does not become compacted or contaminated.

4.5 Trees are capable of causing damage to structures either directly, such as physical contact damage or indirectly given the required conditions, such as subsidence. Chapter 4.2 'Building near Trees' of the NHBC Standards should be consulted by those responsible regarding building foundation depths required according to the species of adjacent trees, and for suitable species to be planted given their intended positions to new and existing structures.

4.6 No new utility runs must be located within any of the retained trees root protection areas. Any works to existing utilities will be undertaken with regard for the retained

tree cover and will be in accordance with NJUG (National Joint Utility Groups) guidelines.

Appendix 1 Tree Details

Key for Tree & Group Data tables:

No.	Tree Number
Species	Tree Name (common)
Age	Y = Young; SM = Semi-mature; EM = Early-mature M = Mature; OM = Over-mature; V = Veteran; D = Dead
DBH	Diameter at Breast Height (measured at 1.5m above ground level to the nearest cm)
Stems	The number of stems the tree has
Height	Overall tree height measured in metres
Crown Spread	Measured along the four cardinal points in metres
CH	Canopy Height (height of crown above ground)
1st Branch	The height and aspect of the 1st significant limb e.g. 2 NE = 1st limb at 2m growing in a north-easterly direction.
EstD	Indication of whether any of the trees dimensions were estimated: Y=Yes, N=No.
General Observations	Appraisal of trees general condition
EstCont	Estimated remaining contribution (years)
BS Cat	British Standard 5837:2012 retention category
Recommendation	Remedial works that may be required should the tree be retained (Note: these recommendations do not relate to proposed development requirements – such recommendations should be covered within the Arboricultural Method Statement)

Tree Survey Data - Ferrand Lane, Gommersal

No.	Species	Age	DBH	Stems	Height	Crown Spread				CH	1st Branch		EstD	General Observations	EstCont	BS Cat	Recommendation
						N	S	E	W								
1	Sycamore	M	76	1	14	5	7	8	8	2	3	SW	N	Co-dominant crown. Branch failure stub(s).	40+	B2	No work required
2	Ash	Y	17	2-5	6	0.5	4	1	3	1.5	2	S	N	Co-dominant stems at base. Slightly suppressed form.	40+	C2	No work required
3	Sycamore	M	74	1	14	7	8	7	6	2.5	4	S	N	Open cavity from wound 0.5m to 1.8m - extent is limited at present. Branch failure stub(s). Deadwood. Co-dominant crown.	20+	B2	No work required
4	Sycamore	M	64	1	12	5	6	3	5	2.5	3	N	N	Epicormic growth at base. Damage to surface roots. Branch failure stub(s). Co-dominant crown.	40+	B2	No work required
5	Willow spp	M	36	1	7.5	5	4	3	4	2	1	N	N	Tree in contact with out-building	10+	U	Fell.
6	Ash	EM	40	1	10	4	0	5	4	2.5	2	E	N	North of hedge. Stem leaning 15 degrees. Pruning stub(s) within crown.	40+	B1	No work required
7	Ash	EM	51	2-5	10	4	6	5	5	1.5	1	SE	N	Multi-stemmed. Co-dominant stems at base. Pruning stub(s) within crown.	40+	C1	No work required
8	Ash	EM	40	2-5	9.5	4	6	5	3	2	2	S	N	Co-dominant stems at base. Stem wounds.	40+	C1	No work required

No.	Species	Age	DBH	Stems	Height	Crown Spread				CH	1st Branch	EstD	General Observations	EstCont	BS Cat	Recommendation
						N	S	E	W							
9	Oak spp	EM	63	1	9	5	5	5	4	2	2 S	N	Stem wounds. Basal cavity - extent unknown. Stem sweep. Branch failure stub(s). Deadwood.	40+	B1	Investigate extent of basal decay to ascertain structural integrity.
10	Ash	EM	46	2-5	9	6	5	6	4	3.5	3 SW	N	Co-dominant stems at base. Branch failure stub(s). Minor deadwood.	40+	B1	No work required
11	Ash	EM	52	2-5	14	4	6	5	4	1.5	2 SE	N	Multi-stemmed. Stem wounds.	20+	C1	No work required
12	Ash	M	46	1	14	4	9	7	4	2	4 NE	N	Slightly suppressed form. Branch failure stub(s).	40+	B2	No work required
13	Ash spp	M	84	1	19	6	12	5	7	2	4 S	N	Pholiota squarrosa fruiting bodies at bse. Branch failure stub(s).	10+	C1	Undertake decay detection to ascertain structural integrity.
14	Sycamore	SM	42	1	12	4	7	4	4	2	3 SE	N	Located at the bottom of the bank beyond the boundary fence.	40+	B2	No work required
15	Sycamore	EM	62	2-5	8	4	5	5	6	2	2 W	N	Multi-stemmed at base.	40+	B2	No work required
16	Hawthorn	M	45	5+	7	4	5	5	5	1	0 S	N	Multi-stemmed.	40+	C1	No work required
17	Ash	SM	38	1	12	4	4	4	3	1.5	2 S	N	Stem wound with superficial decay. Severe stem sweep. Poor form.	20+	C1	No work required
18	Ash	SM	37	1	13	5	3	4	3	1.5	2 SE	N	Co-dominant crown.	40+	B2	No work required

No.	Species	Age	DBH	Stems	Height	Crown Spread				CH	1st Branch	EstD	General Observations	EstCont	BS Cat	Recommendation
						N	S	E	W							
19	Oak spp	M	73	1	11	5	9	6	4	3	2 NE	N	Failure of Co-dominant stem at 1.5m has resulted in the the remaining elements being unbalanced. Cracks within upper stem wound suggest failure of remaining parts is likely	<10	U	Fell or reduce weight within canopy.
20	Sycamore	M	64	1	16	7	6	8	6	2.5	3 E	N	Pruning wound(s) on stem. Dominant canopy over neighbouring tree.	40+	A2	No work required
21	Sycamore	EM	41	1	13	4	4	6	5	3.5	3 E	N	Part of linear group with contiguous crowns. Co-dominant stems at 2.5m.	40+	B2	No work required
22	Sycamore	EM	40	1	13	2	3	6	5	3	2 E	N	Part of linear group with contiguous crowns. Co-dominant stems at 2.5m.	40+	B2	No work required
23	Sycamore	EM	38	1	11	3	4	6	5	3	3 E	N	Part of linear group with contiguous crowns.	40+	B2	No work required
24	Sycamore	EM	40	1	9	4	4	4	4	1.5	1 E	N	Stem leaning 10 degrees. Stem wound.	40+	B1	No work required
25	Oak spp	M	94	1	13	6	7	6	6	2	1 N	N	Multi-stemmed at 1.3m. Minor Stem decay. Branch failure stub(s).	40+	B1	No work required
26	Sycamore	SM	22	1	8	0.5	3	1	3	4	3 SW	N	Suppressed form. Stem leaning 20 degrees.	40+	C2	No work required
27	Oak spp	EM	36	2-5	7	5	4	5	4	2	1 N	N	Co-dominant stems at base - previously trifurcated. Stem wounds wd. Pruning stub(s) upon stem.	20+	C1	No work required

No.	Species	Age	DBH	Stems	Height	Crown Spread				CH	1st Branch		EstD	General Observations	EstCont	BS Cat	Recommendation
						N	S	E	W								
28	Ash	EM	44	1	14	8	2	7	4	2	2	N	N	Suppressed form. Co-dominant stems at 1.5m.	20+	C1	No work required
29	Hawthorn	M	30	2-5	7	2	0.5	1	2	1.5	2	E	N	Co-dominant stems at 0.8m Stem wound with decay. Suppressed form.	20+	C2	No work required
30	Sycamore	M	56	1	13	5	5	7	6	2.5	2	E	N	Base obscured by debris. Soil level has possibly increased to the east of the stem in the past. Stem wound from 1.2m to 4.4m. Minor deadwood. Branch failure stub(s).	40+	B2	No work required
31	Elm spp	Y	17	1	5	4	2	3	3	1	0	N	N	Multi-stemmed.	40+	C1	No work required
32	Ash	M	54	1	16	6	8	4	8	2.5	4	SW	N	Fused limb at base btween this and adjcant tree - possibly remnants of previously laid hedgerow ash. Co-dominant crown. Branch failure stub(s).	40+	B2	No work required
33	Ash	M	59	1	18	8	8	8	4	2	4	N	N	Fused limb at base btween this and adjcant tree - possibly remnants of previously laid hedgerow ash. Co-dominant crown. Branch failure stub(s).	40+	B2	No work required
34	Oak spp	M	73	1	12	7	7	7	6	2.5	2	N	N	Damage to surface roots. Tree house within crown. Branch failure stub(s).	40+	A1	No work required

Group Data - Ferrand Lane, Gommersal

Group Number	Dominant Species	Lesser Species	DBH	Average Height	Age	Average Spread	Condition/Comments	Recommendations	EstCont	BS Cat
1	Hazel		45	6	M	4	Linear group of previously coppiced hazel.	No work required	40+	C2
2	Hazel Hawthorn Elder	Sycamore	25	3	Y-M	2	Linear group along boundary. Remnants of old hedgerow hawthorn.	No work required	20+	C2
3	Sycamore Hawthorn Elm spp		20	4	Y-M	2	Stem wounds. Fire damage from nearby bonfire.	No work required	20+	C2
4	Hawthorn Ash Elder		15	4	Y-M	2	Small group along line of old field boundary.	No work required	20+	C2

Group Number	Dominant Species	Lesser Species	DBH	Average Height	Age	Average Spread	Condition/Comments	Recommendations	EstCont	BS Cat
5	Blackthorn Hawthorn		10	4	EM	1	Group of blackthorn with occassional hawthorn	No work required	40+	C2
6	Holly		15	4	EM	3	Small group of holly.	No work required	40+	C2
7	Hawthorn		35	5	M	3	Remnants of outgrouwn hedgerow.	No work required	40+	C2
8	Holly Hawthorn		20	5	M	3	Linear group - hawthorn are remnants of an old hedgerow.	No work required	40+	C2

Hedgerow Data - Ferrand Lane, Gommersal

Hedge Number	Dominant Species	Lesser Species	Age	Average Height	Average Depth	Historically Managed Height	Historically Managed Depth	Condition/Comments	Recommendations	EstCont	BS Cat
1	Hawthorn Elder Holly		M	4	2	1	1	Unmanaged hedgerow broken by gateway. Becoming gappy at base.	No work required	40+	B2
2	Hawthorn	Ash Elm spp Holly	M	3	1	2	As current depth	Sporadically managed hedgerow upon earthen bank. Broken in sections and bolstered with timber fence.	No work required	40+	B2
3	Hawthorn	Holly	M	3	2	1	1	Remnants of an outgrown hedgerow.	No work required	40+	C2
4	Hawthorn	Holly Ash	M	3	3	1	1	Sporadically managed hedgerow. Broken in sections and bolstered with timber fence. Gaps at western end.	No work required	40+	C2

Hedge Number	Dominant Species	Lesser Species	Age	Average Height	Average Depth	Historically Managed Height	Historically Managed Depth	Condition/Comments	Recommendations	EstCont	BS Cat
5	Hawthorn	Elder	M	4	4	As current height	2	Remnants of an unmanaged broken hedgerow with large gaps between trees.	No work required	20+	C2
6	Hawthorn		M	4	2	2	1	Remnants of an unmanaged broken hedgerow. Gaps between trees.	No work required	20+	C2
7	Western Red Cedar		SM	5	2	As current height	As current depth	Unmanaged hedgerow adjacent to field boundary.	No work required	40+	C2
8	Western Red Cedar		SM	5	2	As current height	As current depth	Unmanaged hedgerow adjacent to field boundary.	No work required	40+	C2

Hedge Number	Dominant Species	Lesser Species	Age	Average Height	Average Depth	Historically Managed Height	Historically Managed Depth	Condition/Comments	Recommendations	EstCont	BS Cat
9	Hawthorn		M	3	3	2	1	Unmanaged, broken hedgerow.	No work required	40+	C2
10	Hawthorn Elder	Ash Sycamore Holly	Y-M	3	3	1	1	Unmanaged outgrown boundary hedgerow. Broken in places.	No work required	20+	C2
11	Hawthorn	Holly Ash Elder Oak spp	M	4	3	1	1	Unmanaged outgrown boundary hedgerow. Broken in places. Bamble covered. Some young self-seeded trees within.	No work required	40+	C2

elliottconsultancyltd.
arboricultural consultants

Wrens Nest, Underhill, Glaisdale
North Yorkshire YO21 2PF
01947 897001
enquiries@elliottconsultancy.com

Tree Position Showing Crown Extents and BS5837 Category A

Tree Position Showing Crown Extents and BS5837 Category B

Tree Position Showing Crown Extents and BS5837 Category C

Tree Position Showing Crown Extents and BS5837 Category U

Root Protection Area - to remain free from disturbance (merged where over-lapping)

Position of Tree Upon Adjacent Property Showing Extent of Crown Overhanging the Site & Root Protection Area Estimate

Group Position Showing Crown & Root Protection Area Extents, and BS5837 Category C

Hedgerow Position Showing Crown & Root Protection Area Extents, and BS5837 Category B

Hedgerow Position Showing Crown & Root Protection Area Extents, and BS5837 Category C

Photo Number, Position and Aspect

1/G1 Tree/Group

A1/B1/C1/U BS5837 Retention Category

0 5 10 15 20 25 30 35 40 45 50 [m]

APPENDIX 2

Drawing Title:	Tree Constraits Plan
Project:	Ferrand Lane, Gommersal
Drawing Number:	ARB/CP/1224/TCP
Date:	November 2015
Scale:	1:500 @ A1
Client:	

Appendix 3 BS 5837 Tree Quality Assessment Chart

Table 1 Cascade chart for tree quality assessment

Category and definition	Criteria (including subcategories where appropriate)			Identification on plan
Trees unsuitable for retention (see Note)				
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	• Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning) • Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline • Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality *NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve; see **4.5.7**.*			See Table 2
	1 Mainly arboricultural qualities	**2 Mainly landscape qualities**	**3 Mainly cultural values, including conservation**	
Trees to be considered for retention				
Category A **Trees of high quality** with an estimated remaining life expectancy of at least 40 years	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)	See Table 2
Category B **Trees of moderate quality** with an estimated remaining life expectancy of at least 20 years	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality	Trees with material conservation or other cultural value	See Table 2
Category C **Trees of low quality** with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits	Trees with no material conservation or other cultural value	See Table 2

Table excerpt from BS5837:2012

Appendix 4 Arboricultural Glossary

Abiotic Factors – Nonliving factors of the environment, including temperature & wind.

Age-class – A general classification of the tree into either - young, semi-mature, early-mature, mature, over-mature, or senescent.

Amenity Value – A general classification based on the trees contribution to local amenity. Factors such as location and visibility from public spaces, size, maturity and species are taken into account.

Apical Bud/Shoot – The apical bud, also known as the leading shoot, is responsible for shoot extension and is dominant.

Apical Dominance – A singular, leading shoot remains dominant.

Biotic factors - Living factors. For example, animals and pathogens.

Bottle Butt – Term used to describe shape of stem base, usually associated with an internal defect – refer to 'Reaction Wood' below.

Branch union/junction - The point at which a branch joins a larger stem. Can be a point of weakness, especially in certain species.

Cambium - A lateral meristem (see below) in vascular plants located just beneath the bark responsible for secondary growth, e.g. production of annual growth rings.

Canker – A clearly defined area of dead and sunken or malformed bark, caused by bacteria or fungi. Can have a bearing on structural integrity of infected limb(s) depending on size and location.

Chlorosis/Chlorotic – Abnormal yellow or yellow-green coloration of usually green leaves. Essentially a reduction of chlorophyll levels often as a result disease or nutrient deficiency.

Co-dominant stems - A growth characteristic, where two or more stems of similar size grow from the same point. Can create an inherent weakness.

Coppice - The method of managing trees by cutting the stems at between 1.0 inch and 1.0 foot from the ground level on a regular cycle, the cut stumps of the trees or shrubs are allowed to re-grow many new stems.

Crown spread - Gives distances between extreme limits of the crown and the stem, usually along the four compass points. Helps to show crown symmetry.

Crown Reduction – The removal of branch ends to reduce the extreme limits of a trees branch spread and height.

Crown Thin – The removal of selected branches within the crown to thin the internal branch structure.

D.B.H. - 'Diameter at Breast Height', an industry standard to gauge tree stem size and development. Within arboriculture, breast height is taken to be 1.5m above ground level.

Dieback - The reduction in crown vigour and extension growth progressing to death of distal parts; often associated with decline.

Epicormic/adventitious growth - New growth from dormant buds that can often form tenuous attachments. Although some species readily form such shoots, it can be an indication of stress.

Hanger – Term used to describe a branch that has become detached and is being supported by other branches. Can be a hazard to persons and property below.

Hazard Beam – After the loss of a distal part, a limb concentrates growth upwards creating adverse end weights that can render the limb susceptible to failure.

Hyphae – Fine branching tubes that make up the body (or mycelium) of a multi-cellular fungus.

Included bark – Growth characteristic usually caused when two or more stems/branches growing in close proximity 'fuse' together entrapping the bark from when the parts were separate in the middle, creating a potential structural weakness. Some trees are able to strengthen such 'weakened' unions with adaptive growth.

Meristem - The undifferentiated plant tissue from which new cells are formed, such as that at the tip of a stem or root.

Meristematic Disorder – A growth disorder caused by a disruption of the meristem (see above) from any of a number of biotic factors (see above). Manifests as growths such as 'Witches Brooms' & 'Galls'.

Mycelium – Mass of hyphae that constitutes the vegetative part of a fungus.

Necrosis/Necrotic – Death of tissues usually characterised by a blackening in colour.

Occlusion/Occluded – Normally used to describe the overgrowth of a wound. Also, immoveable foreign objects in contact with a tree part can become encased or 'occluded' by the tree as it grows incrementally.

Pathogen - An agent that causes disease, especially a living micro-organism such as a bacterium or fungus.

Pollard – The removal and subsequent regular re-removal of the crown of a tree above animal browsing height. Can be an effective method of controlling the size of trees in urban areas. This is ideally begun in the trees early stages and maintained throughout its life.

PSULE – Potential Safe Useful Life Expectancy. A general classification as to the trees life expectancy.

Reaction wood - Essentially additional wood laid down by the tree to compensate for structural defects such as a cavities.

Ring barking/Girdling – the removal of bark around the entire circumference of a stem or branch, causing the death of all distal parts.

Rhizomorphs – Dense bundles of mycelium, blackened by melanin for protection, that aid in the spread of the fungus.

Root Protection Area – An area, usually represented as a circle, around each tree which should remain free from disturbance during a development in order to protect the roots of a tree.

Saprophyte – An organism which exists on dead plant material.

Scaffold branches - The main structural branches within the crown.

Veteran tree – Tree that, by recognised criteria, shows features of biological, cultural or aesthetic value that are characteristic of, but not exclusive to, individuals surviving beyond the typical age range for the species concerned.

Vigour - A general classification, as to the present and future potential growth and development of a tree. A comment regarding the health status of the tree specific to its species.

Appendix 6 Arboricultural Pre-Development Report

SF2518 March 2016
v2

Preliminary Ecological Appraisal
Ferrand Lane
Gomersal
West Yorkshire

Landscape Architects ■ Urban Designers ■ Ecologists ■ Horticulturists

Somerset House, Low Moor Lane, Scotton, Knaresborough, North Yorkshire, HG5 9JB Tel: 01423 863369 Fax: 01423 313107 Email: office@smeedenforeman.co.uk www.smeedenforeman.co.uk

CONTENTS

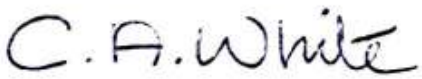
Version History

Original: 18th March 2016. First draft for review.
Version 2 (v2): This report. 23rd March 2016. Amended based on current proposals.

Report Verification:

Report compiled by: Oliver Moore
BSc (Hons) GradCIEEM
Position: Ecologist
Signature:

Report checked by: Catherine White
BSc (Hons) MA (LD) CMLI MCIEEM
Position: Associate Ecologist
Signature:



1.0 INTRODUCTION

Smeeden Foreman Limited has been commissioned by KCS Developments Limited to undertake a preliminary ecological appraisal of their site at Ferrand Lane, Gomersal, West Yorkshire (central grid reference SE 20316 26343), hereafter referred to as the 'site'.

This report will include the following information gathered by a desk study and phase 1 habitat survey:

- Proximity to statutory and non-statutory designated sites;
- Proximity to existing records of protected species; and,
- Site habitat appraisal and potential to support protected species.

A review of the above information will be made to identify any features or sites of ecological interest which may be affected by the development proposals. Where potential impacts or protected species are identified the need for mitigation measures and requirements for further surveys will be discussed.

The report has been commissioned to inform a planning application for development of the site to housing (100 units).

2.0 SITE DESCRIPTION

The site is located on the outskirts of the village of Gomersal approximately 6.7km south of Bradford centre. It occupies an area of approximately 3.7 hectares and comprises improved pasture, hedgerows, trees, shrubs, nine buildings/structures and a pond, refer to *Figure 01* below.

Figure 01: Aerial view / site location (red line denotes construction zone, blue line defines survey area).

The site is bound to the north by a fence and Ferrand Lane, beyond which lie fields of agricultural farmland; to the east by a fence and a hedgerow, beyond which lie a built up residential area; to the south by a fence and a hedgerow, beyond which lie a built up residential area; and, to the west by a fence and a hedgerow, beyond which lie residential homes and gardens and fields of agricultural farmland.

3.0 BASELINE INFORMATION

3.1. Methodology

The ecological interest of the site and its surroundings has been investigated by a combination of the following.

- Desk study of existing sources of information including:
  - The UK Biodiversity Action Plan (UKBAP);
  - The Kirklees Biodiversity Action Plan (KLBAP);
  - Magic map, a government website for nature conservation information; and,
  - Aerial photographs.
- Existing protected species records and statutory / non-statutory designated sites information within local area (within 2km) of the development site has been requested and received from the West Yorkshire Joint Services (WYJS).
- Field survey of the site and immediate surroundings which was undertaken on 10/03/2016.

3.2. Nature Conservation Designated Sites

3.2.1. *Statutory Designations*

There are no statutorily designated sites within the site but one is present within the local area (~2km).

Oakwell Park Local Nature Reserve (LNR) is located approximately 700m north-east, on the opposite side of a built up residential area and two 'A' roads, and comprises ancient woodland, species rich grassland and open water habitat..

The site is not within an Impact Risk Zone (IRZ) of any Site Special Scientific Interest (SSSI).

3.2.2. *Non-Statutory Designations*

Consultation with WYJS provided information on no non-statutory sites within the site but 3 are present within the local area, as follows:-

Hunsworth Little Wood Local Wildlife Site (LWS) is located approximately 1.6km north-west, on the opposite side of a busy main road (A58) and a built up residential and commercial area, and comprises ancient woodland habitat; Hanging Wood Kirklees Site of Wildlife Significance (KSWS) is located approximately 2km noth-west of the site on the opposite side of the M62, and is designated for its woodland habitat; and, Oakwell Park (see above) is also a LWS. A map showing the locations of these sites was provided by WYJS, refer to *Figure 02* appended.

3.3. Existing Records

3.3.1. *Protected species*

Table 01 below provides a summary of records held by WYJS and WYBG for protected species within the local area.

Table 01: Protected species records within the local area

Common Name	Scientific Name	Distance (m)*	No. of Records	Wildlife Barrier**
badger	*Meles meles*	1675	8	moderate (local roads, existing housing)
bats***	*Chiroptera*	25	69	none

fieldfare	*Turdus pilaris*	1490	2	none
kingfisher	*Alcedo atthis*	1050	1	none
otter	*Lutra lutra*	1200	1	none
redwing	*Turdus iliacus*	1490	2	none

* approximate distance
** wildlife barriers between the application site and the records
*** species present include common pipistrelle (*Pipistrellus pipistrellus*), noctuke (*Nyctalus noctula*), soprano pipistrelle (*Pipistrellus pygmaeus*), Leisler's bat (*Nyctalus leisleri*) and Daubenton's bat (*Myotis daubentoni*)

3.3.2. *Notable species*

WYJS holds records for the following notable (UKBAP and KLBAP) species within the local area:

- common toad (*Bufo bufo*);
- hedgehog (*Erinaceus europaeus*);
- brown hare (*Lepus europaeus*);
- reed bunting (*Emberiza schoeniclus*);
- dunnock (*Prunella modularis*);
- bullfinch *Pyrrhula pyrrhula*;
- yellowhammer (*Emberiza citrinella*);
- skylark (Alauda arvensis);
- spotted flycatcher (*Muscicapa striata*);
- willow tit (*Parus montanus*);
- house sparrow (*Passer domesticus*);
- tree sparrow (*Passer montanus*);
- grey partridge (*Perdix perdix*);
- starling (*Sturnus vulgaris*);
- song thrush (*Turdus philomelos*).
- weasel *Mustela nivalis* (KLBAP);
- spindle *Euonymus europaeus* (KLBAP);
- bluebell *Hyacinthoides non-scripta* (KLBAP);
- goldfinch *Carduelis carduelis* (KLBAP).

3.4. Site Survey

A phase 1 habitat survey was undertaken on the 10/03/2016. Habitat types and key species were noted and are presented in the Phase 1 Habitat format based on the Joint Nature Conservation Committee methodology, 2010 (see *Figure 03*: Phase 1 Habitat Survey appended).

The survey at the site found it to be composed of improved pasture, hedgerows, trees, shrubs, nine buildings/structures and a pond, refer to *Figure 03* appended and *Section* 3.4.8 for photographs.

3.4.1. *Improved Pasture*

Fields of improved grassland being managed as pasture occupy the majority (~96%) of the site and are characterised by common grassland species, typical of agriculturally improved grassland, refer to *Table 02* below.

Common name	Scientific Name	Abundance[1]
Yorkshire-fog	*Holcus lanatus*	A*
perennial rye-grass	*Lolium perenne*	A*
cock's-foot	*Dactylis glomerata*	F*
creeping buttercup	*Ranunculus repens*	F*
white clover	*Trifolium repens*	F*
bramble	*Rubus fruticosus*	LA
common nettle	*Urtica dioica*	LF
creeping thistle	*Cirsium arvense*	LF
spear thistle	*Cirsium vulgare*	LF
crested dog's-tail	*Cynosurus cristatus*	LF

broadleaved dock	*Rumex obstrusifolius*	LF
rosebay willowherb	*Chamerion angustifolium*	LF
broadleaved plantain	*Plantago major*	LF
dandilion	*Taraxacum agg.*	O
moss		VLF

[1] The DAFOR scale: surveyor assigns one of the following categories to the abundance of the species; D=Dominant, A=Abundant, F=Frequent, O=Occasional and R=Rare. The prefix 'L' is used where species are local (ie. distributed in a patchy manner) - for example, LF (locally frequent), and 'V' for 'very' - for example when species are frequent but only in very small patches, i.e. VLF (very locally frequent). The suffix '*' is used to identify species that are 'constant', i.e. occur constantly accross the habitat.

This grassland is characteristic of the *MG7: Perennial rye-grass leys and related grasslands* community of the NVC, which is typical of species-poor managed grasslands found in agricultural areas throughout the British lowlands.

All fields at the site comprised the same improved grassland habitat, except for the following localised differences: field F3 had locally abundant patches of broadleaved dock and crested dog's-tail, and dense linear patches of tress, shrubs and scrub, comprising oak (VO), holly (LD), hawthorn (LA), elder (LF) and bramble (LD).

In general the fields appeared to receive similar levels of grazing, except for field F5 which is being used as a paddock and was heavily grazed by horse.

3.4.2. *Hedgerows*

There are seven hedgerows present at the site.

Hedgerows at the site comprise a mix of ornamental and native hedgerows. The native hedgerows generally have low species diversity, typically comprising blackthorn (*Prunus spinosa*), ash (*Fraxinus excelsior*) and elder (*Sambucus nigra*); except for hedgerow H3 which contains seven native woody species.

It is considered that: hedgerow H3 mayqualify as '*Important*' under the Hedgerows Regulations 1997 with regards to ecology; hedgerows H2 and H3 meet the criteria to be considered UKBAP priority habitat; hedgerow H3 is of local value in terms of wildlife connectivity; and, all are of local value to wildlife for sheltering and foraging opportunities.

3.4.3. *Trees and shrubs*

Trees and shrubs present at the site are mostly associated with the field boundaries, except in field F3 where they form some scattered linear patches. Species present at the site include ash, beech (*Fagus sylvatica*), blackthorn, elder, hazel (*Corylus avellana*), holly (*Ilex aquifolium*), horse chestnut (*Aesculus hippocastanum*), oak (*Quercus* sp.), sycamore (*Acer pseudoplatanus*) and fir.

Two lines of trees form part of the boundaries of fields F1 and F3. Tree Line 1 (TL1) contains young to semi-mature trees, is approximately 80m long and comprises the following species, ash, elder, hawthorn, hazel, blackthorn and oak. TL2 contains young to semi-mature trees, is approximately 95m long and comprises the following species, blackthorn, hazel, oak and sycamore.

The trees at and adjacent to site were surveyed during the walkover survey in order to identify if they had potential to house roosting bats. All aspects of the trees were surveyed using close focusing binoculars and high powered torch light. The surveyor looked for features which are commonly used by bats for roosting or shelter, such as natural holes, woodpecker holes, cracks and splits, cavities, epicormic growth and bat boxes; and, for signs of bats utilising a tree for roosting purposes such as scratches on the bark at entry points, staining, droppings, audible noise, distinctive smells and the smoothing of surfaces near to cavities.

The trees potential to support roosting bats was categorised to relate to the value of identified features. These categories are based on those described in *Table 4.1* from the Bat Conservation Trust (BCT) *Bat Surveys for Professional Ecologists: Good Practice Guidelines 3rd edition* (2016), and are summarised in the *Table 03* below.

Table 03: Categories for describing bat potential of buildings and trees

Suitability	Description of roosting features
Negligible	Negligible habitat features suitable for use by roosting bats
Low	One or more sub-optimal features which could be used by a low number of roosting bats
Moderate	One or more good quality features which could be used by a low number of roosting bats
High	One or more good quality features which are suitable for a larger number of roosting bats

During the walkover survey five trees (T1 to T5) were considered to have bat potential, refer to *Figure 03* appended for locations, and *Table 04* below for details.

Table 04: Trees with bat potential

Ref.	Species	Suitability[1]	Notes
T1	sycamore	Moderate	multiple suitable features for low-mod no. of bats
T2	sycamore	Moderate	one feature of limited suitability for low-high no. of bats
T3	ash	Moderate	multiple suitable features for low-mod no. of bats
T4	ash	Moderate	single good quality feature for low-mod no. of bats
T5	horse chestnut	Low	single feature with limited potential but size and age[2]

[1] The trees potential to support roosting bats was categorised to relate to the value of identified features. These categories are provided by the Bat Conservation Trust (BCT) and are summarised in the *Table 03* above.
[2] Size and age where it was considered that there may be suitable features not visible from the ground.

3.4.4. *Buildings*

There are nine buildings/structures present within the site (B1 to B9), refer to *Figure 03* appended for locations. An initial assessment of the buildings for evidence of, or potential to support, roosting bats or breeding birds was carried out during the walkover survey, refer to *Table 05* below for details.

Table 05: Assessment of buildings for roosting bats and breeding birds

Building	Bat potential*	Breeding birds**	Comments: bats/breeding birds
B1	Negligible	No	Single skin, well sealed, wooden cabin with a flat roof
B2	Negligible	No	Dilapidated caravan, no suitable features found
B3	Negligible	No	Single skin, well sealed, cabin with a flat roof
B4	Negligible	Yes	Wooden chicken coop with corrugated single skin roof
B5-B7	Negligible	Yes	3 small wooden garden sheds
B8	Negligible	Yes	3 sided structure, with concrete walls and corrugated roof
B9	Moderate to High	Yes	Residential detached house, composed of stone block walls and ceramic tile apex roof. Walls and roof well sealed and in good condition. Potential access points identified along the roofline and around soffit boxes.

* The buildings potential to support roosting bats was categorised to relate to the value of identified features. These categories are provided by the Bat Conservation Trust (BCT) and are summarised in the *Table 03* above.
** Evidence of breeding birds found or building considered to provide opportunities for breeding birds (Yes/No); breeding birds may be present during the breeding season (March to October inclusive).

3.4.5. *Pond*

There is one pond present within the south-west corner of the site. The pond is approximately 50m^2 in size and up to 0.2m deep. The pond is adjacent to the chicken/foul coop and consequently is frequented by chickens, turkeys and geese. As a result the water within the pond is turbid and its banks support no aquatic or emergent vegetation. There was some aquatic/emergent vegetation present in the centre of the pond but it wasn't possible to confirm the species at the time of the survey.

This pond was assessed as being of '*poor*' suitability to support breeding great crested newt (GCN), refer to *Section 3.4.6* below and *Appendix 01* for more details.

3.4.6. *Fauna*

Carrion crow (*Corvus corone*), great tit (*Parus major*), wood pigeon (*Columba palumbus*), moorhen (*Gallinula chloropus*) and black-headed gull (*Chroicocephalus ridibundus*) were observed during the survey.

A thorough search for badger was carried out within and adjacent to the site, looking for evidence of badger such as digging, scratching, pathways, latrines, setts, hairs and prints. No evidence of badger was detected.

With regards to Great Crested Newt (GCN) and other amphibians: there is one pond (P1) within the site; and, four (P2-P5) were identified within an unobstructed 500 metres from it. A Habitat Suitability Index (HSI) assessment for breeding GCN was carried out on ponds P1-P4 during the walkover survey, but not P5 due to lack of access. Due to a combination of poor water quality and small size, ponds P1 and P2 were assessed as being of '*poor*' suitability to support breeding GCN. Due to high shading, poor water quality and lack of macrophytes, pond P4 was assessed as being of '*below average*' suitability. Pond P3 was assessed as being of '*good*' suitability, refer to *Appendix 01* for more details.

There is a ditch (D1) that runs parallel to hedgerow H3. It is overgrown/choked with terrestrial vegetation, contained <5cm of water during the survey, and supports no aquatic or emergent vegetation, and terminates before reaching Throstles Nest Farm, which is located adjacent to the north-eastern corner of the site. Due to the lack of connectivity to the wider area, aquatic or emergent vegetation and water depth, it is considered that this ditch dose not provide suitable habitat for otter (*Lutra lutra*), water vole (*Arvicola amphibius*) or white-clawed crayfish (*Austropotamobius pallipes*).

Concerning potential refuges for fauna such as reptiles and amphibians, there is a pile of wooden debris within field F5 (TN1) and scattered debris associated with, and surrounding, the dilapidated caravan (B2) in field F1. Also of note, there is a compost heap adjacent to building B5 and hedgerow H3 (TN2), this would provide suitable egg laying habitat for species such as grass snake, if present (*Natrix natrix*).

3.4.7. *Survey Limitations*

Phase 1 Habitat surveys can be conducted at any time of year, although it is recognised that plant identification is more difficult during the winter months when plant species have senesced. However due to the limited habitats present at the site and the surveyors experience, it is considered that the survey undertaken was adaquate in terms of providing the ecological assessment of the site.

Due to lack of access to building B9, this building could not be internally assessed for bats or breeding birds. However, the external assessment was still able to determine if there were any suitable access points for bats or birds.

3.4.8. *Photographs*


Improved pasture


Horse paddock (heavily grazed)


Hedgerow H1 and pile of debris (TN1)


Hedgerow H2


Hedgerow H3


Hedgerow H4


Hedgerow H5


Hedgerow H6


Hedgerow H7


Tree line TL1


Tree line TL2


Building B1


Building B2

Buildings B3 and B4


Sheds (B5, B6 and B7)


Building B8


Building B9


Pond within the site (P1)


Ditch adjacent to hedgerow H3 (D1)


Compost heap (TN2)

3.5. Biodiversity Action Plan

3.5.1. *National Biodiversity Action Plan*

The UK Biodiversity Action Plan (UK BAP) identifies priority species and habitats which are those considered to be the most threatened and therefore most in need of conservation action. The lists were updated in 2007 to include 1150 species and 65 habitats.

Hedgerows H2 and H3 meet the criteria to be considered UKBAP priority habitat. No other UKBAP priority habitats or species were detected during the survey, but the bramble scrub, hedgerows and trees at the site, and houses adjacent to it, are considered suitable for UKBAP priority species, such as tree sparrow (*Passer montanus*), linnet (*Carduelis cannabina*) and house sparrow (*Passer domesticus*).

3.5.2. *Local Biodiversity Action Plan*

The UKBAP contains all species and habitats present within the Kirklees Biodiversity Action Plan (KLBAP) except for northern wood ant (*Formica lugubris*). These species are associated with tracts of conifer woodland and as such it is considered reasonable to discount presence of this species at the site.

4.0 IMPLICATIONS / RECOMMENDATIONS

4.1. Nature Conservation Designated Sites

There are no statutory or non-statutory designated sites within the site but one statutory (Oakwell Park LNR) and three non-statutory (Hunsworth Little Wood LWS, Hanging Wood KSWS and Oakwell Park LWS) are present within two kilometres of it. The site is within no Impact Risk Zone (IRZ) of any site of Special Scientific Interest (SSSI).

Due to distance, intervening land uses and lack of complimentary habitats, it is considered that there will be no significant adverse effect on any of these sites.

4.2. Habitats

The site comprises improved pasture, hedgerows, trees, shrubs, nine buildings/structures and a pond.

Generally the site is classified as having a low conservation value. None of the habitats within the site are of significant interest in terms of the plant species composition. The plant communities at the site are of widespread occurrence and are characteristic of the habitats present in the wider area and common nationally. No rare or locally uncommon plant species or invasive species as listed under the Wildlife and Countryside Act 1981 (as amended) were detected at the site.

The hedgerows, trees and buildings at the site are of local value to breeding birds and provide shelter and foraging opportunities for wildlife in general. It is considered that: hedgerow H3 may qualify as '*Important*' under the Hedgerows Regulations 1997 with regards to ecology; hedgerows H2 and H3 meet the criteria to be considered UKBAP priority habitat; hedgerow H3 is of local value in terms of wildlife connectivity; and, all are of local value to wildlife for sheltering and foraging opportunities.

It is understood that the pond within the site (P1) will be removed as part of the development proposals. It is considered that this will not result in a significant adverse impact on local biodiversity, as the pond within the site is of limited wildlife value to due to frequent disturbance from livestock and lack of aquatic, emergent and bankside vegetation.

In order to protect habitats of ecological value present within the site and ensure that the proposed development provides enhancement to wildlife, in accordance with the stated aims of the National Planning Policy Framework (NPPF), the following is recommended:

- The retention of the hedgerows and trees at the site where feasible, or replacement planting using native species;
- Use of temporary protective demarcation fencing to protect retained areas/features including those immediately adjacent to the site. The fencing must be in accordance with BS5837:2012 'Trees in Relation to Design, Demolition and Construction', extend outside the canopy of the retained trees, and remain in position until construction is complete;
- Implementation of a lighting scheme during construction and within proposals that minimises illumination of the northern and eastern site boundaries and hedgerows, shrubs and trees within the site;
- Native tree, hedgerow and shrub planting should be undertaken where feasible; and,
- Consideration of seeding of areas associated with hedgerows/tree planting or public open space with a suitable wildflower mix.

4.3. Protected Species

Survey of the site and review of existing ecological records has highlighted the potential for the following protected species within the search area or on site, upon which the potential affects of the proposed development are discussed below (see **Appendix 02** for relevant legislation).

4.3.1. *Badger*

There are local records for badger but no evidence of badger such as setts, digging, scratching, latrines, pathways, tracks or hairs were detected at the site or within 30m from it (where assessable). Habitat at the site is suitable but not favourable for foraging and sheltering badger. There is a large tract of woodland habitat associated with a disused railway line approximately 200m north-west of the site which is likely to provide favourable habitat for badger.

Presence of badger at the site is considered unlikely but cannot be completely discounted due to the presence of suitable habitat in the vicinity of the site. Therefore it is recommended that during the construction phase of the development the following precautionary measures are taken to prevent accidental harm or injury to any badger should one come onto site, capping any open pipe ends and covering open trenches or providing a means of access via sloping ends or planking.

4.3.2. *Bats*

There are local records for bats and their roosts, five trees (T1-T5) and one building (B9) at the site are considered to have bat potential, and the hedgerows and associated trees at the site provide suitable habitat for foraging and commuting bats.

Building B9 is considered to have **moderate to high** bat potential. As a result further assessment of this building is recommended to ascertain the presence/absence of roosting bats and the requirement for mitigation/licensing prior to any demolition works commencing. It is recommended that a loft inspection is carried out; and, up to three[1] emergence/re-entry surveys (high potential) are undertaken at dusk/dawn within the appropriate survey season (May – September). These surveys would aim to detect any bats emerging/re-entering the building, determine the species using the building and the type of roost present.

Four trees were assessed as having **moderate** bat potential and one tree as having **low** potential. This does not preclude the development, but if any works are proposed on these trees such as pruning, crown-lifting and felling, the trees must first be subject to further assessment for bats. Further assessment of these trees for bats would consist of either a climb and inspect survey looking for signs of bat use prior to works (no timing restrictions are applicable to this type of survey), or where a climb and inspect survey is not possible due to health and safety reasons, or cavity too large for thorough inspection, a bat emergence/re-entry survey carried out at the tree during the appropriate survey season (May to September).

In the event of bat roosts being found within trees or buildings to be affected by a development at the site, a licence from Natural England may be required, with appropriate mitigation and working methods.

Hedgerows H2 and H3, and tree lines TL1 and TL2 provide favourable commuting and foraging habitat for bats and connectivity to favourable habitat within the local area, such as the woodland edges north-west of the site. Given the above, based on current guidance (BCT 2016) the site is considered to be of **moderate** value to commuting and foraging bats. It is therefore recommended that bat transect surveys are carried out at the site within the active season (April to October inclusive).

To reduce any disturbance to foraging and commuting bats, it is recommended that any lighting during construction, and within the development, is appropriately designed to avoid illuminating the boundaries, hedgerows and trees at the site. For additional information refer to the Bat Conservation Trusts 'Bats and lighting in the UK' (2014).

In order to enhance the site for bats, it is recommended that development at the site incorporates the installation of commercially available bat boxes, within trees, bat bricks/panels/tubes, within new buildings, at locations deemed suitable by an ecologist, and planting of native trees and shrubs that are known to be of value to wildlife.

4.3.3. *Birds*

The scrub, shrubs, hedgerows, trees and buildings (B4-B9) at the site provide suitable habitat for breeding birds. All wild birds are protected under the *Wildlife and Countryside Act 1981 (as amended)* during breeding. It is, therefore, recommended that any suitable breeding bird habitat is only removed

outside of the breeding bird season (March to August inclusive) or subsequent to a checking survey by an appropriately qualified ecologist.

If nesting birds are identified advice will be sought. The advising ecologist will issue guidance in relation to the protection of the nesting birds in conjunction with the scheduled works. Measures such as applying a set boundary around the nest may be necessary until the young birds have fledged.

4.3.4. *Great Crested Newt*

There are no local records for great crested newt (GCN), the majority of the site (improved pasture) is considered to provide sub-optimal terrestrial habitat for GCN, the pond within the site was assessed as being of '*poor*' suitability to support breeding GCN, but there was one pond (P3) within an unobstructed 500m which was assessed as being of '*good*' suitability to support breeding GCN, and another pond that was not accessible (unknown potential). However both of these ponds lie between 400-450m from the site, with no other ponds that may act as a stepping stone between them and the site.

Given the above it is considered reasonable to discount presence of GCN at the site.

4.4. Notable Species

4.4.1. *Bird species (UKBAP)*

The scrub, shrubs, hedgerows, trees and buildings within and adjacent to the site at the site are suitable for UKBAP priority species, such as house sparrow, tree sparrow, swallow and dunnock, for which there are local records. It is recommended that these features (vegetation) are retained where feasible or replaced with native species.

Development at the site offers the opportunity to enhance the site for UKBAP priority bird species and birds in general. In order to enhance the site for such species the following is recommended:

- Installation of small bird boxes at the site, in trees;
- Installation of house sparrow nesting terraces on the new building; and,
- Incorporation into the landscape planting plan of species known to be of value to wildlife, such as those that promote invertebrate diversity and/or produce fruit (e.g. hawthorn, crab apple, dog rose and wild cherry).

4.4.2. *Brown Hare (UKBAP)*

There are local records for brown hare and habitat (agricultural pasture) within the site is suitable for brown hare. However this habitat is abundant and widespread within the local area and consequently it is considered that loss of habitat within the site will not result in a significant adverse impact on the local population status of this species.

4.4.3. *Common Toad (UKBAP*

There are local records for common toad, common frog and smooth newt, but habitats within the site are considered to be of limited value to these species. It is considered that development at the site will not have a significant adverse impact on the local conservation status of these species.

4.4.4. *Hedgehog (UKBAP)*

There are local records from 2002 for hedgehog, and habitats within and around the site are suitable for foraging and sheltering hedgehog. Presence of hedgehog at the site cannot be discounted.

In order to maintain connectivity across the site for hedgehog, it is recommended that small gaps (0.2m) are left under sections of any new fencing/walls within the development to allow passage of hedgehog across the site.

In order to protect hedgehog during construction precautionary working methods should be adopted, as per those described above for badger (refer to *Section 4.3.1*), plus checking of any piles of debris/vegetation prior to burning them.

SUMMARY

Smeeden Foreman Limited has been commissioned by KCS Developments Limited to undertake a preliminary ecological appraisal of their site at Ferrand Lane, Gomersal, West Yorkshire, hereafter referred to as the 'site'.

Generally the site is classified as having a low conservation value. The hedgerows, trees and buildings at the site are of local value to breeding birds and provide shelter and foraging opportunities for wildlife in general. It is considered that: hedgerow H3 may qualify as '*Important*' under the Hedgerows Regulations 1997 with regards to ecology; hedgerows H2 and H3 meet the criteria to be considered UKBAP priority habitat; hedgerow H3 is of local value in terms of wildlife connectivity; and, all are of local value to wildlife for sheltering and foraging opportunities. The pond within the site is of limited value to wildlife due to disturbance from livestock and lack of aquatic, emergent and bankside vegetation.

In order to protect habitats of ecological value present within and adjacent to the site and ensure that the proposed development provides enhancement to wildlife, in accordance with the stated aims of the National Planning Policy Framework (NPPF), the following is recommended:

- retention of the hedgerows and trees if feasible, or replacement planting;
- use of temporary protective demarcation during construction;
- implementation of a lighting scheme during construction and within proposals that minimises illumination of the northern and eastern site boundaries and hedgerows, shrubs and trees within the site;
- native tree, hedgerow and shrub planting should be undertaken where feasible;
- consideration of seeding of areas with a suitable wildflower mix; and,
- installation of bat and bird boxes.

Concerning protected species the following further surveys for protected species are recommended in order to inform the planning application for the proposed development at the site:

- a loft inspection is carried out at building B9 (no timing restrictions);
- bat emergence/re-entry surveys are undertaken at building B9 (May – September);
- if trees with bat potential are to be affected, a climb and inspect survey is carried out prior to works (no timing restrictions); and,
- bat transect surveys are carried out at the site (April to October inclusive).

Concerning protected and notable species at the site, the following general recommendations have been highlighted:

- during the construction phase precautionary measures are taken to prevent accidental harm or injury to any badger should one come onto site;
- breeding bird habitat is only removed outside the breeding season (March to August inclusive) or subsequent to a checking survey by an appropriately qualified ecologist; and,
- small gaps (0.15m) are left under sections of new fencing/walls to allow passage of hedgehog.

FIGURES

Figure 02: Map of Non-Statutory Sites provided by WYJS

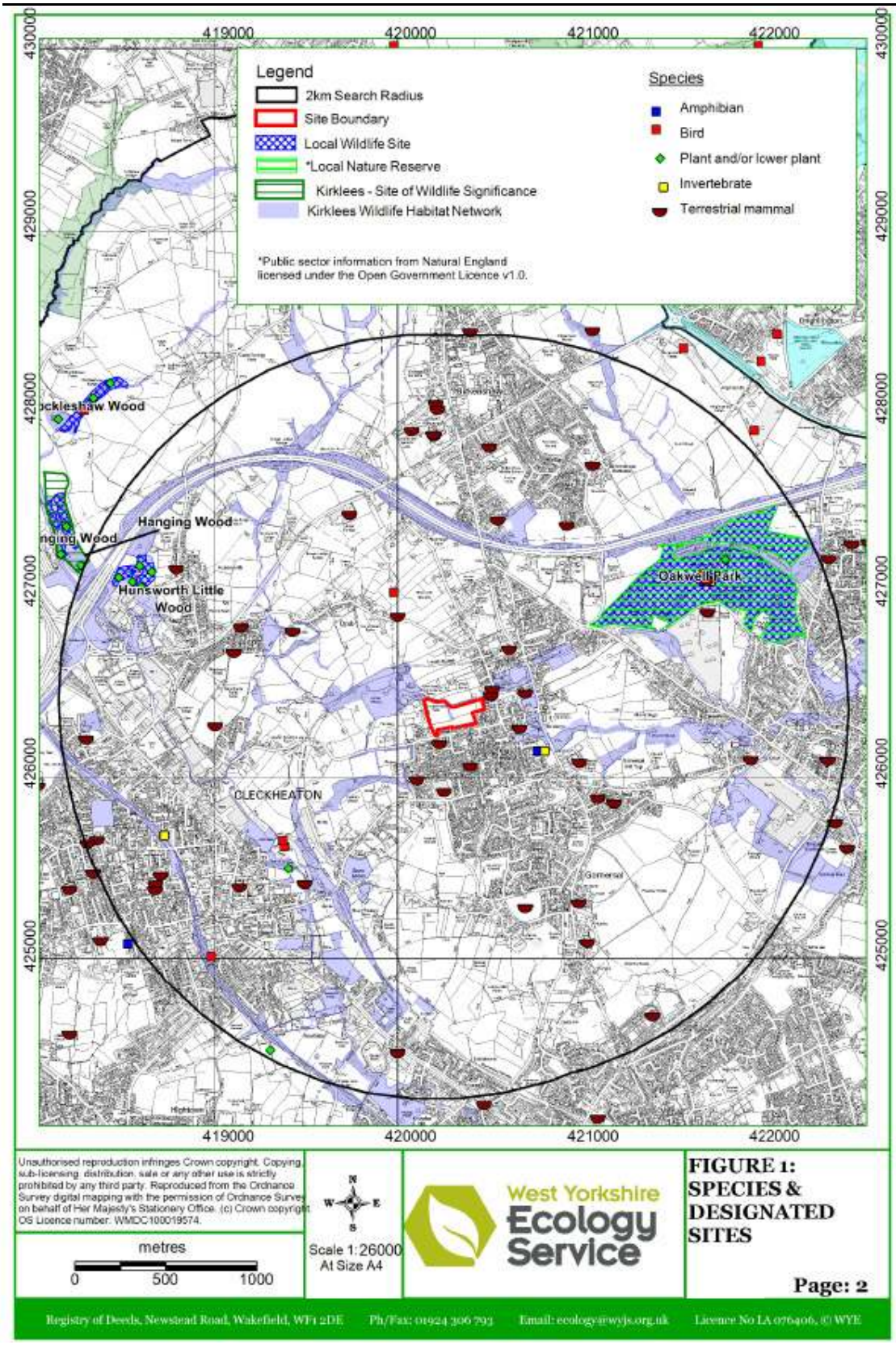
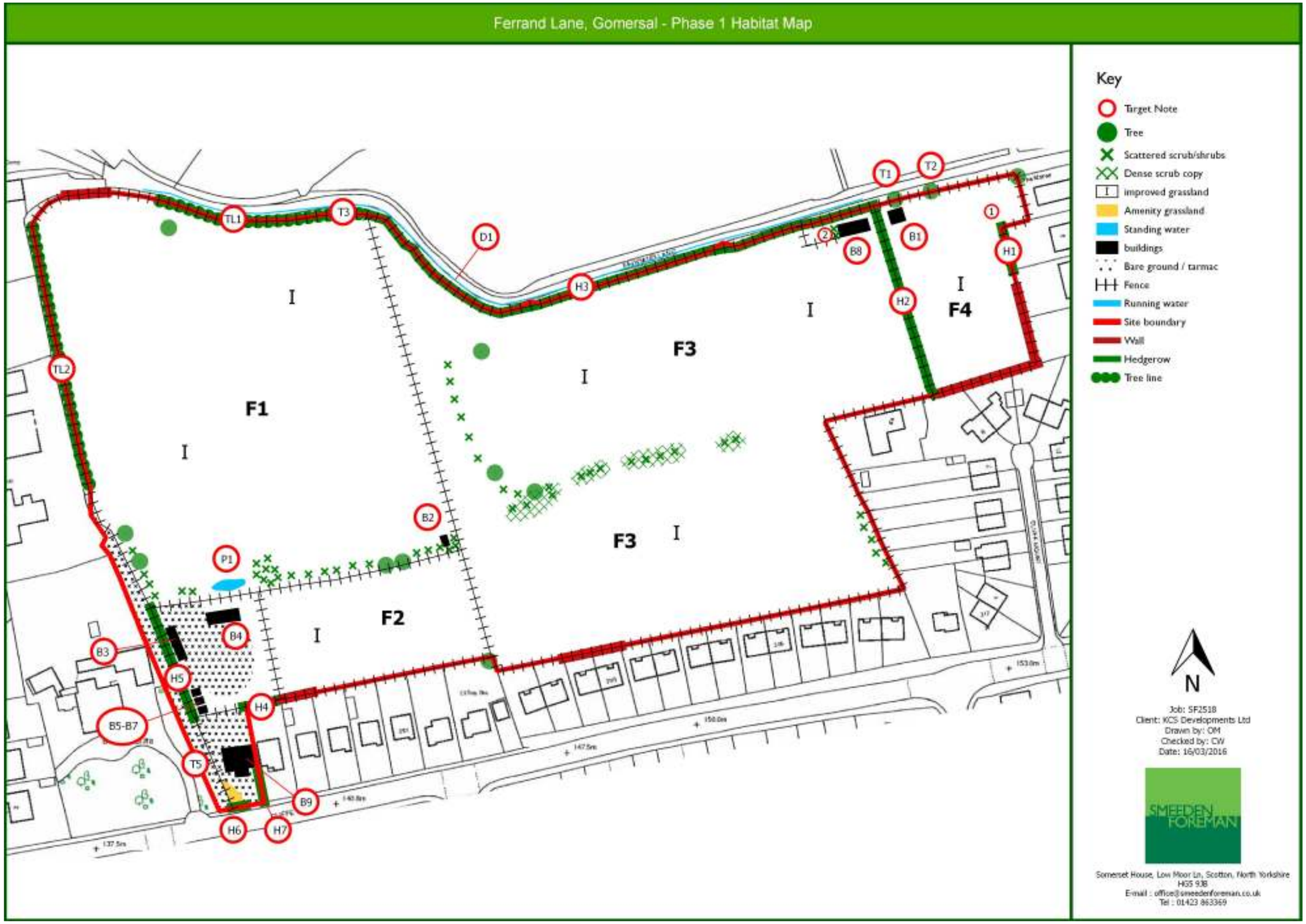


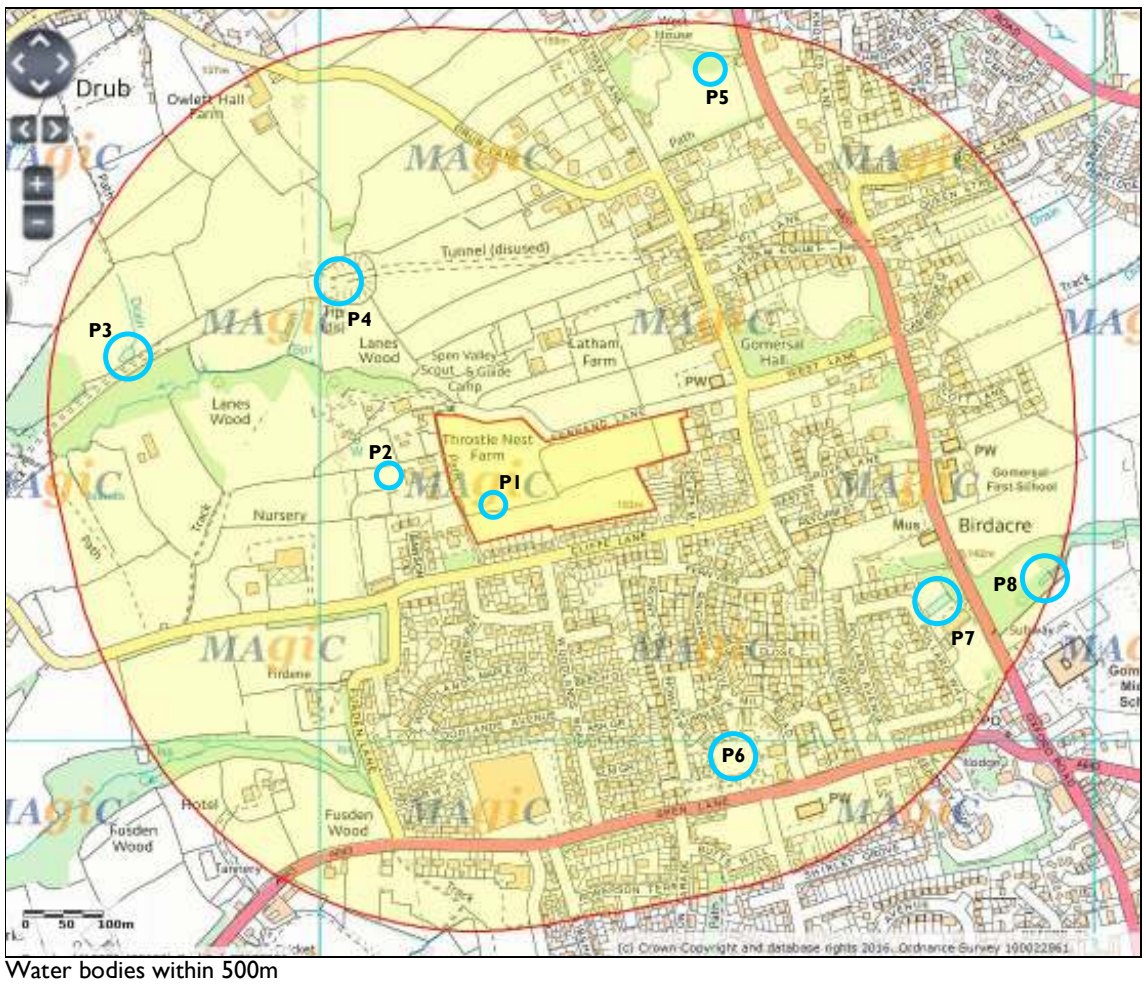
Figure 03: Phase 1 Habitat Map



APPENDIX 01: HABITAT SUITABILITY INDEX ASSESMENT FOR GCN

Introduction

A desk study found a total of eight ponds (P1–P8) to be present within 500 metres of the site, refer to the figure below.



Water bodies within 500m

Of these, major barriers to newt movements are present between ponds P6, P7 and P8, and pond P5 is located approximately 450m north-east with no other ponds present that may act as a stepping stone between it and the site. As a result ponds P5 - P8 were not included in any further assessment of potential impacts on GCN. A Habitat Suitability Index (HSI) assessment was undertaken at ponds P1 to P4 during the walkover survey in March 2016.

Methodology

The HSI can be used to provide an indication of the probability that a pond may support great crested newt based on ten suitability factors (method follows Oldham *et al.* (2000)). The index quantifies ten factors (suitability indices) which can affect great crested newt occurrence, such as the presence of fish and wildfowl, shading, coverage of aquatic vegetation, etc. and provides a score which can indicate the suitability of a pond to support breeding great crested newts. The HSI is calculated as a geometric mean of the ten suitability indices using the formula below:

$HSI = (SI_1 \times SI_2 \times SI_3 \times SI_4 \times SI_5 \times SI_6 \times SI_7 \times SI_8 \times SI_9 \times SI_{10})^{1/10}$

The score can range from 0 to 1, 0 indicating low suitability and 1 indicating a high suitability.

The HSI has been adapted by the National Amphibian and Reptile Recording Scheme (NARRS) who have categorised the suitability of a pond to support great crested newts by the HSI obtained, as follows:

HSI	Pond Suitability
<0.5	Poor
0.5-0.59	Below average
0.6-0.69	Average
0.7-0.79	Good
>0.8	Excellent

Results

The HSI score for ponds has been calculated below.

	P1		P2		P3	
SI_1 Location	Area A	1.00	Area A	1.00	Area A	1.00
SI_2 Pond area (m^2)	50	0.10	80	0.16	360	0.72
SI_3 Pond drying	Rarely	1.00	Never	0.90	Rarely	1.00
SI_4 Water quality	Poor	0.33	Bad	0.01	Moderate	0.67
SI_5 Perimeter Shade (%)	0	1.00	0	1.00	20	1.00
SI_6 Fowl	Major	0.01	Absent	1.00	Absent	1.00
SI_7 Fish	Absent	1.00	Minor	0.33	Possible	0.67
SI_8 Ponds within 1km	4	0.72	4	0.72	4	0.72
SI_9 Terrestrial habitat	Moderate	0.67	Poor	0.33	Moderate	0.67
SI_{10} Macrophytes (%)	20	1.00	0	0.08	20	1.00
HSI Score	**poor**	0.42	**poor**	0.31	**good**	0.83

	P4	
SI_1 Location	Area A	1.00
SI_2 Pond area (m^2)	700	1.00
SI_3 Pond drying	Sometimes	0.50
SI_4 Water quality	Poor	0.33
SI_5 Perimeter Shade (%)	100	0.20
SI_6 Fowl	Absent	1.00
SI_7 Fish	Absent	1.00
SI_8 Ponds within 1km	4	0.72
SI_9 Terrestrial habitat	Moderate	0.67
SI_{10} Macrophytes (%)	0	0.08
HSI Score	**below average**	0.51

Due to a combination of poor water quality and small size, ponds P1 and P2 were assessed as being of '*poor*' suitability to support breeding GCN. Due to high shading, poor water quality and lack of macrophytes, pond P4 was assessed as being of '*below average*' suitability. Pond P3 was assessed as being of '*good*' suitability.

APPENDIX 02: LEGISLATION: PROTECTED SPECIES

Badger

Badgers and their setts are protected under the Protection of Badgers Act 1992, in England and Wales (the law is different in Scotland) making it an offence to:

- wilfully kill, injure or take a badger (or attempt to do so);
- cruelly ill-treat a badger;
- dig for a badger;
- intentionally or recklessly damage or destroy a badger sett, or obstruct access to it;
- cause a dog to enter a badger sett; and,
- disturb a badger when it is occupying a sett.

Bats

All British bats are afforded full protection under both UK and European legislation.

The Conservation of Habitats & Species Regulations 2010 transpose the Habitats Directive into UK law, making it an offence to:

- deliberately disturb a bat;
- deliberately kill or capture a bat; and
- damage, destroy or obstruct access to a breeding site or resting place (note this applies to both deliberate and reckless actions).

The Wildlife and Countryside Act 1981 (as amended) (Schedule 5) made it an offence to:

- intentionally kill, injure or take a bat
- damage, destroy or obstruct a resting place *,
- disturb the species in a resting place *
- possess or control a bat or any part thereof
- sell, offer for sale, possess or transport for sale any bat or part thereof
- set traps for catching, killing or injuring bats
- possess articles for the purposes of committing offences against bats

[*= intentional and reckless offences covered]

Legal protection under the Habitats Directive applies to their breeding sites and resting places. This means that bat roosts are fully protected, whether they are in use at the time or not. Where roosts or resting/breeding sites are identified, any works which may contravene the protection afforded to them require derogation from the provisions of the legislation in the form of a licence from Natural England.

Breeding birds

The Wildlife and Countryside Act 1981 gives protection to all bird's nests (whilst being built or in use) and eggs from intentional damage or destruction. Additional protection against disturbance on the nest or of dependant young is provided for birds included on Schedule 1.