

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

20 JULY 2023

Planning Application 2023/90714

Item No. 11 – Page 11

Reserved matters application pursuant to previous outline permission 2020/91146 for erection of residential development of 35 dwellings

Land west of, Wesley Avenue, Netherthong, Holmfirth, HD9 3UL

Updated consultation response:

Yorkshire Water: The updated Drainage Statement prepared by Haigh Huddleston is considered acceptable, as the report states that:

- a.) Foul water will discharge to public combined water sewer
- b.) Sub-soil conditions do not support the use of soakaways due to site topography
- c.) A watercourse exists near to the site - this has been ruled out due to inaccessibility for construction machinery and plant, inaccessibility for the proposed outfall and the necessity of construction a 7-10 metre deep, backdrop manhole. Given these considerable engineering and maintenance issues, it is accepted that the watercourse is not an appropriate point of discharge.
- d.) Surface water will discharge to public surface water sewer via storage with restricted discharge of 3.5 litres/second.

Response to a neighbour representation:

Following a review of information submitted by local residents, along with a site visit by KC Ecology, English Bluebells have been identified at the site. Bluebells are protected under the Wildlife and Countryside Act 1981 (Schedule 8) as plants which are protected from intentional picking, uprooting or destruction (Section 13 1a); selling, offering for sale, possessing or transporting for the purpose of sale (live or dead, part or derivative) (Section 13 2a); advertising (any of these) for buying or selling (Section 13 2b). The submitted Ecological Appraisal failed to identify the presence of these protected plants, even though a botanical survey was undertaken in June 2022. As such, prior to the commencement of development, a condition to ensure appropriate mitigation for this species is recommended. It is likely that a Natural England licence will be required in order to translocate these species, to facilitate the development.

Therefore, if members resolve to approve the application an updated botanical survey/mitigation measures, specifically to identify the localities of English Bluebells, would be required.

This could be controlled by condition, with the timing of the additional survey required to take place between June and August, or alternatively the updated botanical survey undertaken by the end of August 2023 and submitted prior to a decision being issued (if the decision could not be issued by the end of August 2023, due to the requirement for a Section 106 Obligation to be completed).

Suggested condition

Prior to commencement of development, an updated botanical survey shall be undertaken at the site between June and August, to specifically identify the localities of English Bluebell (Wildlife and Countryside Act 1981, Schedule 8). The findings of the survey shall be provided in an updated report, suitable for planning purposes (EclA). The submitted report shall also detail a mitigation strategy, to ensure the continued survival of this species, within the development site.

Carbon reduction and enhance resilience to climate change:

Condition 27 on the outline permission requests details of measures to be included in the design of the scheme to promote carbon reduction and enhance resilience to climate change. As such a Carbon Reduction and Climate Change report was submitted with this application. Officers consider the measures suitable for the size of the site and these have been referenced in a response to representation on page 66 of the committee report.
