

From: planning

From: John Lamb [<mailto:jlamb@lancswt.org.uk>]

Sent: 23 March 2016 12:25

To: planning

Cc: Kim Coverdale

Subject: 3/2016/0149 for Land adj The Dene Hurst Green BB7 9QF

FAO Stephen Kilmartin,

Dear Mr Kilmartin,

RE: Planning application no. 3/2016/0149 for Land adj The Dene Hurst Green BB7 9QF.

I am writing on behalf of the Lancashire Wildlife Trust in response to the application above having been brought to my attention. I appreciate that the deadline for representations may have passed and that it may be scheduled for consideration by the planning committee on the 14th April 2016. However, I understand that submissions received after the deadline will also be taken into account. Hence I request that the following comments are brought to the attention of the committee.

1. There does not appear to have been surveys of the habitat types and species of fauna, flora and fungi in order to determine whether or not there would be any adverse impact on any Habitats or Species of Principal Importance in England, as listed in Section 41 of the Natural Environment and Rural Communities Act (NERC) 2006, which are material planning considerations under the "Biodiversity Duty" that applies to Ribble Valley Borough Council under the provisions of the legislation, hence the presence and status of habitats and species on site is not known. Surveys of the development site and adjacent areas are required and should be carried out at appropriate times of the year in accordance with the CIRIA calendar.
2. There does not appear to have been surveys for the presence of, and/or potential for, statutorily protected species including amphibians, badgers, bats, birds, mammals and reptiles, hence their presence and status on site is not known. Surveys of the development site and adjacent areas are required and should be carried out at appropriate times of the year in accordance with the CIRIA calendar.
3. The development does not take account of the ecological networks that were commissioned by the Lancashire Local Nature Partnership and have been mapped by Lancashire environment Record Network (LeRN), hence is contrary to Paragraphs 109, 113 and 165 of the National Planning Policy Framework (NPPF) 2012.
4. Google earth appears to show the site of the application as supporting grassland, broadleaved trees/woodland and possibly a hedgerow. Section 41 of the NERC Act 2006 lists the Habitats and Species of Principal Importance in England, which includes broadleaved woodland, lowland meadows and hedgerows. If the application will affect a hedgerow then an assessment of whether or not the Hedgerow Regulations 1997 apply must be carried out. If the application will affect any trees, then an arboricultural survey should also be carried out.

5. It would appear that the development may result in a net loss of grassland, broadleaved trees/woodland and/or a hedgerow, which the application does not compensate for, hence is contrary to Paragraph 118 of the NPPF. Compensatory planting is required for the losses of these habitats. Compensation should be in accordance with the Biodiversity Offsetting calculations.
6. Paragraph 9 of the National Planning Policy Framework 2012, requires there to be “*net gains for nature*”. It is difficult to demonstrate net gains in nature or ‘biodiversity’ when we don’t know what the baseline/starting point is, hence a decision for application no. 3/2016/0149 should be deferred until after the appropriate site assessments have been carried out to the satisfactorily then the committee can make an informed decision in line with the requirements of the NPPF.

The application as it stands does not meet the definition of sustainable development as defined in the National Planning Policy Framework 2012.

I would be grateful if you would keep me informed as to the outcome of this application and any other planning applications affecting the site.

Yours sincerely

John

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