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Your ref: P/11/03705/FU/MIN



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## BY EMAIL ONLY

Dear Mr Saul

**Planning consultation:** Energy recovery facility (incineration of waste and energy generation), associated infrastructure and improvements to access and bridge

**Location:** Skelton Grange Road, Stourton, Leeds

Thank you for your consultation dated 28 September 2011, which we received on 28 September 2011.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We would like to make the following comments.

### Protected species

We note that the existing cooling towers on the site have been identified as having features suitable for roosting bats. It will be necessary to carry out dusk emergence and / or dawn re-entry surveys on these buildings to determine the presence or likely absence of bats. **This information should be submitted to the Council prior to the determination of the application.** If roosting bats are found to be present, it will be necessary to apply for a licence from Natural England for the demolition works and appropriate mitigation measures will need to be set out in a method statement for the licence, as indicated in paragraphs 11.149 and 11.150 of the Environmental Statement. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of way Act 2000) and are further protected under Regulations 42 and 43 of the Conservation of Habitats and Species Regulations 2010 (as amended).

Habitats on the site have been identified as being suitable for reptiles, although it would appear that specific reptile surveys have not been carried out and no mitigation measures have been put in place to protect any reptiles that may be present. We would advise that either surveys are carried out to determine the presence or likely absence of reptiles, or precautionary mitigation measures are put in place based on the assumption that reptiles are present on the site. This could include strimming of vegetation using an appropriate methodology, and hand searching of suitable habitat features by an ecologist prior to removal. **Again this information will need to be submitted prior to determination.** All British reptiles are protected from killing and injuring under Section 9(1) of the Wildlife & Countryside Act 1981 (as amended).

We support the precautionary measures to protect nesting birds set out in paragraphs 11.145 and 11.146 of the Environmental Statement. We note that little ringed plovers have been found to be nesting on the site. This species is protected by special penalties at all times under Schedule 1 of the Wildlife & Countryside Act 1981. The development will result in the loss of a significant area of suitable

nesting habitat for this species, which has been declining in South and West Yorkshire in recent years due to the reclamation of former industrial sites. Whilst we acknowledge that a small area of bare rubble covered ground will be provided on the site, **we would strongly advise the developer to provide a larger area of suitable habitat for nesting little ringed plover, to compensate for the loss of nesting habitat.** This could be in the form of a green / brown roof on the new building which, if appropriately designed, could provide a suitable nesting site, or an area of suitable habitat could be created off-site where it would not result in the loss of other valuable habitats. The provision of a larger area of open mosaic habitat would also benefit grey partridge and skylark (both RSPB red list species) and invertebrates.

An alternative method of increasing breeding success of little ringed plover if habitat extent is limited, would be to place a cage with suitable mesh size around the area of the nest, which would allow the birds to move freely to and from the nest but would protect it from larger predators such as crows, gulls and foxes. This method has recently been used at Torr Quarry, Somerset, with great success<sup>1</sup>.

### **Landscape**

The proposed development is not within any sites designated for their landscape value. However, landscape issues should be considered with any proposal, as the development should always compliment the local character and distinctiveness of the surrounding area.

Natural England is satisfied that the development will not have a significant detrimental impact on landscape character, due to the previous use of the site and the industrialised nature of the surrounding area. The proposed landscaping will also help to mitigate any visual effects.

### **Sustainability**

We welcome the measures outlined in the Travel Plan to encourage staff to get to work by means other than the private car, such as the provision of cycle storage and showers and public transport information.

We are pleased to note that a water attenuation area will be included as part of a sustainable drainage system for the site. We would advise the developer to consider a green or brown roof for the building, as discussed above. We welcome the elements of sustainable building design detailed in sections 6.73 to 6.85 of the Sustainability Statement. Appendix A of this letter gives a summary of sustainable building practices that Natural England recommends.

If you have any queries relating to the above advice, please do not hesitate to contact me.

Yours sincerely

James Walsh  
Land Use Operations

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<sup>1</sup> RSPB Press release, September 2011

## **Appendix 1**

### **Sustainable design principles for minimising environmental impact**

The following general design principles have been adapted from good practice in South and West Yorkshire to support sustainability. The wide use of these principles will make a significant contribution to reducing the negative environmental impact of development and help to promote development that makes a positive contribution.

- Use energy efficiency as a major driver for the design of new buildings.
- Sustainable heating, ventilation and cooling systems should be employed.
- Maximise the use of natural light without the negative effects of solar gain.
- Ensure an airtight construction and adequately controlled ventilation.
- Provide more than adequate insulation.
- Design in alternative energy sources such as 'Biomass' boiler systems, and wind power where appropriate.
- Use the careful orientation of new buildings to harness and make best use of the existing landscape and renewable natural resources.
- Endeavour to re-use materials and topsoil already on site and give priority to low energy materials.
- Source materials locally, reducing delivery journeys and supporting the local economy. Ensure contractors do likewise by examining their supply chains.
- Use reclaimed materials where possible.
- Incorporate durable materials and products that have low impact in terms of environmental damage.
- Ensure any building management company is committed to sustainability and puts measures in place to monitor environmental performance and guarantees action is taken if targets are not met.
- Design in features that protect buildings and their inhabitants from extreme weather conditions and use average weather conditions to the advantage of the running of buildings.
- Sustainable drainage techniques (SUDS) should be used where possible.
- Install water meters.
- Encourage the installation of low-flush WC's, waterless urinals, low water use fittings and water efficient appliances.
- Encourage re-cycling (grey water) systems.
- Native species of plant should be used in landscaping proposals, unless there are over-riding reasons why particular non-native species need to be used.
- Avoid plants/shrubs/trees requiring large amounts of water. Water planting only if required and with recycled water, avoiding the use of mains supplies and sprinklers.
- Keep hard surfaced areas to a minimum in favour of porous surfaces thus slowing the rate of run-off to existing watercourses.
- Encourage natural alternatives to traditional sewage treatment.