

Ms Jade Corcoran
Leeds City Council
Department of Planning
The Leonardo Building (2) Rossington
Street
Leeds
West Yorkshire
LS2 8HD

Our ref: RA/2012/123877/01-L01
Your ref: 12/05004/COND
Date: 11 January 2013

For the attention of Jade Corcoran

DISCHARGE OF CONDITION 4 (IMPACT ON FISH MIGRATION) OF PLANNING APPLICATION 12/02708/FU: PERMISSION FOR TWO HYDROKINETIC POWER BARGES UP TO 21 FEBRUARY 2014. LEMONROYD WEIR, OFF FLEET LANE, OULTON

Thank you for consulting us on the above discharge of conditions application. We originally received this application on 26 November 2012. However, no information to allow the discharge of Condition 4 had been submitted. We subsequently received on 14 December 2012 an email from the applicant, Mr Brannan Tempest, with a noise monitoring report attached. This report: '*Underwater Noise Monitoring at Lemonroyd Weir for OblinArk Hydrokinetic Power Generation*' by Subacoustech Environmental Ltd, dated 29 November 2012, was emailed to you and our fisheries officer Pete Turner. On 18 December 2012 we responded via email to you and Mr Tempest, to highlight deficiencies within the report. On the 3 January 2013 we received confirmation via email from Mr Tempest that the monitoring would now incorporate those points found to be deficient in the original monitoring report by Subacoustech. Mr Tempest's email of 3 January 2013 was sent to you and as such we have taken it to be part of the formal discharge of conditions application.

Subject to the monitoring required under Condition 4 proceeding in accordance with the above referenced report by Subacoustech and the email of 3 January 2013 from Brannan Tempest, we now consider Condition 4 to be satisfied and have no objection to the discharge of this condition.

Future monitoring requirements – return of salmonids

As you are aware, this application is for a temporary planning permission up to the 21st February 2014. Should the applicant look to renew the planning permission after this period and this prove acceptable as regards the findings of the monitoring required under Condition 4 of the current permission, the following, as was discussed at the time of the original permission, should be noted.

Should salmonids return to this part of the river at a time when the barges are still in place / operational, further work will be required to demonstrate no impact on salmonid migration. If it cannot be shown that there is no unacceptable impact the barges will need to be removed from the river. As it is not known when salmonids will return to this section of the river we are unable to give a timeframe for this. Nor at this stage can we give any details of what will be required to demonstrate no impact on salmonid migration. However, the applicant should be made aware that this could involve a lengthy period of monitoring with the barges removed from the river. If the applicant wishes to discuss this further at this stage he should speak with our fisheries officers, with whom he has already been in contact.

Should you require any additional information, or wish to discuss these matters further, please contact me on the number below.

Yours sincerely

Sally Armstrong

Planning Liaison Officer

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