

## Consultation Response: Kirklees Council Conservation & Design (Biodiversity)

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|---------------------------|---------------------------------------------------------------|
| <b>Date</b>               | 05/01/2017                                                    |
| <b>Officer responding</b> | Tom Stephenson                                                |
| <b>Application number</b> | 2016/94118                                                    |
| <b>Purpose</b>            | Review of submitted ecological information, pre-determination |
| <b>Location</b>           | Land off Ravensthorpe Road, Dewsbury                          |

### ***Assessment and Recommendation***

The submitted ecological information demonstrates that of the habitats present on site only hedgerows are of significant value. The site also supports, or is likely to support, wintering and breeding birds, hedgehog, brown hare and foraging bats. Impacts to these ecological features, as well as any other features identified as part of previous or future investigations, will need to be fully mitigated and this mitigation incorporated into any reserved matters application.

Given the ecological value of the site I fully anticipate that any ecological impacts can be avoided, mitigated or compensated for. I am therefore in support of the principle of residential development with the access as shown. However, I would recommend including the conditions below to ensure that ecological constraints and opportunities are fully integrated into the final scheme design. Other conditions, e.g. lighting design and/or construction method statements are likely to be required as part of any reserved matters permission.

### ***Suggested Condition(s)***

1. No development shall take place until an ecological design strategy (EDS) addressing mitigation and enhancement has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.

j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: to secure the ecological protection and enhancement measures outlined in the submitted ecological report, and any requirement that arises due to further ecological investigation/survey, in accordance with Chapter 11 of the National Planning Policy Framework and the LPA's 'biodiversity duty' under section 40 of the Natural Environment and Rural Communities Act 2006.

2. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.
  - a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the body or organization responsible for implementation of the plan.
  - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (*where the results from monitoring show that conservation aims and objectives of the LEMP are not being met*) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: to ensure all adverse ecological impacts of construction of the scheme that cannot be avoided or mitigated are compensated for within the final design, and that all habitats created as mitigation or enhancement are managed in an appropriate manner thereafter, in order to ensure the approved scheme is acceptable under the requirements of Chapter 11 of the National Planning Policy Framework.

## ***References***

**There are no sources in the current document.**