

**Consultation Response from KC,
Ecology Unit**

2020/92331 Land east of, Leeds Road, Chidswell, Shaw Cross, Dewsbury

Outline planning application for demolition of existing dwellings and development of phased, mixed use scheme comprising residential development (up to 1,354 dwellings), employment development (up to 35 hectares of B1(part a and c), B2, B8 uses), residential institution (C2) development (up to 1 hectare), a local centre (comprising A1/A2/A3/A4/A5/D1/D2 uses), a 2 form entry primary school including early years provision, green space, access and other associated infrastructure

**Date Responded:
08/09/2020**

**Responding Officer: Amy
Reddick**

Responding Ref:

Assessment

In general, I am in agreement with the comments made by the Yorkshire Wildlife Trust. In addition, pre-application comments were made by KC Ecology in relation to the proposals on this site allocation in June 2020 and, as the level of information submitted is relatively similar, I believe these comments are still relevant.

Besides the comments made by YWT and those made at pre-application stage, I have the below comments, which due to their proximity and coverage under the same allocation should also be considered in relation to application 2020/92350.

Survey lifespan

The scope of surveys submitted with this application were undertaken over 2 years ago, although these give a good indication of the baseline in order to assess this outline application it would be beneficial for an updated walkover survey to be undertaken to inform whether there have been any significant changes to the management of the site or if there is new potential for the presence of protected species. As highlighted within the pre-application advice, it is recommended that consideration is given to consultation with local wildlife groups including the West Yorkshire Bat Group, Huddersfield Birdwatchers Club and Kirklees Badger Protection Group which can provide additional important records.

Bat activity surveys

It was highlighted at pre-app stage that the bat surveys on the dwellings due for demolition did not follow Bat Conservation Trust Guidelines and that if internal inspections of buildings considered to have negligible potential cannot be undertaken then bat activity surveys should be carried out within the optimal season for bats (1st May – 31st of August). No further bat surveys or appropriate justification for the conclusion of negligible bat potential for buildings, despite the sub-optimal survey effort, has been provided.

Breeding birds

It is considered that the breeding bird assemblage is of district importance for farmland birds, as identified within the Breeding Bird Survey (BBS). The Environmental Statement (ES), identifies that “major negative impacts” are predicted during the construction phase of the development and “minor negative impacts” are predicted during the operational phase of the development to the assemblage of breeding farmland birds currently recorded utilising the site. In particular skylark and yellowhammer, both of which are Kirklees BAP species suffering notable declines due to loss of habitat. A disregard of these impacts, even if considered minor, is not in accordance with Local Plan Policy LP30 (i) which states that development proposals are required to “*result in no significant loss or harm to biodiversity in Kirklees through avoidance, adequate mitigation or, as a last resort, compensatory measures secured through the establishment of a legally binding agreement.*”

It was recommended that careful consideration be given to eliminating these negative impacts and that it should be demonstrated that there is capacity of archive the aims of biodiversity policies and preserve the ecological functions of the site post-development, at an outline stage.

No further information appears to have been submitted regarding mitigation or compensation for breeding birds on the site and, as stated by Yorkshire Wildlife Trust, the recommendations within the BBS do not appear to have been incorporated into any of the preliminary plans of the site. Therefore, further information is required to demonstrate that the mitigation hierarchy has been correctly applied and that the proposals are in accordance with local and national policy.

Local Wildlife Sites

The site is adjacent to two Local Wildlife Sites, Dum Wood and Dogloitch Wood which are also classified as ancient woodlands. The buffer zones between these and the development are therefore welcomed however, there is currently a lack of woodland edge habitat and the incorporation of a planted buffer would enhance and protect the existing woodlands. In addition, it is expected that the increase in residential properties in close proximity to the woodlands will inevitably intensify the recreational pressures upon these. At present, the pathways within the woodlands are unmade and undefined, and there is a risk of ground flora trampling due to increased usage, therefore either limitation or adequate management of public access to the woodlands will be required as recommended within 14.145 of the ES. As stated by Yorkshire Wildlife, appropriate open space will also need to be provided within the development site in order to reduce pressure on the LWS's.

Kirklees Wildlife Habitat Network

The current green infrastructure plans indicate that much of the Kirklees Wildlife Habitat network (KWHN) will be retained post-development, with the inclusion of a link between Dum Wood and Dogloitch Wood, which is welcomed. However, the site currently supports a network of hedgerows and linear features which provide connectivity in a grid like formation over the site. Local Plan policy PLP 30 requires developments to "*safeguard and enhance the function of the KWHN and to establish ecological links to the network, where opportunities exist.*" In this case there are opportunities for enhancement and of establishing links. I am supportive of the principle of maintaining many of the existing hedgerows and creating new hedgerows, as shown in the proposed masterplan, to maintain this function. Ecological corridors and SuDS should be the main focus of the habitat creation that is required as mitigation.

Important hedgerows

Three hedges have been assessed as 'important' under the Hedgerow Regulations with one of these under the 2020/92350 application potentially due for removal. Hedgerows are classified as a habitat of principal importance within Kirklees and therefore, the mitigation hierarchy should be applied in order to retain this hedgerow. If retention is considered unfeasible then any impacts will require adequate mitigation or compensation post-development.

Biodiversity Net Gain

There are a number of changes needed to the Biodiversity Metric calculation as highlighted at pre-app and by Yorkshire Wildlife Trust. These changes should be made, and the development reassessed for the percentage loss/gain in biodiversity post-development. As the current gain is 3%, which is potentially reduced with the requested changes, the proposals should be revisited to demonstrate that a 10% net gain in biodiversity can be achieved post-development.

Advice to planning officer

Further information is required in order to demonstrate that the proposals are in accordance with Local Plan Policy LP30 (i), this should include details regarding how the favourable status of the breeding bird assemblage and the local wildlife sites will be maintained post-development.

Information is also required to demonstrate that the development can achieve a biodiversity net gain in accordance with Local Plan Policy LP30 (ii). This should include changes to the biodiversity metric calculations as specified and evidence that the proposed development can achieve a 10% net gain in biodiversity post-development.