Consultation Response from KC, Ecology Unit		
2020/94203 Clough House, 236, Leeds Road, Birstall, Batley, WF17 0HW		
Outline application for demolition of dwelling and associated outbuildings and the erection of 30 dwellings		
Date Responded:26/01/2021	**Responding Officer: Amy Reddick**	**Responding Ref:**

Assessment

The application is supported by a Preliminary Ecological Appraisal Report (PEAR) and a Biodiversity Net Gain Assessment which are welcomed. A PEAR is insufficient to support the planning application and does not give enough information in order to assess the impacts of the proposals against Local and National policy, this is further evidenced by the recommendations for further survey and the production of a Ecological Impact Assessment (EcIA) within the report. The standardised content and format of an EcIA is defined in guidance by CIEEM (2018), and if followed will provide sufficient information to enable planning officers to understand if the proposals are in line with biodiversity policies. In order to provide sufficient information to support a planning application, the EcIA should include a characterisation of the impacts to important ecological features, and identify any significant ecological effects resulting from these impacts.

There are several structures identified as possessing potential for roosting bats, Building 2 with moderate and Buildings 1, 4 and 5 with low potential. Therefore, further activity surveys will be required in order to demonstrate presence or likely absence of bats. These should follow Bat Conservation Trust guidelines (Collins, 2016) and be undertaken in optimal bat season (between May and August) at least two weeks apart. The government circular on Biodiversity and Geological Conservation (ODPM, 2005) and recent explanatory note from Natural England (Natural England, 2020) indicates that information of protected species, and in particular European protected species (including bats), should be made available prior to determination. Therefore, the application should not be determined prior to obtaining survey information regarding bats.

The Kirklees Wildlife Habitat Network (KWHN) is included within the north of the site boundary. This area is currently composed of an area of modified grassland, therefore, does not provide high value connections to the adjacent woodland habitats. However, in accordance with Policy LP30 iii development is required to "*safeguard and enhance the function and connectivity of the Kirklees Wildlife Habitat network at a local and wider landscape-scale".* As the current plans indicate that the area of network is to be contained within the curtilage of residential gardens, the maintenance of this in the future is uncertain and is not considered enhancement therefore it is not in accordance with LP30. The inclusion of a buffer zone with suitable native tree planting to complement the adjacent woodland habitat would be considered more suitable than the boundary hedge currently proposed.

Notwithstanding the above, biodiversity metric calculations have been provided which demonstrate a 6.67% net gain in biodiversity. These calculations have been based on indicative plans and therefore may not reflect the finalised layout of the development. It is noted that the "*Suburban/mosaic of developed/natural surface"* habitat classification has been assigned to the development area of houses and green space. As this is an outline application with the layout subject to change the use of this classification may be considered reasonable however, will require revising at a reserved matters stage to reflect the precise design and to subdivide the development area into areas of residential garden, buildings and roads. As the "*Suburban/mosaic of developed/natural surface"* habitat gives a higher score (equivalent to a modified grassland habitat) than the actual proposed habitats of vegetated garden and buildings, this is likely to result in a significant decrease in the number of biodiversity units than currently predicted. Therefore, further consideration should be given at outline stage in order to ensure the development is capable of achieving a net gain in biodiversity.

The site previously contained a boundary of mature trees to the south of the site, which appear to have been removed, consequently the remaining boundary vegetation has been classified as ornamental hedgerows with very little ecological value. The inclusion of a new native hedgerow with trees to the north and south is an improvement upon this, however it is not considered to be a biodiversity net gain based on the previously mature trees that were situated along this frontage. In addition, current layout designs indicate very little public open space with the majority of tree planting and new hedgerows situated within the curtilage of residential dwellings and the future maintenance of these is uncertain.

Actions required

- **Produce an Ecological Impact Assessment based on the indicative proposals (including clarification regarding the likely impacts bats).**
- **Clarify how the Kirklees Wildlife Habitat Network is to be retained and enhanced in accordance with LP30iii.**
- **Consider that the current Biodiversity Metric Calculations are unlikely to demonstrate a 10% net gain at a reserved matters stage.**

Advice to Planning Officer

The applicant should engage a suitably qualified ecologist to undertake bat activity surveys and produce an Ecological Impact Assessment, this is required to demonstrate compliance with Local and National policy and is required prior to determination.

Without the above information, I am unable to support the application.