

Consultation Response from KC, Ecology Unit		
2021/91354 land at, Old White Lee Colliery, Leeds Road, Heckmondwike, WF16 9BH		
Demolition of existing buildings, erection of 5 dwellings, formation of new access and associated works		
Date Responded: 20/05/2021	Responding Officer: Amy Reddick	Responding Ref:

Assessment

An Ecological Impact Assessment (EcIA) has been submitted to support the application, which is welcomed, along with a Preliminary Ecological Appraisal (PEA) which was produced in relation to the previous application on the site (2020/91643). I note that the proposed layout has been amended since this previous application, with the red line boundary reduced and the number of dwellings decreased from 15 to 5. The EcIA provides a good assessment of impacts anticipated to bats and habitats on the site, and outlines that with sufficient mitigative measures, no significant residual ecological effects are anticipated.

However, comments were made by KC Ecology regarding the PEA on the previous application which stated- *"In addition, the submitted PEA states that there are no ponds within 500m of the site however aerial imagery identifies two ponds, one located approximately 75m to the northwest and a garden pond 50m north across Muffit Lane. Therefore, as the habitats on site appear suitable for amphibians, consideration should be given as to whether there are any potential impacts upon great crested newts."* The EcIA does not address these comments and states no ponds are present within 500m of the site. Further clarification is therefore requested regarding potential impacts to great crested newts prior to determination.

Notwithstanding the above, provided the requested information satisfies the outstanding concerns, the proposed mitigative measures will require a series of conditions to ensure the proposals are compliant with Local Plan Policy LP30i. In particular as the access road passes closely to the retained woodland to the northwest of the site, careful lighting design will be required to ensure disturbance to foraging bats is avoided.

The EcIA also includes assessment of the habitats pre- and post-development utilising the Biodiversity Metric 2.0, with accompanying maps depicting the areas of existing and new habitats, which is welcomed. The current calculations indicate that the site has a baseline value of 6.85 habitat units and a post-development value of 7.20 habitat units, therefore there is a predicted 5.09% net gain in biodiversity. The full metric calculations as an excel sheet have not been provided however, these are requested in order to verify the assessment of habitats pre-and post- development. It is noted that an area of woodland has been felled on the site, however it is considered that the new woodland planting incorporated into the landscaping will adequately compensate for this subject to future management. The current anticipated net gain of 5.09% in biodiversity, although a positive change, is not compliant with Kirklees Biodiversity Net Gain Technical Advice Note or the forthcoming Environment Bill which both require a 10% gain. Due to the large areas of retained natural greenspace it is anticipated that this is achievable on-site and therefore the applicant is encouraged to engage with Kirklees guidance to prove a 10% net gain in biodiversity post-development. Further enhancements could include the provision of well-designed SuDs or a wildlife pond within the areas of open space.

Further actions required pre-determination:

- **Clarify level of potential impacts to great crested newts with respect to the ponds located in close proximity to the site.**
- **Provide the full Biodiversity Metric Calculations as an excel sheet**
- **Consider measures to increase the biodiversity net gain post-development to 10%**