

**Consultation Response from KC,
Ecology Unit**

2021/91506 Shop Lane, Kirkheaton, Huddersfield, HD5 0DB

Reserved matters application pursuant to outline permission 2014/92535 for erection of 48 dwellings, formation of access and associated infrastructure

Date Responded: 25/10/2022

Responding Officer: Gareth Hey

Responding Ref:

Assessment

The below comments were submitted by KC Ecology in July 2021 and still remain relevant for the application, given that no additional updated ecological information has been submitted with the application.

The application is for reserved matters in relation to an outline application (2014/92535). The application is not accompanied by any information specific to ecological matters, beyond a landscape masterplan and details on ecological enhancement within the Design & Access statement. However, the outline application was supported by a Preliminary Ecological Appraisal (PEA) and Bat Emergence Surveys undertaken in 2015. These surveys identified a series of ecological receptors likely to be impacted by the proposed development of the site including amphibians and roosting bats. A condition was imposed on the outline permission to provide details of ecological enhancement prior to the commencement of development. As the previous ecological surveys are now outdated by a considerable number of years (best practice guidance states that the lifespan of ecological reports is generally 18-25 months), these should be updated in order to inform the required interventions to mitigate for ecological impacts and achieve a biodiversity net gain. At a minimum an updated walkover of the site should be undertaken, particularly given the unmanaged nature of the site and the likelihood that the nature conservation value has improved over the past few years and opportunities for protected species increased, this should outline whether the previous report is still relevant and if any updated surveys are required. In addition, the previous bat surveys identified the requirement to obtain an EPS licence for impacts to roosting bats, updated activity surveys will be required to inform the licence application to Natural England, as a process of the licence application all ecological conditions will require discharge prior to this.

Notwithstanding the above, the proposals are required to demonstrate a biodiversity net gain in accordance with Kirklees Local Plan LP30 and Section 15 of the National Planning Policy Framework. Although it is recognised that the outline application was submitted in 2014 prior to these requirements, there have been several updates to local and national legislation since, which should be acknowledged by the reserved matters application, the NPPF in particular states that net gains should be measurable. Therefore, it would be advantageous for the applicants to employ the use of metric to demonstrate a measurable net gain for biodiversity post-development. Attention should be paid to [Kirklees Biodiversity Net Gain Technical Advice Note](#) (published June 2021) and the achievement of 10% biodiversity net gain.

Required Actions-

- **Updated surveys to establish ecological impacts and inform mitigation**
- **Demonstrate a biodiversity net gain in accordance with Local Plan Policy LP30ii**