

Consultation Response from KC, Ecology Unit
2021/91914 rear of, 28, Northorpe Lane, Northorpe, Mirfield, WF14 0QN
Demolition of one dwelling and erection of 39 dwellings with access and associated infrastructure (revised plans)
Date Responded: 21/09/2022 Responding Officer: Gareth Hey Responding Ref:

Assessment

Following on from KC Ecology comments in June 2021, an Ecological Impact Assessment (EclA) and Biodiversity Impact Assessment (BIA) including updated Biodiversity Metric v3.0 calculations, has been submitted with the application.

The EclA provides a comprehensive assessment of the site and includes up to date habitat surveys along with numerous protected species surveys. The EclA addresses all of the impacts that the proposed development could bring about to protected habitats and species, detailing the level of mitigation required to ensure that the development will bring about minimal impacts on these ecological receptors. In order to ensure that these species and habitats are safeguarded throughout the development, an appropriate condition in the form of a CEMP is recommended. The enhancements suggested in the EclA will ensure that opportunities for protected species remain, post development, which can once again be secured through an appropriately worded condition. As such, the proposed development complies with Local Policy LP30.

The submitted BIA details that the proposed development will result in a loss of 1.86 habitat units (38.77% net loss) and a net gain of 1.42 hedgerow Units (total net change of 1,423.31%). In addition, the loss of the dry ditch within the site will lead to a total net unit change of -0.2 River Units (a total net change of -100%). Given the above, in order for the proposed development to achieve a 10% net gain, 2.35 habitat units and 0.22 river units will need to be delivered off-site, this can be achieved through a variety of mechanisms, as detail in section 3.4 of the [Kirklees Biodiversity Net Gain Technical Advice Note](#). Should the applicant wish to pursue the option of a financial contribution to offset the loss of the habitat and river units, the fee that will be required (based on £20,000 per habitat unit (figure taken from 2019 DEFRA Impact Assessment) + 15% admin fee (figure taken from Kirklees Biodiversity Net Gain Technical Advice Note)) results in a contribution of £54,050 for habitats and £4,400 for river units, which will need to be secured through a Section 106 agreement. The habitats that are due to be delivered on site will be secured through a condition.

Prior to determination, the mechanism for ensuring that the proposed development can achieve a 10% net gain should be clarified, through one of the mechanisms detailed in the referenced technical advice note. Following this, KC Ecology should once again be consulted, and recommended conditions can be laid out.

Suggested Actions:

- **Clarify the off-setting mechanism that is to be pursued in order for the development to achieve a 10% net gain.**