

**Consultation Response from KC,  
Ecology Unit****2021/94280 land at, Lady Ann Road, Soothill, Batley, WF17 0PY****Erection of 65 dwellings with associated works****Date Responded: 02/11/2023****Responding Officer: Gareth Hey****Responding Ref:**

An updated EclA (including a biodiversity net gain assessment), bat survey report and water vole survey report have been submitted with the application. In order to thoroughly assess the full extent of habitat removal at the site, the submitted tree report has also been reviewed.

The bat survey report details that seasonal bat activity surveys, carried out during the 2023 summer and autumn periods and during optimal weather conditions, has found the Site to attract only very limited bat activity. Activity at the site was fairly limited, with scattered areas of activity related to common pipistrelle.

The EclA details that the proposed development will result in the loss of a significant area of low value habitat, this is generally accepted as the main habitat that is to be lost to facilitate the proposed development is species poor grassland. However, the submitted EclA details that five trees were identified as having bat roost suitability. The submitted EclA does not provide a plan showing the exact locations of the above-mentioned trees and therefore, at this stage, it is unclear if the removal of the trees throughout the site as detailed in the submitted tree report will result in the loss of potential bat roosts. In order to determine if there will be no impacts on roosting bats, a plan should be provided within the EclA (or target notes provided on original plan) detailing the locations of the trees with potential roosting features. In any case, the EclA should fully address the impacts on the loss of the trees at the site. This information should be provided prior to determination. Aside from the above, I accept the conclusions of other receptors detailed within the EclA and standard conditions with regards to CEMP: Biodiversity and an invasive species management plan should be placed on any forthcoming consent to secure the recommendations outlined in the EclA.

The submitted Water Vole report provides sufficient detail to determine that the species is absent along the site along Howley Beck. The survey utilised advanced survey techniques to determine the absence of this species at the site and therefore, I accept the conclusions of the report. Ecological enhancement measures are recommended within the submitted report; these measures should be outlined in a biodiversity management plan/EDS, to ensure that habitat remains available should this species re-colonise the area.

A Biodiversity Net Gain calculation has been submitted with the EclA, using the Biodiversity Metric 2.0 calculator tool. The submitted metric details that there will be an overall **net loss** of 6.11 habitat units at the site (35.04% net loss), a **net gain** of 1.77 hedgerow units (214.3% net gain) and a **net gain** of 0.64 river units (24.41% net gain). In order for the proposals to come forward in line with national and local policies and guidance, in order for the development to achieve a 10% net gain, 7.86 habitat units will need to be delivered, via off-site compensation. In line with the [Kirklees Biodiversity Net Gain Technical Advice Note](#), off-site compensation can be secured through one, or a combination of, the following:

- Management of land within the control of the developer;
- Purchase of the required compensation value from a Habitat Bank;
- Payment of a commuted sum to the Local Planning Authority; or
- A combination of all or some of the above.

Applicants are encouraged firstly to source and bring forward appropriate sites on which their biodiversity offsetting can occur. These should be reasonably close to the development site and have the potential to establish or enhance in-kind habitats to those due to be lost. If the applicant is unable to secure a site where adequate biodiversity offsetting can occur then a financial payment to Kirklees Council, for use to enhance biodiversity on council managed land, will be required. In order for the development to achieve a 10% net gain, a financial contribution of (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)), £180,780 will be required, 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, detailed below.

Suggested Actions:

- Prior to determination, the EclA should be updated to provide location of trees that contain suitable bat roosting features and if these trees are to be lost to facilitate the proposed development. If the trees are to be removed, it is recommended that additional survey effort in the form of aerial inspections are undertaken to determine if there are roosting bats present within these trees.