Consultation Response from KC, Ecology Unit
2021/94719 Land Off, Burn Road, Birchencliffe, Huddersfield, HD3 3BT
Reserved Matters application (for layout, appearance & scale) pursuant to outline permission 2018/91838 for erection of a residential development formed of 25 dwellings
Date Responded: 09/11/2023 Responding Officer: Gareth Hey Responding Ref:

This is an extremely complex application, whereby the outline application pre-dates the requirement of determining the level of biodiversity net gain at the site, through use of the DEFRA Metric as detailed in the Kirklees Biodiversity Net Gain Technical Advice Note, which was adopted in June 2021. Specifically, the submitted EDS seeks to provide information pursuant to condition 21 on outline permission 2018/91838, which is as follows:

Details of 'layout' and 'landscaping' submitted pursuant to condition 2 shall include an ecological design strategy (EDS). The EDS shall include the following:
a) Purpose and conservation objectives for the proposed works, including but not limited to the creation of a permanent water body or marshy grassland habitat within open space.
b) Review of site potential and constraints informed by up-to-date (within 12 months of the date of submission) ecological survey and assessment.
c) Detailed design(s) and/or working method(s) to achieve stated objectives.
d) Extent and location/area of proposed works on appropriate scale maps and plans.
e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
g) Persons responsible for implementing the works.
h) Details of initial aftercare and long-term maintenance.
i) Details for monitoring and remedial measures.

The EDS shall be implemented in accordance with the approved details and all features shall be retained as such thereafter.

***Reason:** To provide ecological mitigation and enhancement in accordance with Policy LP30 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.*

Although applications submitted after the adoption of the technical advice note and the local plan now seek to achieve a 10% net gain at the site, given the outline application gained approval prior to this, I must assess the submitted information against the previously approved outline, through the condition detailed above.

Given the above, an Ecological Design Strategy (Rachel Hacking Ecology, October 2023) has been submitted in support of the above condition. The report focusses mainly on the habitats that are to be maintained and managed at the site, and although this is welcomed, there are no provisions for protected or notable faunal groups included within the proposals.

In order to ensure that the site can achieve an enhancement, in line with adopted policies and guidance at the time of outline approval, the scheme should seek to incorporate a series of bat and bird boxes at the site, along with hedgehog boxes and 'highways'. Specifically, I seek to see the following:

- Integration of one bat box per two dwellings at the site.
- Integration of sparrow terraces and swift bricks throughout the site, on a scale of one feature per two dwellings; and
- Provisions for hedgehog, including 13x13cm gaps at the base of all fences and boundaries and placement of two hedgehog boxes in suitable locations within the site.

The above measures will ensure that the site provides opportunities for protected species, post development, along with allowing the movement of them throughout the site. The above features should be included within an updated EDS in order to ensure that they can be secured through the above mentioned condition. The updated information should also provide information as to how the

above features are to be maintained throughout the lifespan of the development, which could include the use of home buyer leaflets to make residents aware of the inclusion of such provisions at the site.

The application should not be determined until the requested information has been submitted and an enhancement for protected species has been achieved at the site.