

**Consultation Response from KC,
Ecology Unit****2022/91735 Land off, Hermitage Park, Lepton, Huddersfield, HD8 0JU****Outline application for erection of residential development****Date Responded: 15/11/2022****Responding Officer: Gareth Hey****Responding Ref:****Assessment**

Following on from a series of consultation responses from KC Ecology, an updated Ecological Impact Assessment (EclA) and Biodiversity Net Gain calculation has been submitted with the application. The EclA provides a comprehensive assessment of the site, which includes a series of species surveys undertaken within the last 5 years, the latest of which was undertaken at the beginning of October 2022. The scope of the surveys is deemed acceptable, with the October 2022 walkover confirming that the ecological value of the site has been maintained and therefore the findings of the protected species surveys can still be determined to be valid.

Overall, the site is of minimal ecological value, with a number of enhancements detailed that ensures a biodiversity net gain can be achieved post development, below summarises the main receptors at the site.

A Biodiversity Net Gain calculation has been undertaken using the DEFRA Metric v3.1. The submitted metric (dated 17th October 2022) states that the development will result in 10% net gain in habitats and a 41.48% net gain in hedgerows. This level of net gain is welcomed and ensures that the development is able to provide an enhancement over the current situation. A number of other enhancements measures can also be incorporated into the scheme in order to ensure that provisions for protected species are realised, post development.

The updated EclA anticipates that additional recreational impacts on Lepton Great Wood will be minimal, because additional users brought about by the proposed development will utilise the network of existing pathways within the area and . The EclA therefore considers that there will be no impacts to the area. While this is noted, given the sensitivity of the habitats within Lepton Great Wood, any degree of deviation from the existing network of paths brought about by the increased population could bring about significant impacts on the designating features of the woodland. It is recommended that additional measures are taken by the development in order to ensure that future residents are aware of the sensitive habitats present, and the repercussions of deviating away from the existing network of paths. These measures should be detailed within the EclA prior to determination. The proposed 20m buffer between the development is welcomed and the updated EclA details that a number of proposed habitats are to be incorporated into the buffer that shall allow connectivity with the adjacent woodland.

Overall, I have no objections to this application, subject to the following conditions.

Recommended Conditions

1. No development shall commence until a Biodiversity Enhancement and Management Plan (BEMP) to ensure that a biodiversity net gain is achieved post-development is submitted and agreed in writing by the Local Planning Authority. The BEMP shall accord with the submitted biodiversity net gain calculations dated 17th October 2022 which state that the development will result in a 10% net gain in habitats and a 41.48% net gain in hedgerows. The BEMP shall also lay out provisions for protected species, that are to be incorporated into the design. The BEMP shall include the following:
 - a. Description and evaluation of features to be managed and enhanced;
 - b. Extent and location/area of proposed enhancement works on appropriate scale maps and plans;
 - c. Ecological trends and constraints on site that might influence management;
 - d. Aims and Objectives of management;
 - e. Appropriate management Actions for achieving Aims and Objectives;
 - f. An annual work programme (to cover an initial 5 year period capable of being rolled forward over a period of 30 years);
 - g. Details of the management body or organisation responsible for implementation of the BEMP;
 - h. Ongoing monitoring programme and remedial measures; and
 - i. The BEMP will be reviewed and updated every 5 years and implemented for a minimum of 30 years

The BEMP shall set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved BEMP. The approved BEMP will be implemented in accordance with the approved details.

Reason: In order to ensure the development provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan and the National Planning Policy Framework. This pre-commencement condition is necessary to ensure details relating to the required biodiversity net gain are devised and agreed at an appropriate stage of the development process.

2. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
 - a. Risk assessment of potentially damaging construction activities that refers to the most up-to-date site specific survey information and specifically to nesting birds, badgers and invasive plant species.
 - b. Identification of “biodiversity protection zones”, where appropriate.
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d. The location and timing of sensitive works to avoid harm to biodiversity features.
 - e. The times during construction when specialist ecologists need to be present on site to oversee works, where appropriate.

- f. Responsible persons and lines of communication. g. Use of protective fences, exclusion barriers and warning signs, where appropriate.
The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason. To protect biodiversity during construction by avoiding direct impacts to protected species and to accord with Policy LP30 of the Kirklees Local Plan.