

**Consultation Response from KC,
Ecology Unit**

2022/93377 Corn Mill Bottom, Long Lane, Shelley, Huddersfield, HD8 8JJ

**Erection of one dwelling and associated landscaping and parking, demolition of existing
agricultural building**

Date Responded: 21.11.22

Responding Officer: Gareth Hey

Responding Ref:

Assessment

An Ecological Impact Assessment (EclA) has been submitted with the application, which is welcomed. The EclA provides a comprehensive assessment of the site with regards to the proposed works impacts on ecological receptors. The site is located within the bat alert layer, with part of the site located in the Kirklees Wildlife Habitat Network (KWHN). The site is also located 25m away from Shepley Mill Wood Local Wildlife Site (LWS), which is also designated ancient woodland.

The EclA concludes that given the nature of the development and how the construction of the one dwelling is largely confined to existing hardstanding, with landscaping proposals of the wider site to be beneficial to biodiversity, there will be no impacts on the nearby LWS and KWHN. KC Ecology agrees with this assessment, however, to ensure that the construction of the dwelling will result in no indirect impacts to the LWS, an appropriate condition to ensure that construction activities safeguard biodiversity throughout the proposed build is recommended.

A Biodiversity Net Gain Assessment has been provided within the submitted EclA. The submitted information details there will be an overall net gain of 32.87% in habitats and 23.88% in hedgerows. Whilst this is welcomed and will ensure that the proposed development will provide an uplift in biodiversity at the site, the BNG assessment fails to recognise the existing river habitat (River Units) within the proposed development site and therefore also fails to demonstrate a minimum 10% net gain for this habitat site. In the Biodiversity Metric, the riparian zone is defined as a 10m zone from the top of the riverbank. The riparian zone is an intrinsic part of the river system and is assessed within the river metric. The Biodiversity Metric guidance states *“where the red line boundary of the development encompasses the riparian zone, either whole or in part, but excludes the channel of the watercourse, the rivers and streams metric (including the condition assessment) must be applied”*. Based on this, the section of the Shepley Dike water body, and its riparian zone, within the site would need to be assessed as part of the BNG Assessment.

With regards to the sites suitability for protected species, limited opportunities exist within the developable area and standard conditions with regards to nesting birds should be applied to any forthcoming approval.

The proposed works will also have the potential to spread Himalayan Balsam at the site and therefore appropriate conditions to ensure that invasive species are controlled throughout the course of the development should be applied.

However, prior to determination, updated information should be provided to ensure that the river is assessed as part of the BNG Assessment.

Suggested Actions:

- **Update BNG Assessment to include information pertinent to the river metric, as detailed above.**

