

**Consultation Response from KC,
Ecology Unit**
2023/91280 Bromley Farm Quarry, Barnsley Road, Upper Cumberworth, Huddersfield, HD8 8PD
Extension to previous Bromley Farm Quarry for extraction of clay, shale and incidental coal
Date Responded: 05/07/2023
Responding Officer: Gareth Hey
Responding Ref:

Assessment

A Preliminary Ecological Appraisal (PEA) has been submitted with the application, which is welcomed. Although not considered robust enough for planning purposes, the submitted PEA provides a comprehensive assessment of the site and given the overall low ecological value of the site, is considered to provide adequate information to assess the ecological impacts of the scheme. Overall, I agree with the findings of the PEA, which are summarised in detail below.

The habitats within the site have no intrinsic botanical value and the loss of the area of improved agricultural grassland would have negligible ecological effects. In addition to the habitats on site, the proposed development is determined to have negligible impacts on faunal groups. The PEA makes recommendations for mitigative measures to avoid ecological impacts, and it is concluded that with these in place significant ecological impacts are not anticipated.

It is considered that the proposed restoration scheme will seek to create the following habitats which is likely to lead to a significant biodiversity gain overall.

- agricultural grassland (5.33ha) – this includes re-instatement of the improved grassland along the proposed access track route
- native tree (1.08ha) and shrub planting (0.87ha) – this includes additional planting with the existing tree belt along the northern site boundary with Cumberworth Lane
- species rich grassland (0.97ha)

The submitted PEA includes a Biodiversity Net Gain calculation, prepared using the BNG Metric version 4.0. The calculation indicates that the proposed habitat improvements would deliver an overall habitat net gain of 64.49% which is in excess of the 10% expected. In this respect the development is in accordance with Local Plan Policy LP30. The new planting will complement and enhance the value of the woodland areas to the south of the site that are included in the Kirklees Wildlife Habitat Network and strengthen existing ecological links and is therefore in accord with Local Plan Policy LP30.

Overall, I have no objections to the proposed development, subject to the implementation of the following conditions.

1. No site clearance works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the site for active birds' nests immediately before the site is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.

Reason: To prevent significant ecological harm in respect of direct impacts to birds, their eggs, nests and young, in accordance with Policy LP30 of the adopted Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

2. An aftercare scheme should be submitted that shall detail how an overall habitat biodiversity net gain of 64.49% is to be achieved and provide an outline strategy which shall include:
 - a Management plan of the restored agricultural grassland, native tree and shrub planting and species rich grassland,

- details identifying who would be responsible for carrying out the aftercare,
- broadly outline the steps to be carried out in the aftercare period, and their timing within the overall programme,
- include all areas subject to aftercare on an accompanying map with separate demarcation of any areas having different aftercare periods or management proposals and shall comply with the requirements identified in National Planning Practice Guidance

Reason: To ensure the restoration of the site is completed to a beneficial after use, to secure biodiversity net gain and accord with Kirklees Local Plan Policies LP30 and LP37 as well as Sections 15 and 17 of the National Planning Policy Framework.

