

**Consultation Response from KC,
Ecology Unit**

2023/91315 Land east of, Deep Lane, Milnsbridge, Huddersfield, HD4 5SJ

Erection of two detached dwellings with garages and associated works (within a Conservation Area)

Date Responded: 02/06/2023

Responding Officer: Gareth Hey

Responding Ref:

Assessment

An Ecological Impact Assessment (EclA) has been submitted with the application, which is welcomed. The proposals include the erection of two detached dwellings with garages and associated works, within a Conservation Area. The site is entirely located within the Kirklees Wildlife Habitat Network. In line with policy LP30 of the local plan, development within the Wildlife Habitat Network will not necessarily be prevented but the council will seek to ensure that development proposals maintain the integrity and continuity of the network and protect the nature conservation value of the land affected. This is discussed further below.

The site is dominated by bare ground, with small patches of acid grassland, and broadleaved woodland. Shipping containers and a garden privet and hawthorn hedge are present near the western site boundary with Deep Lane beyond. A Leyland cypress hedge and trees were present on the north boundary of the site with houses and gardens beyond. The site is bounded to the east and south by woodland. Within the faunal assessment of the site, the populations of bat, bird and invertebrate were considered to be of local value. Potential negative impacts arising from the proposed development were identified for foraging hedgehogs, bats, nesting birds, common amphibian species, and reptiles. Proposed mitigation /enhancement measures have been proposed for these species /species groups, which can be secured via condition.

The proposals have not demonstrated a biodiversity net gain in accordance with LP30 (ii) which requires development to “*minimise impact on biodiversity and provide net biodiversity gains through good design*”. Guidance released June 2021 by Kirklees Council within the [Biodiversity Net Gain Technical Advice Note](#) indicates that a 10% net gain should be achieved.

Advice to planning officer

The applicant should demonstrate how negative impacts to the Kirklees Wildlife Habitat Network are to be avoided and a how a biodiversity net gain is to be achieved post-development. This is fundamental in order to determine if the proposals can be brought forward in line within Local Plan Policy LP30.

The application should not be determined until the necessary assessments have been received and a Biodiversity Net Gain demonstrated.