

**Consultation Response from KC,
Ecology Unit**

2023/91406 Land south of, 98, Burn Road, Birchencliffe, Huddersfield, HD2 2EG

Outline application for erection of residential development

Date Responded: 08/06/2023

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 ecological baseline for the proposed development through desk study, field surveys and assessments. In the absence of mitigation, significance effects to trees, bats and nesting birds at site level were concluded. Standard mitigation practices (following the mitigation hierarchy) can be applied to avoid all significant effects. Such mitigation is largely precautionary only and will reduce potential effects to negligible levels without any significant residual effects upon completion. Ecological enhancement measures can be secured through a planning condition using the details provided in section 9 of the submitted EclA.

Overall, I have no objection to this application, subject to the following condition which will ensure the development is able to be brought forward in line with national and local planning policies pertinent to biodiversity.

Suggested Conditions

1. No development shall take place until an Ecological Design Strategy (EDS) to ensure that a biodiversity net gain is achieved post-development has been submitted to and agreed in writing by the Local Planning Authority. It shall include the following:
 - a) Purpose and conservation objectives for the proposed works.
 - b) Review of site potential and constraints.
 - 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.
 - 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.
 - j) Details for disposal of any wastes arising from works.
 - k) A lighting design strategy for biodiversity.

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

Reason: To ensure a scheme that provides ecological enhancement and habitat creation that provides a net biodiversity gain in line with Policy LP 30. This is a pre-commencement condition to ensure ecological measures are capable of being fully integrated into the construction phase

2. 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 and to accord with policy LP 30 (as modified) and the requirements of section 15 of the National Planning Policy Framework.